

Na podlagi druge alineje prvega odstavka 107. člena in prvega odstavka 91. člena Ustave Republike Slovenije izdajam

U K A Z

O RAZGLASITVI ZAKONA O RATIFIKACIJI POGODBE MED KRALJEVINO BELGIJO, REPUBLIKO BOLGARIJO, ČEŠKO REPUBLIKO, KRALJEVINO DANSKO, ZVEZNO REPUBLIKO NEMČIJO, REPUBLIKO ESTONIJO, IRSKO, HELENSKO REPUBLIKO, KRALJEVINO ŠPANIJO, FRANCOSKO REPUBLIKO, ITALIJANSKO REPUBLIKO, REPUBLIKO CIPER, REPUBLIKO LATVIJO, REPUBLIKO LITVO, VELIKIM VOJVODSTVOM LUKSEMBURG, REPUBLIKO MADŽARSKO, REPUBLIKO MALTO, KRALJEVINO NIZOZEMSKO, REPUBLIKO AVSTRIJO, REPUBLIKO POLJSKO, PORTUGALSKO REPUBLIKO, ROMUNIJO, REPUBLIKO SLOVENIJO, SLOVAŠKO REPUBLIKO, REPUBLIKO FINSKO, KRALJEVINO ŠVEDSKO, ZDRUŽENIM KRALJESTVOM VELIKA BRITANIJA IN SEVERNA IRSKA (DRŽAVAMI ČLANICAMI EVROPSKE UNIJE) TER REPUBLIKO HRVAŠKO O PRISTOPU REPUBLIKE HRVAŠKE K EVROPSKI UNIJI S SKLEPNO LISTIN (MPEUHR)

Razglaszam Zakon o ratifikaciji Pogodbe med Kraljevino Belgijo, Republiko Bolgarijo, Češko republiko, Kraljevino Dansko, Zvezno republiko Nemčijo, Republiko Estonijo, Irsko, Helensko republiko, Kraljevino Španijo, Francosko republiko, Italijansko republiko, Republiko Ciper, Republiko Latvijo, Republiko Litvo, Velikim vojvodstvom Luksemburg, Republiko Madžarsko, Republiko Malto, Kraljevino Nizozemsko, Republiko Avstrijo, Republiko Poljsko, Portugalsko republiko, Romunijo, Republiko Slovenijo, Slovaško republiko, Republiko Finsko, Kraljevino Švedsko, Združenim kraljestvom Velika Britanija in Severna Irska (državami članicami Evropske unije) ter Republiko Hrvaško o pristopu Republike Hrvaške k Evropski uniji s Sklepno listino (MPEUHR), ki ga je sprejel Državni zbor Republike Slovenije na seji dne 2. aprila 2013.

Št. 003-02-4/2013-4

Ljubljana, dne 10. aprila 2013

Borut Pahor l.r. Predsednik Republike Slovenije

Z A K O N

O RATIFIKACIJI POGODBE MED KRALJEVINO BELGIJO, REPUBLIKO BOLGARIJO, ČEŠKO REPUBLIKO, KRALJEVINO DANSKO, ZVEZNO REPUBLIKO NEMČIJO, REPUBLIKO ESTONIJO, IRSKO, HELENSKO REPUBLIKO, KRALJEVINO ŠPANIJO, FRANCOSKO REPUBLIKO, ITALIJANSKO REPUBLIKO, REPUBLIKO CIPER, REPUBLIKO LATVIJO, REPUBLIKO LITVO, VELIKIM VOJVODSTVOM LUKSEMBURG, REPUBLIKO MADŽARSKO, REPUBLIKO MALTO, KRALJEVINO NIZOZEMSKO, REPUBLIKO AVSTRIJO, REPUBLIKO POLJSKO, PORTUGALSKO REPUBLIKO, ROMUNIJO, REPUBLIKO SLOVENIJO, SLOVAŠKO REPUBLIKO, REPUBLIKO FINSKO, KRALJEVINO ŠVEDSKO, ZDRUŽENIM KRALJESTVOM VELIKA BRITANIJA IN SEVERNA IRSKA (DRŽAVAMI ČLANICAMI EVROPSKE UNIJE) TER REPUBLIKO HRVAŠKO O PRISTOPU REPUBLIKE HRVAŠKE K EVROPSKI UNIJI S SKLEPNO LISTINO (MPEUHR)

1. člen

Ratificira se Pogodba med Kraljevino Belgijo, Republiko Bolgarijo, Češko republiko, Kraljevino Dansko, Zvezno republiko Nemčijo, Republiko Estonijo, Irsko, Helensko republiko, Kraljevino Španijo, Francosko republiko, Italijansko republiko, Republiko Ciper, Republiko Latvijo, Republiko Litvo, Velikim vojvodstvom Luksemburg, Republiko Madžarsko, Republiko

Malto, Kraljevino Nizozemsko, Republiko Avstrijo, Republiko Poljsko, Portugalsko republiko, Romunijo, Republiko Slovenijo, Slovaško republiko, Republiko Finsko, Kraljevino Švedsko, Združenim kraljestvom Velika Britanija in Severna Irska (državami članicami Evropske unije) ter Republiko Hrvaško o pristopu Republike Hrvaške k Evropski uniji s Sklepno listino, podpisana 9. decembra 2011 v Bruslju.

2. člen

Besedilo pogodbe o pristopu s sklepno listino se v izvirniku v slovenskem in angleškem jeziku glasi:(*)

POGODBA MED KRALJEVINO BELGIJO, REPUBLIKO BOLGARIJO, ČEŠKO REPUBLIKO, KRALJEVINO DANSKO, ZVEZNO REPUBLIKO NEMČIJO, REPUBLIKO ESTONIJO, IRSKO, HELENSKO REPUBLIKO, KRALJEVINO ŠPANIJO, FRANCOSKO REPUBLIKO, ITALIJANSKO REPUBLIKO, REPUBLIKO CIPER, REPUBLIKO LATVIJO, REPUBLIKO LITVO, VELIKIM VOJVODSTVOM LUKSEMBURG, REPUBLIKO MADŽARSKO, REPUBLIKO MALTO, KRALJEVINO NIZOZEMSKO, REPUBLIKO AVSTRIJO, REPUBLIKO POLJSKO, PORTUGALSKO REPUBLIKO, ROMUNIJO, REPUBLIKO SLOVENIJO, SLOVAŠKO REPUBLIKO, REPUBLIKO FINSKO, KRALJEVINO ŠVEDSKO, ZDRUŽENIM KRALJESTVOM VELIKA BRITANIJA IN SEVERNA IRSKA (DRŽAVAMI ČLANICAMI EVROPSKE UNIJE) TER REPUBLIKO HRVAŠKO O PRISTOPU REPUBLIKE HRVAŠKE K EVROPSKI UNIJI

NJEGOVO VELIČANSTVO KRALJ BELGIJCEV,

PREDSEDNIK REPUBLIKE BOLGARIJE,

PREDSEDNIK ČEŠKE REPUBLIKE,

NJENO VELIČANSTVO KRALJICA DANSKE,

PREDSEDNIK ZVEZNE REPUBLIKE NEMČIJE,

PREDSEDNIK REPUBLIKE ESTONIJE,

PREDSEDNIK IRSKE,

PREDSEDNIK HELENSKE REPUBLIKE,

NJEGOVO VELIČANSTVO KRALJ ŠPANIJE,

PREDSEDNIK FRANCOSKE REPUBLIKE,

REPUBLIKA HRVAŠKA,

PREDSEDNIK ITALIJANSKE REPUBLIKE,

PREDSEDNIK REPUBLIKE CIPER,

PREDSEDNIK REPUBLIKE LATVIJE,

PREDSEDNICA REPUBLIKE LITVE,

NJEGOVA KRALJEVA VISOKOST VELIKI VOJVODA LUKSEMBURŠKI,

PREDSEDNIK REPUBLIKE MADŽARSKE,

PREDSEDNIK MALTE,
NJENO VELIČANSTVO KRALJICA NIZOZEMSKA,
ZVEZNI PREDSEDNIK REPUBLIKE AVSTRIJE,
PREDSEDNIK REPUBLIKE POLJSKE,
PREDSEDNIK PORTUGALSKE REPUBLIKE,
PREDSEDNIK ROMUNIJE,
PREDSEDNIK REPUBLIKE SLOVENIJE,
PREDSEDNIK SLOVAŠKE REPUBLIKE,
PREDSEDNICA REPUBLIKE FINSKE,
VLADA KRALJEVINE ŠVEDSKE,

NJENO VELIČANSTVO KRALJICA ZDRUŽENEGA KRALJESTVA VELIKA
BRITANIJA IN SEVERNA IRSKA,

ZDRUŽENI v želji prizadevati si za doseganje ciljev Evropske unije,

ODLOČENI nadaljevati proces oblikovanja vse tesnejše zveze med narodi Evrope
na že postavljenih temeljih,

KER člen 49 Pogodbe o Evropski uniji evropskim državam daje možnost, da
postanejo članice Unije,

KER je Republika Hrvaška zaprosila za članstvo v Uniji,

KER se je Svet po pridobitvi mnenja Komisije in odobritvi Evropskega parlamenta
izrekel za sprejem Republike Hrvaške,

SO SE DOGOVORILI o pogojih sprejema in prilagoditvah Pogodbe o Evropski uniji,
Pogodbe o delovanju Evropske unije in Pogodbe o ustanovitvi Evropske skupnosti za atomsko
energijo ter v ta namen imenovali svoje pooblaščenice:

ZA NJEGOVO VELIČANSTVO KRALJA BELGIJCEV,

Elio DI RUPO

predsednik vlade

ZA PREDSEDNIKA REPUBLIKE BOLGARIJE,

Boyko BORISSOV

predsednik vlade

ZA PREDSEDNIKA ČEŠKE REPUBLIKE,

Petr NECAS

predsednik vlade

ZA NJENO VELIČANSTVO KRALJICO DANSKE,

Helle THORNING-SCHMIDT

predsednik vlade

ZA PREDSEDNIKA ZVEZNE REPUBLIKE NEMČIJE,

dr. Angela MERKEL

kanclerka

ZA PREDSEDNIKA REPUBLIKE ESTONIJE,

Andrus ANSIP

predsednik vlade

ZA PREDSEDNIKA IRSKE,

Endo KENNY

Taoiseach (predsednik vlade)

ZA PREDSEDNIKA HELENSKE REPUBLIKE,

Lucas PAPADEMOS

predsednik vlade

ZA NJEGOVO VELIČANSTVO KRALJA ŠPANIJE,

José Luis RODRIGUEZ ZAPATERO

predsednik vlade

ZA PREDSEDNIKA FRANCOSKE REPUBLIKE,

Jean LEONETTI

minister za Evropo

ZA REPUBLIKO HRVAŠKO,

Ivo JOSIPOVIĆ,

predsednik

Jadranka KOSOR

predsednica vlade

ZA PREDSEDNIKA ITALIJANSKE REPUBLIKE,

sen. prof. Mario MONTI

predsednik vlade

ZA PREDSEDNIKA REPUBLIKE CIPER,

Demetris CHRISTOFIAS

predsednik

ZA PREDSEDNIKA REPUBLIKE LATVIJE,

Valdis DOMBROVSKIS

predsednik vlade

ZA PREDSEDNICO REPUBLIKE LITVE,

Dalia GRYBAUSKAITĖ

predsednica

ZA NJEGOVO KRALJEVO VISOKOST VELIKEGA VOJVODO
LUKSEMBURŠKEGA,

Jean-Claude JUNCKER

predsednik vlade, "ministre d'Etat"

ZA PREDSEDNIKA REPUBLIKE MADŽARSKE,

Viktor ORBÁN

predsednik vlade

ZA PREDSEDNIKA MALTE,

Lawrence GONZI

predsednik vlade

ZA NJENO VELIČANSTVO KRALJICO NIZOZEMSKE,

Mark RUTTE

predsednik vlade, minister za splošne zadeve

ZA ZVEZNEGA PREDSEDNIKA REPUBLIKE AVSTRIJE,

Werner FAYMANN

zvezni kancler

ZA PREDSEDNIKA REPUBLIKE POLJSKE,

Donald TUSK

predsednik vlade

ZA PREDSEDNIKA PORTUGALSKE REPUBLIKE,

Pedro PASSOS COELHO

predsednik vlade

ZA PREDSEDNIKA ROMUNIJE,

Traian BĂSESCU

predsednik

ZA PREDSEDNIKA REPUBLIKE SLOVENIJE,

Borut PAHOR

predsednik vlade

ZA PREDSEDNIKA SLOVAŠKE REPUBLIKE,

Iveta RADICOVA

predsednica vlade

ZA PREDSEDNICO REPUBLIKE FINSKE,

Jyrki KATAINEN

predsednik vlade

ZA VLADO KRALJEVINE ŠVEDSKE,

Fredrik REINFELDT

predsednik vlade

ZA NJENO VELIČANSTVO KRALJICO ZDRUŽENEGA KRALJESTVA VELIKA
BRITANIJA IN SEVERNA IRSKA,

Rt. Hon. David CAMERON

predsednik vlade

KI SO SE po izmenjavi pooblastil v pravilni in predpisani obliki

DOGOVORILI O NASLEDNJEM:

ČLEN 1

1. Republika Hrvaška postane članica Evropske unije in Evropske skupnosti za atomsko energijo.
2. Republika Hrvaška postane pogodbenica Pogodbe o Evropski uniji, Pogodbe o delovanju Evropske unije in Pogodbe o ustanovitvi Evropske skupnosti za atomsko energijo, kakor so bile spremenjene ali dopolnjene.
3. Pogoji sprejema in prilagoditve Pogodb iz odstavka 2, ki so potrebne zaradi takšnega sprejema, so navedeni v Aktu, ki je priložen tej pogodbi. Določbe navedenega akta so sestavni del te pogodbe.

ČLEN 2

V zvezi s to pogodbo se uporabljajo določbe o pravicah in obveznostih držav članic ter o pooblastilih in pristojnostih institucij Unije, kakor so navedene v Pogodbah, katerih pogodbenica postane Republika Hrvaška na podlagi člena 1(2).

ČLEN 3

1. Visoke pogodbenice ratificirajo to pogodbo v skladu s svojimi ustavnimi pravili. Listine o ratifikaciji se deponirajo pri vladi Italijanske republike do 30. junija 2013.
2. S tem, ko Republika Hrvaška ratificira to pogodbo, se šteje, da ratificira ali odobri tudi vse spremembe Pogodb iz člena 1(2), ki so takrat, ko Republika Hrvaška ratificira to pogodbo, na voljo državam članicam za ratifikacijo ali odobritev v skladu s členom 48 Pogodbe o Evropski uniji, in vse takrat in pred tem sprejete akte institucij, ki pa začnejo veljati šele po tem, ko jih odobrijo države članice v skladu s svojimi ustavnimi pravili.
3. Ta pogodba začne veljati 1. julija 2013 pod pogojem, da so vse listine o ratifikaciji deponirane pred tem datumom.
4. Ne glede na odstavek 3 lahko institucije Unije pred pristopom sprejmejo ukrepe iz člena 3(7), drugega pododstavka člena 6(2), drugega pododstavka člena 6(3), drugega in tretjega pododstavka člena 6(6), drugega pododstavka člena 6(7), tretjega pododstavka člena 6(8), člena 17, členov 29(1), 30(5), 31(5), 35(3) in (4), členov 38, 39, 41, 42, 43, 44, 49, 50 in 51 ter prilog od IV do VI Akta iz člena 1(3).

Ti ukrepi začnejo veljati samo če in ko začne veljati ta pogodba.

5. Ne glede na odstavek 3 se člen 36 Akta iz člena 1(3) uporablja od podpisa te pogodbe.

ČLEN 4

Ta pogodba, ki je sestavljena v enem izvorniku v angleškem, bolgarskem, češkem, danskem, estonskem, finskem, francoskem, grškem, hrvaškem, irskem, italijanskem, latvijskem, litovskem, madžarskem, malteškem, nemškem, nizozemskem, poljskem, portugalskem, romunskem, slovaškem, slovenskem, švedskem in španskem jeziku, pri čemer so besedila v vseh teh jezikih enako verodostojna, se deponira v arhivu vlade Italijanske republike, ki bo poslala overjeno kopijo vladam drugih držav podpisnic.

V POTRDITEV TEGA so spodaj podpisani pooblaščenca podpisali to pogodbo.

[Podpisniki \(v slovenskem jeziku\)](#)

AKT

O POGOJIH PRISTOPA REPUBLIKE HRVAŠKE IN PRILAGODITVAH POGODBE O EVROPSKI UNIJI, POGODBE O DELOVANJU EVROPSKE UNIJE IN POGODBE O USTANOVITVI EVROPSKE SKUPNOSTI ZA ATOMSKO ENERGIJO

PRVI DEL

NAČELA

ČLEN 1

V tem aktu:

– izraz »izvirne pogodbe« pomeni:

(a) Pogodbo o Evropski uniji (PEU) in Pogodbo o delovanju Evropske unije (PDEU), kakor sta bili spremenjeni ali dopolnjeni s pogodbami ali drugimi akti, ki so začeli veljati pred pristopom Republike Hrvaške;

(b) Pogodbo o ustanovitvi Evropske skupnosti za atomsko energijo (Pogodba ESAE), kakor je bila spremenjena ali dopolnjena s pogodbami ali drugimi akti, ki so začeli veljati pred pristopom Republike Hrvaške;

– izraz »sedanje države članice« pomeni Kraljevino Belgijo, Republiko Bolgarijo, Češko republiko, Kraljevino Dansko, Zvezno republiko Nemčijo, Republiko Estonijo, Irsko, Helensko republiko, Kraljevino Španijo, Francosko republiko, Italijansko republiko, Republiko Ciper, Republiko Latvijo, Republiko Litvo, Veliko vojvodstvo Luksemburg, Republiko Madžarsko, Republiko Malto, Kraljevino Nizozemsko, Republiko Avstrijo, Republiko Poljsko, Portugalsko republiko, Romunijo, Republiko Slovenijo, Slovaško republiko, Republiko Finsko, Kraljevino Švedsko ter Združeno kraljestvo Velika Britanija in Severna Irska;

– izraz »Unija« pomeni Evropsko unijo, ki temelji na PEU in PDEU, in/ali v nekaterih primerih Evropsko skupnost za atomsko energijo;

– izraz »institucije« pomeni institucije, ustanovljene s PEU.

ČLEN 2

Od dne pristopa so določbe izvirnih pogodb in aktov, ki so jih institucije sprejele pred pristopom, za Hrvaško zavezujoče in se na Hrvaškem uporabljajo pod pogoji, ki jih določajo te pogodbe in ta akt.

Če se predstavniki vlad držav članic dogovorijo o spremembah izvirnih pogodb na podlagi člena 48(4) PEU po tem, ko Hrvaška ratificira Pogodbo o pristopu in te ne začnejo veljati do dne pristopa, Hrvaška te spremembe ratificira v skladu s svojimi ustavnimi pravili.

ČLEN 3

1. Hrvaška pristopi k sklepom in sporazumom, ki so jih sprejeli voditelji držav ali vlad držav članic v okviru Evropskega sveta.
2. Hrvaška pristopi k sklepom in sporazumom, ki so jih sprejeli predstavniki vlad držav članic v okviru Sveta.
3. Hrvaška je v zvezi z izjavami ali resolucijami ali drugimi stališči Evropskega sveta ali Sveta in v zvezi s tistimi, ki zadevajo Unijo in so jih države članice sprejele v medsebojnem soglasju, v enakem položaju kakor sedanje države članice. Hrvaška bo v skladu s tem spoštovala načela in smernice iz teh izjav, resolucij ali drugih stališč, ter sprejela ukrepe, ki bi lahko bili potrebni za zagotovitev njihovega izvajanja.
4. Hrvaška pristopi h konvencijam in protokolom, navedenim v Prilogi I. Te konvencije in protokoli začnejo za Hrvaško veljati na dan, ki ga določi Svet v sklepih iz odstavka 5.

5. Svet na priporočilo Komisije in po posvetovanju z Evropskim parlamentom soglasno sprejme vse prilagoditve konvencij in protokolov iz odstavka 4, ki so potrebne zaradi pristopa, ter prilagojena besedila objavi v Uradnem listu Evropske unije.
6. Hrvaška se v zvezi s konvencijami in protokoli iz odstavka 4 zavezuje, da bo uvedla upravne in druge ukrepe, kot so jih do dne pristopa sprejele sedanje države članice ali Svet, in olajšala praktično sodelovanje med institucijami in organizacijami držav članic.
7. Svet lahko na predlog Komisije Prilogo I soglasno dopolni z ustreznimi konvencijami, sporazumi in protokoli, podpisanimi pred dnevom pristopa.

ČLEN 4

1. Določbe schengenskega pravnega reda iz Protokola o schengenskem pravnem redu, vključenega v okvir Evropske unije (v nadaljnjem besedilu: schengenski protokol), ki je priložen PEU in PDEU, in akti, ki temeljijo na njem ali so z njim kako drugače povezani, navedeni v Prilogi II, ter vsi naslednji takšni akti, sprejeti pred dnevom pristopa, so za Hrvaško zavezujoči in se na Hrvaškem uporabljajo od dne pristopa.
2. Določbe schengenskega pravnega reda, kakor so vključene v okvir Evropske unije, in akti, ki na njem temeljijo ali so z njim kako drugače povezani in v odstavku 1 niso omenjeni ter so za Hrvaško zavezujoči od dne pristopa, se na Hrvaškem uporabljajo šele na podlagi ustreznega sklepa Sveta, potem ko se v skladu z veljavnimi schengenskimi postopki evalvacije preveri, ali so na Hrvaškem izpolnjeni potrebni pogoji za uporabo vseh delov ustreznega pravnega reda, tudi za učinkovito uporabo vseh schengenskih pravil v skladu z dogovorjenimi skupnimi standardi in temeljnimi načeli. Svet sprejme ta sklep v skladu z veljavnimi schengenskimi postopki in ob upoštevanju poročila Komisije, ki potrjuje, da Hrvaška še naprej izpolnjuje zaveze, ki jih je prevzela v pristopnih pogajanjih v zvezi s schengenskim pravnim redom.

Svet po posvetovanju z Evropskim parlamentom sprejme ta sklep s soglasjem svojih članov, ki zastopajo vlade držav članic, za katere so določbe iz tega odstavka že začele veljati, in predstavnika vlade Republike Hrvaške. Člani Sveta, ki zastopajo vladi Irske ter Združenega kraljestva Velika Britanija in Severna Irska, sodelujejo pri sprejemanju tega sklepa, če se ta nanaša na določbe schengenskega pravnega reda in na akte, ki na njem temeljijo ali so z njim kako drugače povezani, pri katerih ti državi članici sodelujeta.

ČLEN 5

Hrvaška od dne pristopa sodeluje v ekonomski in monetarni uniji kot država članica z odstopanjem v smislu člena 139 PDEU.

ČLEN 6

1. Sporazumi, ki jih sklene ali začasno uporablja Unija z eno ali več tretjimi državami, mednarodno organizacijo ali državljanom tretje države, so pod pogoji iz izvirnih pogodb in tega akta za Hrvaško zavezujoči.
2. Hrvaška se zavezuje, da bo pod pogoji iz tega akta pristopila k sporazumom, ki so jih z eno ali več tretjimi državami ali mednarodno organizacijo sklenile ali podpisale sedanje države članice in Unija.

Razen če posamezni sporazumi iz prvega pododstavka ne določajo drugače, se pristop Hrvaške k takim sporazumom uredi s sklenitvijo protokolov k takim sporazumom med Svetom, ki odloča soglasno v imenu držav članic, in zadevno tretjo državo ali državami ali mednarodno organizacijo. O teh protokolih se v imenu držav članic na podlagi pogajalskih smernic, ki jih soglasno odobri Svet, in ob posvetovanju z odborom, ki ga sestavljajo predstavniki držav članic, pogaja Komisija ali, če se sporazum izključno ali v pretežnem delu nanaša na skupno zunanjo in varnostno politiko, visoki predstavnik Unije za zunanje zadeve in varnostno politiko (visoki predstavnik). Komisija, ali po potrebi visoki predstavnik, Svetu predloži osnutek protokolov v sklenitev.

Ta postopek ne posega v izvajanje lastnih pristojnosti Unije in ne vpliva na razdelitev pristojnosti med Unijo in državami članicami glede prihodnjega sklepanja takih sporazumov ali glede katerih koli drugih sprememb, ki niso povezane s pristopom.

3. Hrvaška od dne pristopa in do začetka veljavnosti potrebnih protokolov iz drugega pododstavka odstavka 2 uporablja določbe sporazumov iz prvega pododstavka odstavka 2, ki so bili sklenjeni ali so se začasno uporabljali pred dnem pristopa, z izjemo Sporazuma med Evropsko skupnostjo in njenimi državami članicami na eni strani ter Švicarsko konfederacijo na drugi o prostem pretoku oseb(1).

Do začetka veljavnosti protokolov iz drugega pododstavka odstavka 2, Unija in države članice skupaj v okviru svojih pristojnosti sprejmejo ustrezne ukrepe.

4. Hrvaška pristopi k Sporazumu o partnerstvu med članicami skupine afriških, karibskih in pacifiških držav na eni strani ter Evropsko skupnostjo in njenimi državami članicami na drugi, podpisanem v Cotonouju 23. junija 2000(2), in k sporazumoma o spremembi navedenega sporazuma, od katerih je bil prvi podpisan 25. junija 2005(3) v Luxembourgju, drugi pa dan na voljo za podpis v Ouagadougouju 22. junija 2010(4).

5. Hrvaška se zavezuje, da pod pogoji iz tega akta pristopi k Sporazumu o Evropskem gospodarskem prostoru(5) v skladu s členom 128 navedenega sporazuma.

6. Hrvaška od dne pristopa uporablja dvostranske sporazume in dogovore o tekstilu, sklenjene med Unijo in tretjimi državami.

Količinske omejitve, ki jih Unija uporablja za uvoz tekstilnih izdelkov in oblačil, se prilagodijo tako, da se upošteva pristop Hrvaške k Uniji. V ta namen lahko Unija spremembo dvostranskih sporazumov in dogovorov o tekstilu iz prvega pododstavka doseže v pogajanjih z zadevnimi tretjimi državami pred dnem pristopa.

Če spremembe dvostranskih sporazumov in dogovorov o tekstilu ne bi začele veljati do dne pristopa, Unija sprejme potrebne prilagoditve svojih pravil za uvoz tekstilnih izdelkov in oblačil iz tretjih držav, tako da se upošteva pristop Hrvaške k Uniji.

7. Količinske omejitve, ki jih Unija uporablja pri uvozu jekla in izdelkov iz jekla, se prilagodijo na podlagi uvoza jekla in izdelkov iz jekla s poreklom iz zadevnih držav dobaviteljic na Hrvaško v zadnjih letih.

V ta namen se pred dnem pristopa v pogajanjih dogovori o potrebnih spremembah dvostranskih sporazumov in dogovorov o jeklu, sklenjenih med Unijo in tretjimi državami.

Če spremembe dvostranskih sporazumov in dogovorov o jeklu ne začnejo veljati do dne pristopa, se uporabijo določbe prvega pododstavka.

8. Unija od dne pristopa upravlja sporazume o ribolovu, ki jih je Hrvaška sklenila s tretjimi državami pred dnem pristopa.

Pravice in obveznosti Hrvaške, ki izhajajo iz teh sporazumov, se v obdobju, v katerem se določbe teh sporazumov začasno ohranjajo, ne spreminjajo.

Čim prej, vsekakor pa pred prenehanjem veljavnosti sporazumov iz prvega pododstavka, Svet na predlog Komisije s kvalificirano večino za vsak posamezen primer ustrezno odloči o nadaljevanju ribolovnih dejavnosti, ki izhajajo iz teh sporazumov, vključno z možnostjo podaljšanja nekaterih sporazumov za obdobje največ enega leta.

9. Hrvaška odstopi od sporazumov o prosti trgovini, sklenjenih s tretjimi državami, vključno s Srednjeevropskim sporazumom o prosti trgovini, kakor je bil spremenjen.

Kolikor sporazumi med Hrvaško na eni strani in eno ali več tretjimi državami na drugi niso združljivi z obveznostmi, ki izhajajo iz tega akta, Hrvaška ukrene vse potrebno, da odpravi ugotovljene neskladnosti. Če ima Hrvaška težave s prilagoditvijo sporazuma, ki ga je sklenila z eno ali več tretjimi državami, od takega sporazuma odstopi.

Hrvaška sprejme vse potrebne ukrepe za zagotovitev izpolnjevanja obveznosti iz tega odstavka od dne pristopa.

10. Hrvaška pod pogoji iz tega akta pristopi k notranjim sporazumom, ki so jih sedanje države članice sklenile za izvajanje sporazumov iz odstavkov 2 in 4.

11. Hrvaška po potrebi sprejme ustrezne ukrepe za prilagoditev svojega položaja v razmerju do mednarodnih organizacij in do tistih mednarodnih sporazumov, katerih pogodbenice so tudi Unija ali druge države članice, pravicam in obveznostim, ki izhajajo iz pristopa Hrvaške k Uniji.

Hrvaška zlasti odstopi od mednarodnih sporazumov o ribolovu in izstopi iz mednarodnih ribolovnih organizacij, katerih pogodbenica ali članica je tudi Unija, razen če se njeno članstvo ne nanaša na zadeve, ki niso povezane z ribolovom.

Hrvaška sprejme vse potrebne ukrepe za zagotovitev izpolnjevanja obveznosti iz tega odstavka od dne pristopa.

ČLEN 7

1. Če v tem aktu ni določeno drugače, se njegove določbe ne smejo začasno prenehati uporabljati, spremeniti ali razveljaviti drugače kakor po postopku, določenem v izvirnih pogodbah, ki omogoča spremembo teh pogodb.
2. Akti, ki so jih sprejele institucije in na katere se nanašajo prehodne določbe iz tega akta, ohranijo svojo pravno naravo; zlasti se še naprej uporabljajo postopki za spreminjanje teh aktov.
3. Določbe tega akta, katerih namen ali učinek je razveljaviti ali spremeniti akte, ki so jih sprejele institucije, razen če so takšne določbe prehodne narave, imajo enako pravno naravo kakor določbe, ki jih razveljavljajo ali spreminjajo, in zanje veljajo enaka pravila kakor za te določbe.

ČLEN 8

Pri uporabi izvirnih pogodb in aktov, ki so jih sprejele institucije, prehodno veljajo odstopanja, predvidena v tem aktu.

DRUGI DEL

PRILAGODITVE POGODB

NASLOV I

INSTITUCIONALNE DOLOČBE

ČLEN 9

Protokol o Statutu Sodišča Evropske unije, ki je priložen PEU, PDEU in Pogodbi ESAE, se spremeni:

(1) V členu 9 se prvi odstavek nadomesti z naslednjim:

»Ko se vsaka tri leta izvede delna zamenjava sodnikov, se zamenja 14 sodnikov.«

(2) Člen 48 se nadomesti z naslednjim:

»Člen 48

Splošno sodišče ima 28 sodnikov.«

ČLEN 10

Protokol o Statutu Evropske investicijske banke, ki je priložen PEU in PDEU, se spremeni:

(1) V prvem pododstavku člena 4(1):

(a) se uvodni stavek nadomesti z naslednjim:

»1. Kapital banke je 233 247 390 000 EUR, države članice pa so vpisale naslednje deleže:«;

(b) med vnosa za Romunijo in Slovaško se vstavi naslednje:

»Hrvaška 854 400 000«.

(2) Prvi, drugi in tretji pododstavek člena 9(2) se nadomestijo z naslednjim:

»2. Svet direktorjev sestavlja devetindvajset direktorjev in devetnajst namestnikov direktorjev.

Direktorje imenuje svet guvernerjev za pet let, po enega predlaga vsaka država članica in enega predlaga Komisija.

Namestnike direktorjev imenuje svet guvernerjev za pet let, kakor sledi:

- dva namestnika predlaga Zvezna republika Nemčija,
- dva namestnika predlaga Francoska republika,
- dva namestnika predlaga Italijanska republika,

- dva namestnika predlaga Združeno kraljestvo Velika Britanija in Severna Irska,
- enega namestnika v medsebojnem soglasju predlagata Kraljevina Španija in Portugalska republika,
- enega namestnika v medsebojnem soglasju predlagajo Kraljevina Belgija, Veliko vojvodstvo Luksemburg in Kraljevina Nizozemska,
- dva namestnika v medsebojnem soglasju predlagajo Kraljevina Danska, Helenska republika, Irska in Romunija,
- dva namestnika v medsebojnem soglasju predlagajo Republika Estonija, Republika Latvija, Republika Litva, Republika Avstrija, Republika Finska in Kraljevina Švedska,
- štiri namestnike v medsebojnem soglasju predlagajo Republika Bolgarija, Češka republika, Republika Hrvaška, Republika Ciper, Republika Madžarska, Republika Malta, Republika Poljska, Republika Slovenija in Slovaška republika,
- enega namestnika predlaga Komisija.«

ČLEN 11

Prvi pododstavek člena 134(2) Pogodbe ESAE o sestavi Znanstveno-tehničnega odbora se nadomesti z naslednjim:

»2. Odbor ima dvainštirideset članov, ki jih Svet imenuje po posvetovanju s Komisijo.
«

NASLOV II

DRUGE PRILAGODITVE

ČLEN 12

V členu 64(1) PDEU se doda naslednji stavek:

»Glede omejitev, ki veljajo v nacionalnem pravu na Hrvaškem, je ustrezní datum 31. december 2002.«

ČLEN 13

Člen 52(1) PEU se nadomesti z naslednjim:

»1. Pogodbi se uporabljata za Kraljevino Belgijo, Republiko Bolgarijo, Češko republiko, Kraljevino Dansko, Zvezno republiko Nemčijo, Republiko Estonijo, Irsko, Helensko republiko, Kraljevino Španijo, Francosko republiko, Republiko Hrvaško, Italijansko republiko, Republiko Ciper, Republiko Latvijo, Republiko Litvo, Veliko vojvodstvo Luksemburg, Republiko Madžarsko, Republiko Malto, Kraljevino Nizozemsko, Republiko Avstrijo, Republiko Poljsko, Portugalsko republiko, Romunijo, Republiko Slovenijo, Slovaško republiko, Republiko Finsko, Kraljevino Švedsko ter Združeno kraljestvo Velika Britanija in Severna Irska.«

ČLEN 14

1. Člen 55(1) PEU se nadomesti z naslednjim:

»1. Ta pogodba, sestavljena v enem izvorniku v angleškem, bolgarskem, češkem, danskem, estonskem, finskem, francoskem, grškem, hrvaškem, irskem, italijanskem, latvijskem, litovskem, madžarskem, malteškem, nemškem, nizozemskem, poljskem, portugalskem, romunskem, slovaškem, slovenskem, švedskem in španskem jeziku, pri čemer so besedila v vseh teh jezikih enako verodostojna, se deponira v arhivu vlade Italijanske republike, ki bo poslala overjeno kopijo vladam drugih držav podpisnic.«

2. Drugi odstavek člena 225 Pogodbe ESAE se nadomesti z naslednjim:

»V skladu s pristopnimi pogodbami so verodostojne tudi različice te pogodbe v angleškem, bolgarskem, češkem, danskem, estonskem, finskem, grškem, hrvaškem, irskem, latvijskem, litovskem, madžarskem, malteškem, poljskem, portugalskem, romunskem, slovaškem, slovenskem, španskem in švedskem jeziku.«

TRETJI DEL

TRAJNE DOLOČBE

ČLEN 15

Akti, navedeni v Prilogi III, se prilagodijo, kakor je določeno v tej prilogi.

ČLEN 16

Ukrepi, navedeni v Prilogi IV, se uporabljajo pod pogoji, ki jih določa ta priloga.

ČLEN 17

Svet lahko na predlog Komisije in po posvetovanju z Evropskim parlamentom soglasno sprejme prilagoditve določb tega akta glede skupne kmetijske politike, ki bi se izkazale za potrebne zaradi spremembe pravil Unije.

ČETRTI DEL

ZAČASNE DOLOČBE

NASLOV I

PREHODNI UKREPI

ČLEN 18

Ukrepi, navedeni v Prilogi V, se za Hrvaško uporabljajo pod pogoji, ki jih določa ta priloga.

NASLOV II

INSTITUCIONALNE DOLOČBE

ČLEN 19

1. Z odstopanjem od člena 2 Protokola o prehodni ureditvi, ki je priložen PEU, PDEU in Pogodbi ESAE, in z odstopanjem od največjega možnega števila sedežev, določenega v prvem pododstavku člena 14(2) PEU, se zaradi upoštevanja pristopa Hrvaške število članov Evropskega parlamenta poveča za 12 članov iz Hrvaške za obdobje od dne pristopa do konca mandata Evropskega parlamenta 2009–2014.
2. Z odstopanjem od člena 14(3) PEU Hrvaška pred dnem pristopa izvede ad hoc volitve v Evropski parlament s splošnim in neposrednim glasovanjem, na katerih je v skladu s pravnim redom Unije izvoljeno število članov, določeno v odstavku 1 tega člena. Vendar pa lahko v primeru, da je dan pristopa Hrvaške k EU manj kakor šest mesecev pred naslednjimi volitvami v Evropski parlament, člane Evropskega parlamenta, ki zastopajo državljane Hrvaške, imenuje nacionalni parlament Hrvaške iz svojih vrst, pod pogojem, da so bile te osebe izvoljene s splošnim in neposrednim glasovanjem.

ČLEN 20

Člen 3(3) Protokola o prehodni ureditvi, ki je priložen PEU, PDEU in Pogodbi ESAE, se nadomesti z naslednjim:

»3. Ne glede na drugi pododstavek člena 235(1) Pogodbe o delovanju Evropske unije veljajo do 31. oktobra 2014 določbe, kakor so navedene v nadaljevanju.

Pri odločitvah Evropskega sveta in Sveta, za katere je potrebna kvalificirana večina se glasovi članov ponderirajo tako:

text=" Belgija 12 Bolgarija 10 Češka 12 Danska 7 Nemčija 29 Estonija 4 Irska 7 Grčija
12 Španija 27 Francija 29 Hrvaška 7 Italija 29 Ciper 4 Latvija 4 Litva 7 Luksemburg 4
Madžarska 12 Malta 3 Nizozemska 13 Avstrija 10 Poljska 27 Portugalska 12 Romunija 14
Slovenija 4 Slovaška 7 Finska 7 Švedska 10 Združeno kraljestvo 29"

Kadar Pogodbe določajo, da morajo biti odločitve sprejete na predlog Komisije, je za sprejetje odločitev potrebnih najmanj 260 glasov za, ki predstavljajo večino članov. V drugih primerih je za sprejetje odločitev potrebnih najmanj 260 glasov za, ki predstavljajo najmanj dve tretjini članov.

Član Evropskega sveta ali Sveta lahko zahteva, da se, kadar Evropski svet ali Svet sprejema akt s kvalificirano večino, preveri, ali države članice, ki tvorijo to kvalificirano večino, predstavljajo najmanj 62 % celotnega prebivalstva Unije. Če se izkaže, da ta pogoj ni izpolnjen, se akt ne sprejme.«

ČLEN 21

1. V Komisijo se imenuje en državljan Hrvaške od dne pristopa do 31. oktobra 2014. Novega člana Komisije po posvetovanju z Evropskim parlamentom imenuje Svet s kvalificirano večino v skupnem soglasju s predsednikom Komisije, po posvetovanju z Evropskim parlamentom in v skladu z merili iz drugega pododstavka člena 17(3) PEU.
2. Mandat člana, imenovanega v skladu z odstavkom 1, poteče hkrati z mandatom članov, ki opravljajo funkcijo v času pristopa.

ČLEN 22

1. Mandat sodnika Sodišča in sodnika Splošnega sodišča, ki sta ob pristopu imenovana iz Hrvaške v skladu s tretjim pododstavkom člena 19(2) PEU, poteče 6. oktobra 2015 oziroma 31. avgusta 2013.
2. Pri razsojanju zadev, ki so na dan pristopa v postopku, ki teče pred Sodiščem in Splošnim sodiščem, in za katere se je ustni postopek začel pred tem dnevom, Sodišče in Splošno sodišče na občnih sejah ali njuni senati zasedajo v enaki sestavi kakor pred pristopom in uporabljajo poslovnik, veljaven na dan pred dnem pristopa.

ČLEN 23

1. Z odstopanjem od prvega odstavka člena 301 PDEU, ki določa največje možno število članov Ekonomsko-socialnega odbora, se člen 7 Protokola o prehodni ureditvi, ki je priložen PEU, PDEU in Pogodbi ESAE, nadomesti z naslednjim:

»Člen 7

Do začetka veljavnosti sklepa iz člena 301 Pogodbe o delovanju Evropske unije je razdelitev števila članov Ekonomsko-socialnega odbora naslednja:

text=" Belgija 12 Bolgarija 12 Češka 12 Danska 9 Nemčija 24 Estonija 7 Irska 9 Grčija 12 Španija 21 Francija 24 Hrvaška 9 Italija 24 Ciper 6 Latvija 7 Litva 9 Luksemburg 6 Madžarska 12 Malta 5 Nizozemska 12 Avstrija 12 Poljska 21 Portugalska 12 Romunija 15 Slovenija 7 Slovaška 9 Finska 9 Švedska 12 Združeno kraljestvo 24«"

2. Število članov Ekonomsko-socialnega odbora se zaradi upoštevanja pristopa Hrvaške začasno poveča na 353 za obdobje od dne pristopa do konca mandata, med katerim Hrvaška pristopi k Uniji, ali do začetka veljavnosti sklepa iz drugega odstavka člena 301 PDEU, kar je prej.
3. Če je sklep iz drugega odstavka člena 301 PDEU sprejet do dne pristopa, se Hrvaški z odstopanjem od prvega odstavka člena 301 PDEU, ki določa največje možno število članov Ekonomsko-socialnega odbora, do konca mandata, med katerim Hrvaška pristopi k Uniji, začasno dodeli ustrezno število članov.

ČLEN 24

1. Z odstopanjem od prvega odstavka člena 305 PDEU, ki določa največje možno število članov Odbora regij, se člen 8 Protokola o prehodni ureditvi, ki je priložen PEU, PDEU in Pogodbi ESAE, nadomesti z naslednjim:

»Člen 8

Do začetka veljavnosti sklepa iz člena 305 Pogodbe o delovanju Evropske unije je razdelitev števila članov Odbora regij naslednja:

text=" Belgija 12 Bolgarija 12 Češka 12 Danska 9 Nemčija 24 Estonija 7 Irska 9 Grčija 12 Španija 21 Francija 24 Hrvaška 9 Italija 24 Ciper 6 Latvija 7 Litva 9 Luksemburg 6 Madžarska 12 Malta 5 Nizozemska 12 Avstrija 12 Poljska 21 Portugalska 12 Romunija 15 Slovenija 7 Slovaška 9 Finska 9 Švedska 12 Združeno kraljestvo 24«"

- Število članov Odbora regij se zaradi upoštevanja pristopa Hrvaške začasno poveča na 353 za obdobje od dne pristopa do konca mandata, med katerim Hrvaška pristopi k Uniji, ali do začetka veljavnosti sklepa iz drugega odstavka člena 305 PDEU, kar je prej.
- Če je sklep iz drugega odstavka člena 305 PDEU sprejet do dne pristopa, se Hrvaški z odstopanjem od prvega odstavka člena 305 PDEU, ki določa največje možno število članov Odbora regij, do konca mandata, med katerim Hrvaška pristopi k Uniji, začasno dodeli ustrezno število članov.

ČLEN 25

Mandat direktorja, ki ga Hrvaška predlaga v svet direktorjev Evropske investicijske banke in je imenovan ob pristopu, kakor je določeno v drugem pododstavku člena 9(2) Protokola o statutu Evropske investicijske banke, poteče ob koncu letnega srečanja sveta guvernerjev, na katerem se obravnava letno poročilo za proračunsko leto 2017.

ČLEN 26

- Novi člani odborov, skupin, agencij ali drugih organov, ustanovljenih z izvirnimi pogodbami ali aktom institucij, se imenujejo pod pogoji in po postopkih, predvidenih za imenovanje članov teh odborov, skupin, agencij ali drugih organov. Mandat novo imenovanih članov poteče hkrati z mandatom članov, ki opravljajo funkcijo v času pristopa.
- Članstvo v odborih, skupinah, agencijah ali drugih organih, ustanovljenih z izvirnimi pogodbami ali aktom institucij, katerih število članov je določeno ne glede na število držav članic, se ob pristopu v celoti obnovi, razen če mandat tedanjih članov ne poteče v 12 mesecih od pristopa.

NASLOV III

FINANČNE DOLOČBE

ČLEN 27

- Od dne pristopa Hrvaška vplača naslednji znesek, ki ustreza njenemu deležu v kapitalu, vplačanim kot vpisani kapital, kakor je opredeljen v členu 4 Statuta Evropske investicijske banke:

Hrvaška 42 720 000 EUR

Ta prispevek se vplača v osmih enakih obrokih, ki zapadejo v plačilo 30. novembra 2013, 30. novembra 2014, 30. novembra 2015, 31. maja 2016, 30. novembra 2016, 31. maja 2017, 30. novembra 2017 in 31. maja 2018.

- Hrvaška v osmih enakih obrokih, ki zapadejo v plačilo na datume, določene v odstavku 1, prispeva k rezervam in rezervacijam, enakovrednim rezervam ter tudi k znesku, ki bo šele odobren za rezerve in rezervacije, zajetem v saldu bilance uspeha na koncu meseca pred pristopom, kakor so prikazane v bilanci stanja Evropske investicijske banke, v zneskih, ki ustrezajo naslednjemu odstotku rezerv in rezervacij:

Hrvaška 0,368 %

3. Hrvaška vplača kapital in plačila, določena v odstavku 1 in 2, v gotovini v eurih, razen če svet guvernerjev soglasno ne odloči drugače.
4. Upravljavski organi Evropske investicijske banke lahko zneske za Hrvaško iz odstavka 1 in iz člena 10(1) prilagodijo s sklepom, sprejetim na podlagi najnovejših končnih podatkov o BDP, ki jih Eurostat objavi pred pristopom.

ČLEN 28

1. Hrvaška vplača naslednji znesek v Raziskovalni sklad za premog in jeklo iz Sklepa 2002/234 /ESPJ predstavnikov vlad držav članic, ki so se sestali v okviru Sveta, z dne 27. februarja 2002 o finančnih posledicah izteka Pogodbe ESPJ in o Raziskovalnem skladu za premog in jeklo(6):

(v EUR, po tekočih cenah)

Hrvaška 494 000.

2. Prispevek v Raziskovalni sklad za premog in jeklo se nakaže v štirih obrokih z začetkom v letu 2015, na naslednji način in, vsakokrat na prvi delovni dan prvega meseca vsakega leta:

– 2015: 15 %,

– 2016: 20 %,

– 2017: 30 %,

– 2018: 35 %.

ČLEN 29

1. Javna naročila, dodeljevanje donacij in plačila za predpristopno finančno pomoč v okviru komponente pomoči pri prehodu in vzpostavljanju institucij ter komponente čezmejnega sodelovanja iz instrumenta za predpristopno pomoč (IPA), vzpostavljenega z Uredbo Sveta (ES) št. 1085/2006 z dne 2006(7), za sredstva, za katera so že prevzete obveznosti pred pristopom, z izjemo čezmejnih programov Hrvaška-Madžarska in Hrvaška-Slovenija, ter za pomoč v okviru prehodnega vira iz člena 30, od dne pristopa upravljajo hrvaške izvedbene agencije.

Komisija v skladu z merili in pogoji iz člena 56(2) Uredbe Sveta (ES, Euratom) št. 1605/2002 z dne 25. junija 2002 o finančni uredbi, ki se uporablja za splošni proračun Evropskih skupnosti(8), in člena 18 Uredbe Komisije (ES) št. 718/2007 z dne 12. junija 2007 o izvajanju Uredbe Sveta (ES) št. 1085/2006 o vzpostavitvi instrumenta za predpristopno pomoč (IPA)(9) v ta namen sprejme sklep o opustitvi predhodnega nadzora Komisije nad javnimi naročili in dodeljevanjem donacij, ko se prepriča o učinkovitem delovanju ustreznega sistema za upravljanje in nadzor.

Če sklep Komisije o opustitvi predhodnega nadzora ni sprejet pred dnem pristopa, pogodbe, podpisane med dnem pristopa in dnem sprejetja sklepa Komisije, niso upravičene do predpristopne finančne pomoči in prehodnega vira iz prvega pododstavka.

2. Za proračunske obveznosti, prevzete pred dnem pristopa v okviru predpristopne finančne pomoči in prehodnega vira iz odstavka 1, vključno s sklepanjem in vpisom poznejših posamičnih pravnih zavez in plačil, opravljenih po pristopu, se še naprej uporabljajo

3. Letni znesek za leto 2013 se Hrvaški izplača 1. julija 2013, za leto 2014 pa je na voljo prvi delovni dan po 1. januarju 2014.
4. Pavšalna plačila se porabijo v treh letih od prvega izplačila. Najpozneje v šestih mesecih po izteku tega triletnega obdobja Hrvaška predloži izčrpno poročilo o končni porabi plačil v okviru začasnega schengenskega vira skupaj z obrazložitvijo porabe. Komisija zahteva vrnitev morebiti neporabljenih ali neupravičeno porabljenih sredstev.
5. Komisija lahko sprejme tehnične predpise, potrebne za delovanje začasnega schengenskega vira.

ČLEN 32

1. Kot začasni instrument se uvedejo sredstva za denarni tok (v nadaljnjem besedilu: začasna sredstva za denarni tok) za pomoč Hrvaški med dnem pristopa in koncem leta 2014 pri izboljšanju denarnega toka v državnem proračunu.
2. Za obdobje od 1. julija 2013 do 31. decembra 2014 sta Hrvaški na voljo naslednja zneska (po tekočih cenah) kot pavšalni plačili iz začasnih sredstev za denarni tok:

text="(v milijonih EUR, po tekočih cenah) 2013 2014 Hrvaška 75 28,6"

3. Vsak letni znesek se razdeli v enake mesečne obroke, izplačljive prvi delovni dan vsakega meseca.

ČLEN 33

1. Za Hrvaško se v strukturnih skladih in Kohezijskem skladu v letu 2013 pridrži znesek v višini 449,4 milijona EUR (po tekočih cenah) odobrenih proračunskih sredstev za prevzem obveznosti.
2. Ena tretjina zneska iz odstavka 1 se pridrži za Kohezijski sklad.
3. Za obdobje naslednjega finančnega okvira se zneski, ki se Hrvaški dajo na voljo kot odobrena proračunska sredstva za financiranje iz strukturnih skladov in Kohezijskega sklada, izračunajo na podlagi takrat veljavnega pravnega reda Unije. Ti zneski se prilagodijo v skladu z naslednjim načrtom postopnega financiranja:
 - 70 % leta 2014,
 - 90 % leta 2015,
 - 100 % od leta 2016.
4. Če to dopušča novi pravni red Unije, se s prilagoditvijo zagotovi 2,33-kratno povečanje sredstev za Hrvaško v letu 2014 v primerjavi z zneskom za leto 2013, v letu 2015 pa 3-kratno povečanje v primerjavi z zneskom za leto 2013.

ČLEN 34

1. Hrvaški se leta 2013 da na voljo celotni znesek iz Evropskega sklada za ribištvo v višini 8,7 milijona EUR (po tekočih cenah) odobrenih proračunskih sredstev za prevzem obveznosti.

2. Predfinanciranje iz Evropskega sklada za ribištvo znaša 25 % celotnega zneska iz odstavka 1 in se izplača v enem obroku.
3. Za obdobje naslednjega finančnega okvira se zneski, ki se Hrvaški dajo na voljo kot odobrena proračunska sredstva, izračunajo na podlagi takrat veljavnega pravnega reda Unije. Ti zneski se prilagodijo v skladu z naslednjim načrtom postopnega financiranja:
 - 70 % leta 2014,
 - 90 % leta 2015,
 - 100 % od leta 2016.
4. Če to dopušča novi pravni red Unije, se s prilagoditvijo zagotovi 2,33-kratno povečanje sredstev za Hrvaško v letu 2014 v primerjavi z zneskom za leto 2013, v letu 2015 pa 3-kratno povečanje v primerjavi z zneskom za leto 2013.

ČLEN 35

1. Uredba Sveta (ES) št. 1698/2005 z dne 20. septembra 2005 o podpori za razvoj podeželja iz Evropskega kmetijskega sklada za razvoj podeželja (EKSRP)(10) se v celotnem programskem obdobju 2007–2013 za Hrvaško ne uporablja.

V letu 2013 se Hrvaški iz komponente razvoja podeželja iz člena 12 Uredbe Sveta (ES) št. 1085/2006 dodeli 27,7 milijona EUR (po tekočih cenah).

2. Začasni dodatni ukrepi za razvoj podeželja za Hrvaško so navedeni v Prilogi VI.
3. Komisija lahko z izvedbenimi akti sprejme pravila, potrebna za uporabo Priloge VI. Te izvedbene akte se sprejme po postopku iz člena 90(2) Uredbe Sveta (ES) št. 1698/2005 v povezavi s členom 13(1)(b) Uredbe (EU) št. 182/2011 Evropskega parlamenta in Sveta z dne 16. februarja 2011 o določitvi splošnih pravil in načel, na podlagi katerih države članice nadzirajo izvajanje izvedbenih pooblastil Komisije(11), ali v skladu z ustreznim postopkom, ki je določen v veljavni zakonodaji.
4. Svet na predlog Komisije in po posvetovanju z Evropskim parlamentom po potrebi prilagodi Prilogo VI, da zagotovi skladnost s predpisi o razvoju podeželja.

NASLOV IV

DRUGE DOLOČBE

ČLEN 36

1. Komisija pozorno spremlja vse zaveze, ki jih je Hrvaška prevzela v pristopnih pogajanjih, vključno s tistimi, ki morajo biti izpolnjene pred ali do dneva pristopa. Spremljanje, ki ga izvaja Komisija, zajema redno posodobljene preglednice o spremljanju, dialog v okviru Stabilizacijsko-pridružitvenega sporazuma med Evropskimi skupnostmi in njihovimi državami članicami na eni strani in Republiko Hrvaško na drugi strani(12) (v nadaljnjem besedilu: SPS), medsebojne strokovne preglede, predpristopni ekonomski program, uradna javnofinančna obvestila in po potrebi zgodnja opozorila hrvaškim oblastem. Komisija Evropskemu parlamentu in Svetu jeseni 2011 predloži poročilo o napredku. Jeseni 2012 Komisija Evropskemu parlamentu in Svetu predloži izčrpno poročilo o

spremljanju. Komisija se v celotnem procesu spremljanja opira tudi na prispevek držav članic in po potrebi upošteva prispevek mednarodnih organizacij in organizacij civilne družbe.

Komisija se pri spremljanju osredotoči zlasti na zaveze, ki jih je Hrvaška prevzela na področju pravosodja in temeljnih pravic (Priloga VII), vključno z nadaljnjim doseganjem napredka pri reformi in učinkovitosti pravosodja, nepristranski obravnavi vojnih zločinov in boju proti korupciji.

Poleg tega se Komisija pri spremljanju osredotoči tudi na območje svobode, varnosti in pravice, vključno z izvajanjem in uveljavljanjem zahtev EU v zvezi z upravljanjem zunanjih meja, policijskim sodelovanjem, bojem proti organiziranemu kriminalu ter pravosodnim sodelovanjem v civilnih in kazenskih zadevah, pa tudi na zaveze na področju politike konkurence, vključno s prestrukturiranjem ladjedelniške industrije (Priloga VIII) in jeklarskega sektorja (Priloga IX).

Komisija do pristopa Hrvaške kot sestavni del priprave rednih preglednic in poročil o spremljanju pripravlja polletne ocene izvajanja zavez Hrvaške na teh področjih.

2. Če so v procesu spremljanja ugotovljene težave, lahko Svet na predlog Komisije s kvalificirano večino sprejme vse ustrezne ukrepe. Ti ukrepi se ohranijo le dokler je to nujno potrebno in jih Svet v vsakem primeru po enakem postopku ukine, ko so te težave uspešno odpravljene.

ČLEN 37

1. Če se do konca obdobja največ treh let po pristopu na katerem koli gospodarskem področju nastanejo resne težave, ki bi utegnile trajati dalj časa ali bi lahko resno poslabšale gospodarske razmere na določenem območju, lahko Hrvaška zaprosi za dovoljenje za sprejetje zaščitnih ukrepov, da bi nastale razmere popravila in to področje prilagodila gospodarstvu notranjega trga.

V enakih razmerah lahko vsaka sedanja država članica zaprosi za dovoljenje za sprejetje zaščitnih ukrepov proti Hrvaški.

2. Na zaprosilo posamezne države Komisija po hitrem postopku določi zaščitne ukrepe, ki so po njenem mnenju potrebni, ter podrobno opredeli pogoje in ukrepe za njihovo izvajanje.

Ob resnih gospodarskih težavah Komisija na izrecno zaprosilo posamezne države članice odloči v petih delovnih dneh po prejemu zaprosila s priloženimi ustreznimi podatki. Tako sprejeti ukrepi se začnejo uporabljati takoj, upoštevajo interese vseh vpletenih strani in nimajo za posledico kontrol na mejah.

3. Ukrepi, dovoljeni na podlagi tega člena, lahko vsebujejo odstopanja od pravil iz PEU, PDEU in tega akta v takšnem obsegu in za toliko časa, kolikor je nujno potrebno za doseganje ciljev tega zaščitnega ukrepa. Prednost imajo ukrepi, ki najmanj ovirajo delovanje notranjega trga.

ČLEN 38

Če Hrvaška ne izpolni zavez, ki jih je prevzela v okviru pristopnih pogajanj, vključno z zavezami v kateri koli področni politiki, povezani z gospodarskimi dejavnostmi s čezmejnimi učinkom, in zaradi tega huje ovira delovanje notranjega trga ali ogrozi finančne interese Unije

ali če obstaja neposredna nevarnost takšnega oviranja ali ogrožitve, lahko Komisija do konca obdobja, ki traja največ tri leta po pristopu, na utemeljeno zaprosilo države članice ali na lastno pobudo sprejme ustrezne ukrepe.

Ti ukrepi so sorazmerni, pri čemer imajo prednost tisti, ki najmanj ovirajo delovanje notranjega trga, kadar je primerno, pa uporaba obstoječih področnih zaščitnih mehanizmov. Zaščitni ukrepi na podlagi tega člena se ne smejo uporabiti kot sredstvo samovoljne diskriminacije ali prikritega omejevanja trgovine med državami članicami. Na podlagi ugotovitev spremljanja se lahko zaščitna klavzula uveljavlja tudi pred pristopom, sprejeti ukrepi pa začnejo veljati z dnem pristopa, razen če ne določajo poznejšega datuma. Ukrepi se ohranijo le dokler je to nujno potrebno in se v vsakem primeru ukinejo, ko je posamezna zaveza izpolnjena. Dokler posamezne zaveze niso izpolnjene, se ukrepi lahko uporabljajo tudi po izteku obdobja iz prvega odstavka. Ob upoštevanju napredka Hrvaške pri izpolnjevanju zavez lahko Komisija ukrepe ustrezno prilagodi. Pred preklicem zaščitnih ukrepov Komisija pravočasno obvesti Svet in ustrezno upošteva morebitne pripombe Sveta v zvezi s tem.

ČLEN 39

Če na Hrvaškem obstajajo hujše pomanjkljivosti ali neposredna nevarnost takih pomanjkljivosti pri prenosu ali stanju izvajanja aktov, ki so jih institucije sprejele v skladu z naslovom V tretjega dela PDEU, in aktov, ki so jih institucije sprejele pred začetkom veljavnosti Lizbonske pogodbe v skladu z naslovom VI PEU ali v skladu z naslovom IV tretjega dela Pogodbe o ustanovitvi Evropske skupnosti, lahko Komisija do konca obdobja, ki traja največ tri leta po pristopu, na utemeljeno zaprosilo države članice ali na lastno pobudo in po posvetovanju z državami članicami sprejme ustrezne ukrepe ter podrobno opredeli pogoje in ukrepe za njihovo izvajanje.

Brez poseganja v nadaljnje tesno pravosodno sodelovanje se lahko ti ukrepi sprejmejo kot začasno prenehanje uporabe ustreznih določb in sklepov v odnosih med Hrvaško in katero koli drugo državo članico ali državami članicami. Na podlagi ugotovitev spremljanja se lahko zaščitna klavzula uveljavlja tudi pred pristopom, sprejeti ukrepi pa začnejo veljati z dnem pristopa, razen če ne določajo poznejšega datuma. Ukrepi se ohranijo le dokler je to nujno potrebno in se v vsakem primeru ukinejo, ko so pomanjkljivosti odpravljene. Dokler te pomanjkljivosti niso odpravljene, se ukrepi lahko uporabljajo tudi po izteku obdobja iz prvega odstavka. Ob upoštevanju napredka Hrvaške pri odpravljanju ugotovljenih pomanjkljivosti lahko Komisija po posvetovanju z državami članicami ukrepe ustrezno prilagodi. Pred preklicem zaščitnih ukrepov Komisija pravočasno obvesti Svet in ustrezno upošteva morebitne pripombe Sveta v zvezi s tem.

ČLEN 40

Za nemoteno pravilno delovanje notranjega trga, posledica izvajanja nacionalnih predpisov Hrvaške v prehodnih obdobjih iz Priloge V ne sme biti kontrola na mejah med državami članicami.

ČLEN 41

Če so potrebni prehodni ukrepi za lažji prehod iz obstoječe ureditve na Hrvaškem v ureditev, ki izhaja iz uporabe skupne kmetijske politike pod pogoji iz tega akta, Komisija sprejme take ukrepe v skladu s postopkom iz člena 195(2) Uredbe Sveta (ES) št. 1234/2007 z dne 22. oktobra 2007 o vzpostavitvi skupne ureditve kmetijskih trgov in o posebnih določbah za nekatere kmetijske proizvode (»Uredba o enotni SUT«)(13) v povezavi s členom 13(1)(b) Uredbe (EU) št. 182/2011 Evropskega parlamenta in Sveta(14) ali v skladu z ustreznim postopkom, kakor je opredeljen v veljavni zakonodaji. Ti ukrepi se lahko sprejmejo v treh letih

od dne pristopa, na to obdobje pa je omejena tudi njihova uporaba. Svet lahko na predlog Komisije in po posvetovanju z Evropskim parlamentom soglasno podaljša to obdobje.

Prehodni ukrepi iz prvega odstavka se lahko po potrebi sprejmejo tudi pred dnem pristopa. Svet take ukrepe sprejme s kvalificirano večino na predlog Komisije ali pa jih sprejme Komisija, če vplivajo na instrumente, ki jih je prvotno sprejela Komisija po postopkih, potrebnih za sprejetje teh instrumentov.

ČLEN 42

Če so potrebni prehodni ukrepi za lažji prehod iz obstoječe ureditve na Hrvaškem v ureditev, ki izhaja iz uporabe veterinarskih in fitosanitarnih pravil Unije ter njenih pravil o varnosti hrane, Komisija sprejme take ukrepe po ustreznem postopku, kakor je opredeljen v veljavni zakonodaji. Ti ukrepi se sprejmejo v treh letih od dne pristopa, na to obdobje pa je omejena tudi njihova uporaba.

ČLEN 43

Svet s kvalificirano večino na predlog Komisije opredeli pogoje, pod katerimi je:

(a) mogoča oprostitev zahteve po izstopni skupni deklaraciji za izdelke iz člena 28 (2) PDEU, ki zapustijo ozemlje Hrvaške zaradi prečkanja ozemlja Bosne in Hercegovine pri Neumu (»neumski koridor«),

(b) mogoča oprostitev zahteve po vstopni skupni deklaraciji za izdelke, ki spadajo v področje uporabe točke (a), ko ti izdelki po prečkanju ozemlja Bosne in Hercegovine pri Neumu ponovno vstopijo na ozemlje Hrvaške.

ČLEN 44

Komisija lahko sprejme vse ustrezne ukrepe, da se v obdobju največ 18 mesecev po pristopu zagotovi ohranitev potrebnih statutarnih uslužbencev na Hrvaškem. V tem obdobju uradniki ter začasni in pogodbeni uslužbenci, ki so bili na delovna mesta na Hrvaškem razporejeni pred pristopom in ki morajo po dnevu pristopa ostati v službi na Hrvaškem, delajo pod enakimi finančnimi in materialnimi pogoji, kakor so se uporabljali pred pristopom v skladu s Kadrovskimi predpisi za uradnike Evropskih skupnosti in pogoji za zaposlitev drugih uslužbencev Evropskih skupnosti iz Uredbe Sveta (EGS, Euratom, ESPJ) št. 259/68(15). Odhodki za poslovanje, vključno s plačami za druge potrebne uslužbence, se krijejo iz splošnega proračuna Evropske unije.

PETI DEL

DOLOČBE O IZVAJANJU TEGA AKTA

NASLOV I

PRILAGODITVE POSLOVNIKOV INSTITUCIJ TER PRAVIL IN POSLOVNIKOV ODBOROV

ČLEN 45

Institucije v skladu z ustreznimi postopki, določenimi v izvirnih pogodbah, zaradi pristopa prilagodijo svoje poslovnike.

Zaradi pristopa se pravila in poslovniki odborov, ustanovljenih z izvirnimi pogodbami, prilagodijo čim prej po pristopu.

NASLOV II

UPORABA AKTOV INSTITUCIJ

ČLEN 46

Šteje se, da so ob pristopu v skladu z izvirnimi pogodbami direktive in sklepi v smislu člena 288 PDEU naslovljeni na Hrvaško. Šteje se, da je bila Hrvaška o teh direktivah in sklepih uradno obveščena ob pristopu, razen o direktivah in sklepih, ki so začeli veljati v skladu s tretjim pododstavkom člena 297(1) in drugim pododstavkom člena 297(2) PDEU.

ČLEN 47

1. Hrvaška izvede potrebne ukrepe, da od dne pristopa ravna v skladu z določbami direktiv in sklepov v smislu člena 288 PDEU, razen če v tem aktu ni določen drugačen rok. O teh ukrepih obvesti Komisijo do dne pristopa, če je to pozneje, pa v roku, določenem v tem aktu.
2. Kolikor spremembe direktiv v smislu člena 288 PDEU, uvedene s tem aktom, zahtevajo prilagoditev zakonov in drugih predpisov sedanjih držav članic, sedanje države članice izvedejo potrebne ukrepe, da od dne pristopa Hrvaške ravnajo v skladu s spremenjenimi direktivami, razen če v tem aktu ni določen drugačen rok. O teh ukrepih obvestijo Komisijo do dne pristopa, če je to pozneje, pa v roku, določenem v tem aktu.

ČLEN 48

Hrvaška v skladu s členom 33 Pogodbe ESAE v treh mesecih od pristopa obvesti Komisijo o zakonodaji in drugih predpisih za zagotovitev varovanja zdravja delavcev in prebivalstva na ozemlju Hrvaške pred nevarnostmi ionizirajočega sevanja.

ČLEN 49

Na ustrezno utemeljeno zaprosilo Hrvaške, predloženo Komisiji najpozneje na dan pristopa, lahko Svet na predlog Komisije ali Komisija, če je sama sprejela izvirni akt, sprejme ukrepe, ki vsebujejo začasna odstopanja od aktov institucij, sprejetih med 1. julijem 2011 in dnem pristopa. Ukrepi se sprejmejo po pravilih glasovanja, ki urejajo sprejemanje akta, na katerega se nanaša zaprosilo za začasno odstopanje. Kadar so ta odstopanja sprejeta po pristopu, se lahko uporabljajo z dnem pristopa.

ČLEN 50

Kadar je treba akte institucij, sprejete pred pristopom, zaradi pristopa prilagoditi, ta akt ali njegove priloge pa potrebnih prilagoditev ne predvidevajo, Svet na predlog Komisije s kvalificirano večino ali Komisija, če je sama sprejela izvirni akt, sprejme potrebne akte v ta namen. Kadar so ti akti sprejeti po pristopu, se lahko uporabljajo z dnem pristopa.

ČLEN 51

Svet na predlog Komisije s kvalificirano večino sprejme potrebne ukrepe za izvajanje določb tega akta, razen če ta akt ne določa drugače.

ČLEN 52

Besedila aktov institucij, ki so sprejeta pred pristopom in so jih te institucije sestavile v hrvaškem jeziku, so od dne pristopa verodostojna pod enakimi pogoji kakor besedila, sestavljena v sedanjih uradnih jezikih. Besedila se objavijo v Uradnem listu Evropske unije, če so bila tako objavljena v sedanjih uradnih jezikih.

NASLOV III

KONČNE DOLOČBE

ČLEN 53

Priloge od I do IX, njihovi dodatki in Protokol so sestavni del tega akta.

ČLEN 54

Vlada Italijanske republike pošlje vladi Republike Hrvaške overjen izvod Pogodbe o Evropski uniji, Pogodbe o delovanju Evropske unije in Pogodbe o ustanovitvi Evropske skupnosti za atomsko energijo ter pogodb, ki jih spreminjajo ali dopolnjujejo, vključno s Pogodbo o pristopu Kraljevine Danske, Irske ter Združenega kraljestva Velika Britanija in Severna Irska, Pogodbo o pristopu Helenske republike, Pogodbo o pristopu Kraljevine Španije in Portugalske republike, Pogodbo o pristopu Republike Avstrije, Republike Finske in Kraljevine Švedske, Pogodbo o pristopu Češke republike, Republike Estonije, Republike Ciper, Republike Latvije, Republike Litve, Republike Madžarske, Republike Malte, Republike Poljske, Republike Slovenije in Slovaške republike ter Pogodbo o pristopu Republike Bolgarije in Romunije v angleškem, bolgarskem, češkem, danskem, estonskem, finskem, francoskem, grškem, irskem, italijanskem, latvijskem, litovskem, madžarskem, malteškem, nemškem, nizozemskem, poljskem, portugalskem, romunskem, slovaškem, slovenskem, španskem in švedskem jeziku.

Besedila pogodb iz prvega odstavka, sestavljena v hrvaškem jeziku, se priložijo temu aktu. Ta besedila so verodostojna pod enakimi pogoji kakor besedila teh pogodb, sestavljena v sedanjih uradnih jezikih.

ČLEN 55

Generalni sekretar pošlje vladi Republike Hrvaške overjeno kopijo mednarodnih sporazumov, deponiranih v arhivu generalnega sekretariata Sveta.

PRILOGA I

Seznam konvencij in protokolov, h katerim pristopi Republika Hrvaška ob pristopu (iz člena 3(4) Akta o pristopu)

1. Konvencija z dne 23. julija 1990 o odpravi dvojnega obdavčevanja v zvezi s preračunom dobička povezanih podjetij (UL L 225, 20. 8. 1990, str. 10)
 - Konvencija z dne 21. decembra 1995 o pristopu Republike Avstrije, Republike Finske in Kraljevine Švedske h Konvenciji o odpravi dvojnega obdavčevanja v zvezi s preračunom dobička povezanih podjetij (UL C 26, 31. 1. 1996, str. 1)
 - Protokol z dne 25. maja 1999 o spremembi Konvencije z dne 23. julija 1990 o odpravi dvojnega obdavčevanja v zvezi s preračunom dobička povezanih podjetij (UL C 202, 16. 7. 1999, str. 1)
 - Konvencija z dne 8. decembra 2004 o pristopu Češke republike, Republike Estonije, Republike Ciper, Republike Latvije, Republike Litve, Republike Madžarske, Republike Malte, Republike Poljske, Republike Slovenije in Slovaške republike h Konvenciji o odpravi dvojnega obdavčevanja v zvezi s preračunom dobička povezanih podjetij (UL C 160, 30. 6. 2005, str. 1)
2. Konvencija z dne 26. julija 1995, pripravljena na podlagi člena K.3 Pogodbe o Evropski uniji, o zaščiti finančnih interesov Evropskih skupnosti (UL C 316, 27. 11. 1995, str. 49)
 - Protokol z dne 27. septembra 1996, pripravljen na podlagi člena K.3 Pogodbe o Evropski uniji, h Konvenciji o zaščiti finančnih interesov Evropskih skupnosti (UL C 313, 23. 10. 1996, str. 2)
 - Protokol z dne 29. novembra 1996, pripravljen na podlagi člena K.3 Pogodbe o Evropski uniji, o razlagi Konvencije o zaščiti finančnih interesov Evropskih skupnosti s predhodnim odločanjem Sodišča Evropskih skupnosti (UL C 151, 20. 5. 1997, str. 2)
 - Drugi protokol z dne 19. junija 1997, pripravljen na podlagi člena K.3 Pogodbe o Evropski uniji, h Konvenciji o zaščiti finančnih interesov Evropskih skupnosti (UL C 221, 19. 7. 1997, str. 12)
3. Konvencija z dne 26. maja 1997, pripravljena na podlagi člena K.3(2)(c) Pogodbe o Evropski uniji, o boju proti korupciji uradnikov Evropskih skupnosti ali uradnikov držav članic Evropske unije (UL C 195, 25. 6. 1997, str. 2)
4. Konvencija z dne 18. decembra 1997, pripravljena na podlagi člena K.3 Pogodbe o Evropski uniji, o medsebojni pomoči in sodelovanju med carinskimi upravami (UL C 24, 23. 1. 1998, str. 2)
5. Konvencija z dne 17. junija 1998 o prepovedi vožnje, sestavljena na podlagi člena K.3 Pogodbe o Evropski uniji (UL C 216, 10. 7. 1998, str. 2)
6. Konvencija z dne 29. maja 2000, ki jo je Svet pripravil na podlagi člena 34 Pogodbe o Evropski uniji, o medsebojni pravni pomoči v kazenskih zadevah med državami članicami Evropske unije, (UL C 197, 12. 7. 2000, str. 3)
 - Protokol z dne 16. oktobra 2001 h Konvenciji o medsebojni pravni pomoči v kazenskih zadevah med državami članicami Evropske unije, ki ga je pripravil Svet na podlagi člena 34 Pogodbe o Evropski uniji, (UL C 326, 21. 11. 2001, str. 2)

PRILOGA II

Seznam določb schengenskega pravnega reda, kakor so vključene v okvir Evropske unije, in aktov, ki na njem temeljijo ali so z njim kako drugače povezani, ki so za Republiko Hrvaško zavezujoči in se v njej uporabljajo od pristopa (iz člena 4(1) Akta o pristopu)

1. Sporazum med vladami držav Gospodarske unije Beneluks, Zvezne republike Nemčije in Francoske republike o postopni odpravi kontrol na skupnih mejah z dne 14. junija 1985.(16)
2. Naslednje določbe Konvencije, podpisane v Schengenu dne 19. junija 1990, o izvajanju Schengenskega sporazuma z dne 14. junija 1985 o postopni odpravi kontrol na skupnih mejah, ter z njo povezana Sklepna listina in skupne izjave(17), kakor so bile spremenjene z določenimi akti iz odstavka 8 te priloge:

Člen 1, kolikor je povezan z določbami tega odstavka, člen 26, člen 39, člani 44 do 49 (razen člena 47(4) in člena 49(a)), člen 51, člani 54 do 58, člen 62(3), člani 67 do 69, člena 71 in 72, člena 75 in 76, člen 82, člen 91, člani 126 do 130, kolikor so povezani z določbami tega odstavka, člen 136, Skupni izjavi 1 in 3 Sklepne listine.

3. Naslednje določbe sporazumov o pristopu h Konvenciji, podpisani v Schengenu dne 19. junija 1990, o izvajanju Schengenskega sporazuma z dne 14. junija 1985 o postopni odpravi kontrol na skupnih mejah, njihovih sklepnih listin in z njimi povezanih izjav, kakor so bile spremenjene z določenimi akti iz odstavka 8 te priloge:

(a) Sporazum, podpisan dne 19. decembra 1996, o pristopu Kraljevine Danske:

– člen 5(2) in člen 6

(b) Sporazum, podpisan dne 19. decembra 1996, o pristopu Republike Finske:

– člen 5

– Izjava vlade Republike Finske o Ålandskih otokih v delu III Sklepne listine

(c) Sporazum, podpisan dne 19. decembra 1996, o pristopu Kraljevine Švedske:

– člen 5.

4. Naslednji sporazumi in dogovori, ki temeljijo na schengenskem pravnem redu, ali so drugače z njim povezani:

– Sporazum z dne 18. maja 1999 med Svetom Evropske unije ter Republiko Islandijo in Kraljevino Norveško o pridružitvi obeh držav k izvajanju, uporabi in razvoju schengenskega pravnega reda, vključno s prilogami, Sklepno listino Sporazuma in priloženimi izjavami in izmenjavami pisem, odobren s Sklepom Sveta 1999/439/ES (UL L 176, 10. 7. 1999, str. 35)

– Sporazum z dne 30. junija 1999, sklenjen med Svetom Evropske unije ter Republiko Islandijo in Kraljevino Norveško o določitvi pravic in obveznosti med Irsko ter Združenim kraljestvom Velika Britanija in Severna Irsko na eni strani ter Republiko Islandijo in Kraljevino Norveško na drugi strani na področjih schengenskega pravnega reda, ki velja za te države, odobren s Sklepom Sveta 2000/29/ES (UL L 15, 20. 1. 2000, str. 1)

– Sporazum med Evropsko unijo, Evropsko skupnostjo in Švicarsko konfederacijo o pridružitvi Švicarske konfederacije k izvajanju, uporabi in razvoju schengenskega pravnega reda, podpisan 26. oktobra 2004 in odobren s Sklepom Sveta 2008/146/ES in Sklepom Sveta 2008/149/PNZ (UL L 53, 27. 2. 2008, str. 1 in 50)

- Protokol med Evropsko unijo, Evropsko skupnostjo, Švicarsko konfederacijo in Kneževino Lihtenštajn o pristopu Kneževine Lihtenštajn k Sporazumu med Evropsko unijo, Evropsko skupnostjo in Švicarsko konfederacijo o pridružitvi Švicarske konfederacije k izvajanju, uporabi in razvoju schengenskega pravnega reda, podpisan 28. februarja 2008 in odobren s Sklepom Sveta 2011/349/EU in Sklepom Sveta 2011/350/EU (UL L 160, 18.6.2011, str. 1 in str. 19)
 - Dogovor med Evropsko skupnostjo ter Republiko Islandijo in Kraljevino Norveško o podrobnostih sodelovanja teh držav v Evropski agenciji za upravljanje in operativno sodelovanje na zunanjih mejah držav članic Evropske unije, vključno s priloženo Skupno izjavo, podpisan 1. februarja 2007 in odobren s Sklepom Sveta 2007/511/ES (UL L 188, 20. 7. 2007, str. 15)
 - Dogovor med Evropsko skupnostjo na eni strani ter Švicarsko konfederacijo in Kneževino Lihtenštajn na drugi strani o podrobnostih sodelovanja teh držav v Evropski agenciji za upravljanje in operativno sodelovanje na zunanjih mejah držav članic Evropske unije, vključno s Prilogo in priloženima skupnima izjavama, podpisan 30. septembra 2009 in odobren s Sklepom Sveta 2010/490/EU (UL L 243, 16. 9. 2010, str. 2)
 - Sporazum med Evropsko skupnostjo ter Republiko Islandijo, Kraljevino Norveško, Švicarsko konfederacijo in Kneževino Lihtenštajn o dopolnilnih pravilih v zvezi s Skladom za zunanje meje za obdobje 2007–2013, vključno s priloženimi izjavami, podpisan 19. marca 2010 in odobren s Sklepom Sveta 2010/305/EU (UL L 137, 25. 5. 2011, str. 1)(18).
5. Določbe naslednjih sklepov (glej UL L 239, 22. 9. 2000, str. 1) Izvršnega odbora, ustanovljenega s Konvencijo, podpisano v Schengenu dne 19. junija 1990, o izvajanju Schengenskega sporazuma z dne 14. junija 1985 o postopni odpravi kontrol na skupnih mejah, kakor so bile spremenjene z določenimi akti iz odstavka 8 te priloge:
- SCH/Com-ex (93) 10 Sklep Izvršnega odbora z dne 14. decembra 1993 o izjavah ministrov in državnih sekretarjev
 - SCH/Com-ex (93) 14 Sklep Izvršnega odbora z dne 14. decembra 1993 o izboljšanju praktičnega sodelovanja sodstva v boju proti nedovoljenemu prometu s prepovedano drogo
 - SCH/Com-ex (94) 16 rev Sklep Izvršnega odbora z dne 21. novembra 1994 o nabavi enotnih vstopnih in izstopnih žigov
 - SCH/Com-ex (94) 28 rev Sklep Izvršnega odbora z dne 22. decembra 1994 o potrdilu iz člena 75 za prenašanje mamil in psihotropnih snovi
 - SCH/Com-ex (94) 29 rev 2 Sklep Izvršnega odbora z dne 22. decembra 1994 o uveljavitvi Konvencije o izvajanju Schengenskega sporazuma z dne 19. junija 1990
 - SCH/Com-ex (95) 21 Sklep Izvršnega odbora z dne 20. decembra 1995 o hitri izmenjavi statističnih in specifičnih podatkov med schengenskimi državami o možnih nepravilnostih na zunanjih mejah
 - SCH/Com-ex (98) 1 rev 2 Sklep Izvršnega odbora z dne 21. aprila 1998 o dejavnostih delovne skupine, kolikor se nanaša na določbe odstavka 2 te priloge
 - SCH/Com-ex (98) 26 def Sklep Izvršnega odbora z dne 16. septembra 1998 o ustanovitvi stalnega odbora Konvencije o izvajanju Schengenskega sporazuma
 - SCH/Com-ex (98) 37 def 2 Sklep Izvršnega odbora z dne 27. oktobra 1998 o sprejetju ukrepov za boj proti nezakonitemu priseljevanju, kolikor se nanaša na določbe odstavka 2 te priloge

- SCH/Com-ex (98) 52 Sklep Izvršnega odbora z dne 16. decembra 1998 o Priročniku o čezmejnem policijskem sodelovanju, kolikor se nanaša na določbe odstavka 2 te priloge
- SCH/Com-ex (98) 59 rev Sklep Izvršnega odbora z dne 16. decembra 1998 o usklajeni napotitvi svetovalcev za dokumente
- SCH/Com-ex (99) 1 rev 2 Sklep Izvršnega odbora z dne 28. aprila 1999 o stanju na področju drog
- SCH/Com-ex (99) 6 Sklep Izvršnega odbora z dne 28. aprila 1999 o schengenskem pravnem redu na področju telekomunikacij
- SCH/Com-ex (99) 7 rev 2 Sklep Izvršnega odbora z dne 28. aprila 1999 o uradnikih za zvezo
- SCH/Com-ex (99) 8 rev 2 Sklep Izvršnega odbora z dne 28. aprila 1999 o splošnih načelih glede plačevanja informatorjev
- SCH/Com-ex (99) 10 Sklep Izvršnega odbora z dne 28. aprila 1999 o nezakoniti trgovini z orožjem.

6. Naslednji izjavi (glej UL L 239, 22. 9. 2000, str. 1) Izvršnega odbora, ustanovljenega s Konvencijo, podpisano v Schengenu dne 19. junija 1990, o izvajanju Schengenskega sporazuma z dne 14. junija 1985 o postopni odpravi kontrol na skupnih mejah, kolikor sta povezani z določbami iz odstavka 2 te priloge:

- SCH/Com-ex (96) decl 6 rev 2 Izjava Izvršnega odbora z dne 26. junija 1996 o izročitvi
- SCH/Com-ex (97) decl 13 rev 2 Izjava Izvršnega odbora z dne 9. februarja 1998 o ugrabitvah mladoletnikov.

7. Naslednja sklepa (glej UL L 239, 22. 9. 2000, str. 1) Centralne skupine, ustanovljene s Konvencijo, podpisano v Schengenu dne 19. junija 1990, o izvajanju Schengenskega sporazuma z dne 14. junija 1985 o postopni odpravi kontrol na skupnih mejah, kolikor sta povezana z določbami odstavka 2 te priloge:

- SCH/C (98) 117 Sklep Centralne skupine z dne 27. oktobra 1998 o ukrepih za boj proti nezakonitemu priseljevanju
- SCH/C (99) 25 Sklep Centralne skupine z dne 22. marca 1999 o splošnih načelih glede plačevanja informatorjev.

8. Naslednji akti, ki temeljijo na schengenskem pravnem redu, ali so drugače z njim povezani:

- Uredba Sveta (ES) št. 1683/95 z dne 29. maja 1995 o enotni obliki za vizume (UL L 164, 14. 7. 1995, str. 1)
- Odločba Sveta 1999/307/ES z dne 1. maja 1999 o podrobnem programu za vključitev schengenskega sekretariata v generalni sekretariat Sveta (UL L 119, 7. 5. 1999, str. 49)
- Sklep Sveta 1999/435/ES z dne 20. maja 1999 o opredelitvi schengenskega pravnega reda za namen določanja pravne podlage za vsako določbo ali sklep, ki sestavlja schengenski pravni red, skladno z ustreznimi določbami iz Pogodbe o ustanovitvi Evropske skupnosti in Pogodbe o Evropski uniji (UL L 176, 10. 7. 1999, str. 1)

- Sklep Sveta 1999/436/ES z dne 20. maja 1999 o določitvi pravne podlage za vsako določbo ali sklep, ki sestavlja schengenski pravni red, skladno z ustreznimi določbami Pogodbe o ustanovitvi Evropske skupnosti in Pogodbe o Evropski uniji (UL L 176, 10. 7. 1999, str. 17)
- Sklep Sveta 1999/437/ES z dne 17. maja 1999 o nekaterih izvedbenih predpisih za uporabo Sporazuma, sklenjenega med Svetom Evropske unije in Republiko Islandijo ter Kraljevino Norveško, v zvezi s pridružitvijo teh dveh držav k izvajanju, uporabi in razvoju schengenskega pravnega reda (UL L 176, 10. 7. 1999, str. 31)
- Sklep Sveta 1999/848/ES z dne 13. decembra 1999 o celotni uporabi schengenskega pravnega reda v Helenski republiki (UL L 327, 21. 12. 1999, str. 58)
- Sklep Sveta 2000/365/ES z dne 29. maja 2000 o prošnji Združenega kraljestva Velike Britanije in Severne Irske za sodelovanje pri izvajanju nekaterih določb schengenskega pravnega reda (UL L 131, 1. 6. 2000, str. 43)
- Sklep Sveta 2000/586/PNZ z dne 28. septembra 2000 o vzpostavitvi postopka za spremembo členov 40(4) in (5), 41(7) in 65(2) Konvencije o izvajanju Schengenskega sporazuma z dne 14. junija 1985 o postopni odpravi kontrol na skupnih mejah (UL L 248, 3. 10. 2000, str. 1)
- Sklep Sveta 2000/777/ES z dne 1. decembra 2000 o uporabi schengenskega pravnega reda na Danskem, Finskem in Švedskem ter v Islandiji in na Norveškem (UL L 309, 9. 12. 2000, str. 24)
- Uredba Sveta (ES) št. 539/2001 z dne 15. marca 2001 o seznamu tretjih držav, katerih državljani morajo pri prehodu zunanjih meja imeti vizume, in držav, katerih državljani so oproščeni te zahteve (UL L 81, 21. 3. 2001, str. 1)
- Direktiva Sveta 2001/51/ES z dne 28. junija 2001 o dopolnitvi določb člena 26 Konvencije o izvajanju Schengenskega sporazuma z dne 14. junija 1985 (UL L 187, 10. 7. 2001, str. 45)
- Uredba Sveta (ES) št. 333/2002 z dne 18. februarja 2002 o enotni obliki obrazcev, na katere se nalepi vizum, ki ga je izdala država članica imetnikom potnih listin, ki jih država članica, katera je obrazec izdala, ne priznava (UL L 53, 23. 2. 2002, str. 4)
- Sklep Sveta 2002/192/ES z dne 28. februarja 2002 o prošnji Irske, da sodeluje pri izvajanju nekaterih določb schengenskega pravnega reda (UL L 64, 7. 3. 2002, str. 20)
- Uredba Sveta (ES) št. 1030/2002 z dne 13. junija 2002 o enotni obliki dovoljenja za prebivanje za državljane tretjih držav (UL L 157, 15. 6. 2002, str. 1)
- Okvirni sklep Sveta 2002/946/PNZ z dne 28. novembra 2002 o krepitvi kazenskega okvirja na področju preprečevanja nudenja pomoči pri nedovoljenem vstopu, tranzitu in prebivanju (UL L 328, 5. 12. 2002, str. 1)
- Direktiva Sveta 2002/90/ES z dne 28. novembra 2002 o opredelitvi pomoči pri nedovoljenem vstopu, tranzitu in prebivanju (UL L 328, 5. 12. 2002, str. 17)
- Sklep Sveta 2003/170/PNZ z dne 27. februarja 2003 o skupni uporabi častnikov za zvezo, napotenih s strani organov pregona držav članic (UL L 67, 12. 3. 2003, str. 27)
- Sklep Sveta 2003/725/PNZ z dne 2. oktobra 2003 o spremembi določb členov 40(1) in (7) Konvencije o izvajanju Schengenskega sporazuma z dne 14. junija 1985 o postopni odpravi kontrol na skupnih mejah (UL L 260, 11. 10. 2003, str. 37)

- Direktiva Sveta 2003/110/ES z dne 25. novembra 2003 o pomoči v primeru tranzita za namene repatriacije po zračni poti (UL L 321, 6. 12. 2003, str. 26)
- Uredba Sveta (ES) št. 377/2004 z dne 19. februarja 2004 o vzpostavitvi mreže uradnikov za zvezo za priseljevanje (UL L 64, 2. 3. 2004, str. 1)
- Direktiva Sveta 2004/82/ES z dne 29. aprila 2004 o dolžnosti prevoznikov, da posredujejo podatke o potnikih (UL L 261, 6. 8. 2004, str. 24)
- Odločba Sveta 2004/573/ES z dne 29. aprila 2004 o organiziranju skupnih letov zaradi odstranitve državljanov tretjih držav, ki so predmet posameznih odredb o odstranitvi, z ozemlja dveh ali več držav članic (UL L 261, 6. 8. 2004, str. 28)
- Odločba Sveta 2004/512/ES z dne 8. junija 2004 o vzpostavitvi vizumskega informacijskega sistema (VIS) (UL L 213, 15. 6. 2004, str. 5, in UL L 142M, 30. 5. 2006, str. 60)
- Uredba Sveta (ES) št. 2007/2004 z dne 26. oktobra 2004 o ustanovitvi Evropske agencije za upravljanje in operativno sodelovanje na zunanjih mejah držav članic Evropske unije (UL L 349, 25. 11. 2004, str. 1, in UL L 153M, 7. 6. 2006, str. 136)
- Uredba Sveta (ES) št. 2252/2004 z dne 13. decembra 2004 o standardih za varnostne značilnosti in biometrične podatke v potnih listih in potovalnih dokumentih, ki jih izdajo države članice (UL L 385, 29. 12. 2004, str. 1, in UL L 153M, 7. 6. 2006, str. 375)
- Sklep Sveta 2004/926/ES z dne 22. decembra 2004 o izvajanju delov schengenskega pravnega reda s strani Združenega kraljestva Velike Britanije in Severne Irske (UL L 395, 31. 12. 2004, str. 70)
- Odločba Sveta 2005/267/ES z dne 16. marca 2005 o vzpostavitvi varnega spletno podprtega informacijskega in usklajevalnega omrežja, namenjenega službam držav članic za migracije (UL L 83, 1. 4. 2005, str. 48, in UL L 159M, 13. 6. 2006, str. 288)
- Uredba (ES) št. 562/2006 Evropskega parlamenta in Sveta z dne 15. marca 2006 o Zakoniku Skupnosti o pravilih, ki urejajo gibanje oseb prek meja (Zakonik o schengenskih mejah) (UL L 105, 13. 4. 2006, str. 1), razen prvega stavka člena 1, člena 5(4)(a), naslova III in določb naslova II ter prilog k Uredbi, ki se nanašajo na schengenski informacijski sistem (SIS)
- Okvirni sklep Sveta 2006/960/PNZ z dne 18. decembra 2006 o poenostavitvi izmenjave informacij in obveščevalnih podatkov med organi kazenskega pregona držav članic Evropske unije (UL L 386, 29. 12. 2006, str. 89)
- Uredba (ES) št. 1931/2006 Evropskega parlamenta in Sveta z dne 20. decembra 2006 o pravilih za obmejni promet na zunanjih kopenskih mejah držav članic in spremembi določb Schengenske konvencije (UL L 405, 30. 12. 2006, str. 1), razen členov 4(b) in 9(c)
- Sklep Sveta 2007/471/ES z dne 12. junija 2007 o uporabi določb schengenskega pravnega reda, ki se navezujejo na schengenski informacijski sistem, v Češki republiki, Republiki Estoniji, Republiki Latviji, Republiki Litvi, Republiki Madžarski, Republiki Malti, Republiki Poljski, Republiki Sloveniji in Slovaški republiki (UL L 179, 7. 7. 2007, str. 46)
- Uredba (ES) št. 863/2007 Evropskega parlamenta in Sveta z dne 11. julija 2007 o vzpostavitvi mehanizma za ustanovitev skupin za hitro posredovanje na mejah in o spremembah Uredbe Sveta (ES) št. 2007/2004 glede tega mehanizma ter o ureditvi nalog in pooblastil gostujočih uradnikov (UL L 199, 31. 7. 2007, str. 30), razen določb iz člena 6 (8) in (9), kolikor se nanašajo na dostop do schengenskega informacijskega sistema

- Sklep Sveta 2007/801/ES z dne 6. decembra 2007 o polni uporabi določb schengenskega pravnega reda v Češki republiki, Republiki Estoniji, Republiki Latviji, Republiki Litvi, Republiki Madžarski, Republiki Malti, Republiki Poljski, Republiki Sloveniji in Slovaški republiki (UL L 323, 8. 12. 2007, str. 34)
- Sklep Sveta 2008/421/ES z dne 5. junija 2008 o uporabi določb schengenskega pravnega reda, ki se navezujejo na schengenski informacijski sistem, v Švicarski konfederaciji (UL L 149, 7. 6. 2008, str. 74)
- Člen 6 Sklepa Sveta 2008/633/PNZ z dne 23. junija 2008 o dostopu imenovanih organov držav članic in Europolu do vizumskega informacijskega sistema (VIS) za iskanje podatkov za namene preprečevanja, odkrivanja in preiskovanja terorističnih dejanj in drugih hudih kaznivih dejanj (UL L 218, 13. 8. 2008, str. 129)
- Sklep Sveta 2008/903/ES z dne 27. novembra 2008 o polni uporabi določb schengenskega pravnega reda v Švicarski konfederaciji (UL L 327, 5. 12. 2008, str. 15)
- Okvirni sklep Sveta 2008/977/PNZ z dne 27. novembra 2008 o varstvu osebnih podatkov, ki se obdelujejo v okviru policijskega in pravosodnega sodelovanja v kazenskih zadevah (UL L 350, 30. 12. 2008, str. 60)
- Direktiva 2008/115/ES Evropskega parlamenta in Sveta z dne 16. decembra 2008 o skupnih standardih in postopkih v državah članicah za vračanje nezakonito prebivajočih državljanov tretjih držav (UL L 348, 24. 12. 2008, str. 98)
- Člen 3 Uredbe (ES) št. 810/2009 Evropskega parlamenta in Sveta z dne 13. julija 2009 o vizumskem zakoniku Skupnosti (Vizumski zakonik) (UL L 243, 15. 9. 2009, str. 1)
- Sklep Sveta 2010/252/EU z dne 26. aprila 2010 o dopolnitvi Zakonika o schengenskih mejah glede varovanja zunanjih meja na morju v okviru operativnega sodelovanja, ki ga usklajuje Evropska agencija za upravljanje in operativno sodelovanje na zunanjih mejah držav članic Evropske unije (UL L 111, 4. 5. 2010, str. 20)
- Sklep Sveta 2010/365/EU z dne 29. junija 2010 o uporabi določb schengenskega pravnega reda, ki se navezujejo na schengenski informacijski sistem, v Republiki Bolgariji in Romuniji (UL L 166, 1. 7. 2010, str. 17).

PRILOGA III

Seznam iz člena 15 Akta o pristopu: prilagoditve aktov, ki so jih sprejele institucije

1. SVOBODA OPRAVLJANJA STORITEV

32005 L 0036: Direktiva 2005/36/ES Evropskega parlamenta in Sveta z dne 7. septembra 2005 o priznavanju poklicnih kvalifikacij (UL L 255, 30. 9. 2005, str. 22).

(a) Člen 23(5) se nadomesti z naslednjim:

»5. Brez poseganja v člen 43b vsaka država članica prizna dokazila o formalnih kvalifikacijah za zdravnika, ki omogočajo dostop do poklicnih dejavnosti zdravnika z osnovno usposobljenostjo in zdravnika specialista, ter dokazila o formalnih kvalifikacijah za medicinsko sestro za splošno zdravstveno nego, zobozdravnika, zobozdravnika specialista, veterinarja, babico, farmacevta in arhitekta, ki jih imajo državljani držav članic in ki jih je izdala nekdanja Jugoslavija ali katerih usposabljanje se je začelo,

(a) pred 25. junijem 1991 za Slovenijo in

(b) pred 8. oktobrom 1991 za Hrvaško,

kadar organi teh držav članic potrdijo, da imajo taka dokazila na njihovem ozemlju enako pravno veljavnost kot dokazila, ki jih sami izdajajo, ter, v zvezi z arhitekti, kot dokazila o formalnih kvalifikacijah, določena za te države članice v točki 6 Priloge VI, kar zadeva dostop do poklicnih dejavnosti zdravnika z osnovno usposobljenostjo, zdravnika specialista, medicinske sestre za splošno zdravstveno nego, zobozdravnika, zobozdravnika specialista, veterinarja, babice, farmacevta v zvezi z dejavnostmi iz člena 45(2) in arhitekta v zvezi z dejavnostmi iz člena 48 ter opravljanje takih dejavnosti.

Takemu potrdilu mora biti priloženo še potrdilo, ki ga izdajo isti organi, da so take osebe dejansko in zakonito opravljale take dejavnosti na njihovem ozemlju vsaj tri zaporedna leta v petih letih pred datumom izdaje potrdila.«

(b) Vstavi se naslednji člen:

»Člen 43b

Pridobljene pravice za babištvo ne veljajo za naslednje kvalifikacije, pridobljene na Hrvaškem pred 1. julijem 2013: viša medicinska sestra ginekološko-opstetričnega smjera (višja medicinska sestra ginekološko-porodniške smeri), medicinska sestra ginekološko-opstetričnega smjera (medicinska sestra ginekološko-porodniške smeri), viša medicinska sestra primaljskega smjera (višja medicinska sestra z diplomom iz babištva), medicinska sestra primaljskega smjera (medicinska sestra z diplomom iz babištva), ginekološko-opstetrična primalja (babica ginekološko-porodniške smeri) in primalja (babica).«

2. PRAVO INTELEKTUALNE LASTNINE

I. BLAGOVNA ZNAMKA SKUPNOSTI

32009 R 0207: Uredba Sveta (ES) št. 207/2009 z dne 26. februarja 2009 o blagovni znamki Skupnosti (UL L 78, 24. 3. 2009, str. 1).

Člen 165(1) se nadomesti z naslednjim:

»1. Od dne pristopa Bolgarije, Češke, Estonije, Hrvaške, Cipra, Latvije, Litve, Madžarske, Malte, Poljske, Romunije, Slovenije in Slovaške (v nadaljnjem besedilu »nove države članice«) se znamke Skupnosti, ki so bile registrirane ali za katere je bila vložena prijava na podlagi te uredbe pred zadevnim dnem pristopa, razširijo na območje teh držav članic, da imajo enak učinek v celotni Skupnosti.«

II. DODATNI VARSTVENI CERTIFIKATI

1. 31996 R 1610: Uredba (ES) št. 1610/96 Evropskega parlamenta in Sveta z dne 23. julija 1996 o uvedbi dodatnega varstvenega certifikata za fitofarmacevtska sredstva (UL L 198, 8. 8. 1996, str. 30).

(a) V členu 19a se doda naslednja točka:

»(m) vsem fitofarmacevtskim sredstvom, ki so varovana z veljavnim osnovnim patentom in za katera je bila prva odobritev, da se izdelek da na trg kot fitofarmacevtsko sredstvo, pridobljena po 1. januarju 2003, se na Hrvaškem sme podeliti certifikat, pod pogojem, da je prijava za pridobitev certifikata vložena v šestih mesecih od dne pristopa.«

(b) Člen 20(2) se nadomesti z naslednjim:

»2. Ta uredba se uporablja za dodatne varstvene certifikate, pridobljene v skladu z nacionalno zakonodajo Češke republike, Estonije, Hrvaške, Cipra, Latvije, Litve, Malte, Poljske, Romunije, Slovenije in Slovaške pred zadevnim dnem pristopa.«

2. 32009 R 0469: Uredba (ES) št. 469/2009 Evropskega parlamenta in Sveta z dne 6. maja 2009 o dodatnem varstvenem certifikatu za zdravila (UL L 152, 16. 6. 2009, str. 1).

(a) V členu 20 se doda naslednja točka:

»(m) vsem zdravilom, ki so varovana z veljavnim osnovnim patentom in za katera je bilo prvo dovoljenje za dajanje v promet kot zdravila pridobljeno po 1. januarju 2003, se na Hrvaškem sme podeliti certifikat, pod pogojem, da je prijava za pridobitev certifikata vložena v šestih mesecih od dne pristopa.«

(b) Člen 21(2) se nadomesti z naslednjim:

»2. Ta uredba se uporablja za dodatne varstvene certifikate, pridobljene v skladu z nacionalno zakonodajo Češke republike, Estonije, Hrvaške, Cipra, Latvije, Litve, Malte, Poljske, Romunije, Slovenije in Slovaške pred zadevnim dnem pristopa.«

III. MODELI SKUPNOSTI

32002 R 0006: Uredba Sveta (ES) št. 6/2002 z dne 12. decembra 2001 o modelih Skupnosti (UL L 3, 5. 1. 2002, str. 1).

Člen 110a(1) se nadomesti z naslednjim:

»1. Od dne pristopa Bolgarije, Češke, Estonije, Hrvaške, Cipra, Latvije, Litve, Madžarske, Malte, Poljske, Romunije, Slovenije in Slovaške (v nadaljnjem besedilu »nove države članice«) se modeli Skupnosti, ki so bili registrirani ali za katere je bila vložena prijava na podlagi te uredbe pred zadevnim dnem pristopa, razširijo na območje teh držav članic, da imajo enak učinek v celotni Skupnosti.«

3. FINANČNE STORITVE

32006 L 0048: Direktiva 2006/48/ES Evropskega parlamenta in Sveta z dne 14. junija 2006 o začetku opravljanja in opravljanju dejavnosti kreditnih institucij (preoblikovano) (UL L 177, 30. 6. 2006, str. 1).

V členu 2 se za vnosom za Francijo vstavi naslednje:

»– na Hrvaškem za »kreditne unije« in »Hrvatska banka za obnovu i razvitak«,«.

4. KMETIJSTVO

1. Uredba Sveta (EGS) št. 1601/91 z dne 10. junija 1991 o določitvi splošnih pravil za opredelitev, opis in predstavitev aromatiziranih vin, aromatiziranih pijač na osnovi vina in aromatiziranih mešanih pijač iz vinskih proizvodov (UL L 149, 14. 6. 1991, str. 1).

V Prilogi II se za geografsko označbo »Nürnberger Glühwein« vstavi naslednje:

»Samoborski bermet«.

2. Uredba Sveta (ES) št. 1234/2007 z dne 22. oktobra 2007 o vzpostavitvi skupne ureditve kmetijskih trgov in o posebnih določbah za nekatere kmetijske proizvode (»Uredba o enotni SUT«) (UL L 299, 16. 11. 2007, str. 1).

(a) V členu 66 se vstavi naslednji odstavek:

»4a. Za Hrvaško se oblikuje posebna rezerva za prestrukturiranje, kakor določa točka 2 Priloge IX. Ta rezerva se sprosti s 1. aprilom prvega kvotnega leta po pristopu v obsegu, za kolikor se je poraba mleka in mlečnih izdelkov na kmetijah na Hrvaškem zmanjšala v obdobju 2008–2012.

Odločitev o sprostitvi te rezerve in njeni razdelitvi med kvotama za oddajo in neposredno prodajo sprejme Komisija v skladu s postopkom iz člena 195(2) na podlagi ocene poročila, ki ga Hrvaška predloži Komisiji do 31. decembra 2013. To poročilo vsebuje podrobne rezultate in trende dejanskega procesa prestrukturiranja mlečnega sektorja Hrvaške, predvsem pa rezultate preusmeritve od proizvodnje za porabo na kmetiji k proizvodnji za trg.«

(b) V členu 103k(1) se doda naslednji pododstavek:

»Ta odstavek se za Hrvaško ne uporablja v finančnem letu 2013. Hrvaška Komisiji predloži osnutek petletnega podpornega programa za programsko obdobje 2014–2018.«

(c) V delu III Priloge III se točka 13 nadomesti z naslednjo:

»13. »stalna rafinerija« pomeni proizvodni obrat:

– katerega edina dejavnost je prečiščevanje uvoženega surovega trsnega sladkorja

ali

– ki je v tržnem letu 2004/2005 prečistil najmanj 15 000 ton uvoženega surovega trsnega sladkorja. Za namene te alineje je v primeru Hrvaške tržno leto 2007/2008.«

(d) Priloga VI se nadomesti z naslednjim:

text="»PRILOGA VI NACIONALNE IN REGIONALNE KVOTE od tržnega leta 2010 /2011 dalje (v tonah) +-----+-----+-----+-----+ |Države članice| Sladkor
|Izoglukoza|Inulinski| ali regije | (2) | (3) | sirup | | (1) | | (4) | +-----+-----+-----+
+-----+ |Belgija | 676 235,0| 114 | 0 | | | 580,2 | | +-----+-----+-----+
|Bolgarija | 0 |89 198,0 | | +-----+-----+-----+ |Češka | 372 459,3| | |
+-----+-----+-----+-----+ |Danska | 372 383,0| | | +-----+-----+-----+
+-----+ |Nemčija | 2 898 |56 638,2 | | | | 255,7 | | | +-----+-----+-----+
|Irska | 0 | | | +-----+-----+-----+ |Grčija | 158 702,0| 0 | | | +-----+
+-----+-----+-----+ |Španija | 498 480,2|53 810,2 | | | +-----+-----+-----+
+-----+ |Francija | 3 004 | | 0 | |(matična | 811,15 | | | |Francija) | | | | +-----+-----+
+-----+-----+ |Francoski | 432 | | | |čezmorski | 220,05 | | | |departmaji | | | | +-----+
+-----+-----+-----+ |Hrvaška | 192 877,0| | | +-----+-----+-----+
|Italija | 508 379,0|32 492,5 | | | +-----+-----+-----+ |Latvija | 0 | | |
+-----+-----+-----+-----+ |Litva | 90 252,0 | | | | +-----+-----+-----+
+-----+ |Madžarska | 105 420,0| 220 | | | | 265,8 | | | +-----+-----+-----+
|Nizozemska | 804 888,0| 0 | 0 | | +-----+-----+-----+ |Avstrija | 351 027,4| | |
+-----+-----+-----+-----+ |Poljska | 1 405 |42 861,4 | | | | 608,1 | | | | +-----+
+-----+-----+-----+ |Portugalska | 0 |12 500,0 | | | |(celinska) | | | | +-----+-----+
+-----+-----+ |Avtonomna | 9 953,0 | | | |regija Azori | | | | +-----+-----+-----+
+-----+ |Romunija | 104 688,8| 0 | | | +-----+-----+-----+ |Slovenija | 0 | | |
+-----+-----+-----+-----+ |Slovaška | 112 319,5|68 094,5 | | | +-----+-----+-----+
+-----+-----+ |Finska | 80 999,0 | 0 | | | +-----+-----+-----+ |Švedska |
293 186,0| | | +-----+-----+-----+ |Združeno | 1 056 | 0 | | |kraljestvo | 474,0
| | | +-----+-----+-----+ |SKUPAJ | 13 529 | 690 | 0 | | | 618,20 | 440,8 | |
+-----+-----+-----+-----+ «"

(e) V točki 1 Priloge IX se za vnosom za Francijo vstavi naslednje:

text="» Država članica 2008/09 2009/10 2010/11 2011/12 2012/13 2013/14 2014/15
----- Hrvaška 765 000 765 000 «"

(f) V točki 2 Priloge IX se preglednica nadomesti z naslednjim:

text="» +-----+-----+ | Država članica | (v tonah) |
+-----+-----+ |Bolgarija | 39 180 |
+-----+-----+ |Hrvaška | 15 000 |
+-----+-----+ |Romunija | 188 400 |
+-----+-----+ «"

(g) V Prilogi X se za vnosom za Francijo vstavi naslednje:

text="» +-----+-----+ |Hrvaška | 40,70 |
+-----+-----+ «"

(h) v Prilogi Xb se doda naslednja preglednica:

text=" » v 1 000 EUR +-----+-----+-----+-----+-----+-----+ |
Proračunsko | 2013 | 2014 | 2015 | 2016 | od leta | | leto | | | | 2017 | | | | | dalje | +-----
+-----+-----+-----+-----+-----+ | HR | 0 | 11 885 | 11 885 | 11 885 | 10 832 |
+-----+-----+-----+-----+-----+ «"

(i) V odstavku 2 Dodatka k Prilogi XIb se doda naslednja točka:

»(h) na Hrvaškem: površine, zasajene z vinsko trto v naslednjih podregijah:
Moslavina, Prigorje-Bilogora, Plešivica, Pokuplje, Zagorje-Međimurje.«

(j) V odstavku 3 Dodatka k Prilogi XIb se doda naslednja točka:

»(h) na Hrvaškem: površine, zasajene z vinsko trto v naslednjih podregijah:
Hrvatsko Podunavlje in Slavonija.«

(k) V odstavku 4 Dodatka k Prilogi XIb se doda naslednja točka:

»(g) na Hrvaškem: površine, zasajene z vinsko trto v naslednjih podregijah:
Hrvatska Istra, Hrvatsko primorje, Dalmatinska zagora, Sjeverna Dalmacija ter Srednja i Južna Dalmacija.«

3. Uredba (ES) št. 110/2008 Evropskega parlamenta in Sveta z dne 15. januarja 2008 o opredelitvi, opisu, predstavitvi, označevanju in zaščiti geografskih označb žganih pijač ter razveljavitvi Uredbe Sveta (EGS) št. 1576/89 (UL L 39, 13. 2. 2008, str. 16).

(a) V členu 20 se doda naslednji odstavek:

»4. Rok iz prvega odstavka za predložitev tehnične dokumentacije se uporabi tudi za hrvaške geografske označbe, našete v Prilogi III.«

(b) V točki 9 Priloge III se dodajo naslednje geografske označbe:

text="» +-----+-----+-----+ | | Hrvatska loza | Hrvaška |
+-----+-----+-----+ | | Hrvatska stara | Hrvaška | | | šljivovica | |
+-----+-----+-----+ | | Slavonska šljivovica | Hrvaška |
+-----+-----+-----+ «"

(c) V točki 32 Priloge III se doda naslednja geografska označba:

text="» +-----+-----+-----+ | | Hrvatski pelinkovac | Hrvaška |
+-----+-----+-----+ «"

(d) V Prilogi III se vstavi naslednja točka:

text="» +-----+-----+-----+ |39. | Zadarski | Hrvaška |
|Maraschino/Marrasquino/Maraskino| maraschino | | +-----+-----
+-----+ «"

(e) V Prilogi III se na koncu seznama pod kategorijo proizvodov »Druge žgane pijače
« doda naslednja geografska označba:

text="» +-----+-----+-----+ | | Hrvatska travarica | Hrvaška |
+-----+-----+-----+ «"

4. 32009 R 0073: Uredba Sveta (ES) št. 73/2009 z dne 19. januarja 2009 o skupnih pravilih za sheme neposrednih podpor za kmete v okviru skupne kmetijske politike in o uvedbi nekaterih shem podpor za kmete, spremembi uredb (ES) št. 1290/2005, (ES) št. 247/2006, (ES) št. 378/2007 in razveljavitvi Uredbe (ES) št. 1782/2003 (UL L 30, 31. 1. 2009, str. 16).

(a) Člen 2(g) se nadomesti z naslednjim:

»(g) »nove države članice« pomeni Bolgarijo, Češko, Estonijo, Hrvaško, Ciper, Latvijo, Litvo, Madžarsko, Malto, Poljsko, Romunijo, Slovenijo in Slovaško;«

(b) V členu 6(2) se prvi pododstavek nadomesti z naslednjim:

»2. Države članice, razen novih držav članic, zagotovijo, da zemljišča, ki so se uporabljala kot trajni pašniki na datum, ki je predviden za zahteve za pomoč na površino za leto 2003, ostanejo trajni pašniki. Nove države članice razen Bolgarije, Hrvaške in Romunije zagotovijo, da zemljišča, ki so se uporabljala kot trajni pašniki 1. maja 2004, ostanejo trajni pašniki. Bolgarija in Romunija zagotovita, da zemljišča, ki so se uporabljala kot trajni pašniki 1. januarja 2007, ostanejo trajni pašniki. Hrvaška zagotovi, da zemljišča, ki so se uporabljala kot trajni pašniki 1. julija 2013, ostanejo trajni pašniki.«

(c) V členu 33(1) se točka (b)(vi) nadomesti z naslednjim:

»(iv) v skladu s členom 47(2), členom 57a in 59, tretjim pododstavkom člena 64(2) ter členom 65 in členom 68(4)(c).«

(d) Členu 51(1) se doda naslednji pododstavek:

»Hrvaška se lahko odloči, da bo uporabila možnosti iz člena 52 in člena 53(1) te uredbe. O tej odločitvi uradno obvesti Komisijo do 15. julija 2013.«

(e) Členu 51(2) se doda naslednji pododstavek:

»Z odstopanjem od drugega pododstavka se v primeru Hrvaške ta zgornja meja, kar zadeva plačila za ovčje in kozje meso oziroma plačila za goveje in telečje meso iz člena 52 in 53, določi na podlagi nacionalnih zgornjih mej iz členov 104(4) in 112(5), ob upoštevanju razporeda uvedbe neposrednih plačil iz člena 121.«

(f) V členu 52 se za prvim odstavkom vstavi naslednji odstavek:

»Z odstopanjem od prvega odstavka lahko Hrvaška zadrži do 50 % zneska, ki izhaja iz zgornje meje iz tretjega pododstavka člena 51(2) te uredbe, zato da kmetom vsako leto izplača dodatno plačilo.«

(g) V členu 53(1) se za prvim pododstavkom vstavi naslednji pododstavek:

»Z odstopanjem od prvega pododstavka lahko Hrvaška zadrži celoten ali del zneska, ki izhaja iz zgornje meje iz tretjega pododstavka člena 51(2) te uredbe, zato da kmetom vsako leto izplača dodatno plačilo.«

(h) Naslov poglavja 3 naslova III se nadomesti z naslednjim:

»Izvajanje v novih državah članicah, ki uporabljajo shemo enotnega plačila na površino, in na Hrvaškem«

(i) Naslov člena 55 se nadomesti z naslednjim:

»Uvedba sheme enotnega plačila v državah članicah, ki uporabljajo shemo enotnega plačila na površino, in na Hrvaškem«

(j) V členu 55(1) se prvi pododstavek nadomesti z naslednjim:

»1. Če ni drugače predvideno v tem poglavju, se ta naslov uporablja za nove države članice, ki uporabljajo shemo enotnega plačila na površino iz poglavja 2 naslova V, in za Hrvaško.«

(k) V členu 57(1) se doda naslednji stavek:

»Za Hrvaško to znižanje ni večje od 20 % letne zgornje meje, kot je navedena v preglednici 3 Priloge VIII.«

(l) V členu 57(3) se dodajo naslednji stavki:

»V primeru Hrvaške mora uporabo nacionalne rezerve odobriti Komisija z izvedbenim aktom brez pomoči odbora iz člena 141. Komisija preuči zlasti vzpostavitev morebitne nacionalne sheme neposrednih plačil, ki se je uporabljala pred dnem pristopa, in pogoje, pod katerimi se je uporabljala. Hrvaška pošlje zahtevek za odobritev nacionalne rezerve Komisiji najpozneje do 15. julija 2013.«

(m) Vstavi se naslednji člen:

»Člen 57a Posebna nacionalna rezerva za razminiranje na Hrvaškem

1. Hrvaška vzpostavi posebno nacionalno rezervo za razminiranje, ki se uporablja za dodeljevanje pravic do plačil kmetom z zemljišči, s katerih so bile odstranjene mine in ki se znova uporabljajo za kmetijske dejavnosti, v obdobju desetih let po pristopu ter v skladu z objektivnimi merili in na način, ki bi zagotavljal enako obravnavanje kmetov ter preprečeval izkrivljanje trga in konkurence.
2. Zemljišča, upravičena do dodelitve pravic do plačil v skladu s tem členom, niso upravičena do dodelitve pravic do plačil v skladu s členom 59 in členom 61.
3. Vrednost pravic do plačil, določena v skladu s tem členom, ne sme biti višja od vrednosti pravic do plačil, določene v skladu s členom 59 oziroma členom 61.

4. Posebni nacionalni rezervi za razminiranje se dodelijo zneski v vrednosti največ 9 600 000 EUR, za katere velja razpored uvedbe neposrednih plačil iz člena 121. Najvišji letni zneski so naslednji:

(v 1 000 EUR)

```
text="+-----+---+---+---+---+---+---+---+---+---+ |Hrvaška |2013|2014|2015|2016|
2017|2018|2019|2020|2021|2022| +-----+---+---+---+---+---+---+---+---+---+
|Najvišji ||||| |znesek za |2400|2880|3360|3840|4800 |5760|6720|7680|8640|9600|
|posebno ||||| |nacionalno ||||| |rezervo za ||||| |razminiranje| |||||
||| | +-----+---+---+---+---+---+---+---+---+---+"
```

5. V prvem letu izvajanja sheme enotnega plačila Hrvaška dodeljuje pravice do plačil kmetom na podlagi zemljišč, s katerih so bile odstranjene mine in ki so jih kmetje prijavili v zahtevkih za pomoč, predloženih v prvem letu izvajanja sheme enotnega plačila, in se znova uporabljajo za kmetijske dejavnosti v obdobju od 1. januarja 2005 do 31. decembra 2012.
6. Za leta 2013 do 2022 se pravice do plačil kmetom dodeljujejo na podlagi zemljišč, s katerih so bile odstranjene mine in ki so jih kmetje prijavili v zadevnem letu, pod pogojem, da so ta zemljišča začeli znova uporabljati za kmetijske dejavnosti v predhodnem koledarskem letu, o čemer so uradno obvestili Komisijo v skladu z odstavkom 9.
7. Komisija za zagotovitev ustrezne uporabe sredstev Unije v skladu s postopkom iz člena 141 (2) spremeni zgornjo mejo v preglednici 3 Priloge VIII, in sicer tako, da vanjo doda zneske iz posebne nacionalne rezerve za razminiranje, ki so bili dodeljeni do 31. decembra 2022.
8. Vsa zemljišča, prijavljena za namene tega člena, ustrezajo opredelitvi upravičenega hektarja iz člena 34(2).
9. Hrvaška do 15. julija 2013 uradno obvesti Komisijo o površini, upravičeni v skladu z odstavkom 5, in pri tem navede tako zemljišča, upravičena do ravni podpore v skladu s členom 59, kot zemljišča, upravičena do ravni podpore v skladu s členom 61. To uradno obvestilo vsebuje tudi podatke o ustreznih proračunskih sredstvih in neporabljenih zneskih. Od leta 2014 dalje se Komisiji vsako leto najpozneje do 31. januarja pošlje sporočilo, ki zajema predhodno koledarsko leto, z enakimi podatki v zvezi s površinami, ki se znova uporabljajo za kmetijske dejavnosti, in ustreznimi proračunskimi sredstvi.
10. Do 31. decembra 2012 se vsa zemljišča, za katera bi kmetje utegnili prejeti pravico do plačila iz te posebne nacionalne rezerve za razminiranje, tako tista, s katerih so že bile odstranjene mine, kot tista, s katerih še niso bile, opredelijo v integriranem administrativnem in kontrolnem sistemu, vzpostavljenem v skladu s poglavjem 4 naslova II.
«

(n) V členu 59 se doda naslednji odstavek:

»4. Komisija v skladu s postopkom iz člena 141(2) sprejme pravila o prvi dodelitvi pravic do plačila na Hrvaškem.«

(o) V členu 61 se doda naslednji odstavek:

»Za Hrvaško sta datuma iz točk (a) in (b) prvega odstavka 30. junij 2011.«

(p) V prvem pododstavku člena 69(1) se za točko (a) vstavi naslednje:

»Hrvaška se lahko do dneva pristopa odloči, da bo od prvega leta izvajanja sheme enotnega plačila, kot je določeno v členu 59(2), uporabila do 10 % sredstev iz nacionalne zgornje meje iz člena 40, kot je navedena v preglednici 3 Priloge VIII.«

(q) V prvem pododstavku člena 69(9) se za točko (a) vstavi naslednja točka:

»(aa) za 2022 v primeru Hrvaške;«.

(r) Člen 104(4) se nadomesti z naslednjim:

»4. Uporabljajo se naslednje nacionalne zgornje meje:

```
text="+-----+-----+ | Države članice | Nacionalne zgornje | | meje |
+-----+-----+ |Bolgarija | 2 058 483 | +-----+-----+
|Češka | 66 733 | +-----+-----+ |Danska | 104 000 | +-----+
+-----+ |Estonija | 48 000 | +-----+-----+ |Španija | 19 580 000 |
+-----+-----+ |Francija | 7 842 000 | +-----+-----+
|Hrvaška | 542 651 | +-----+-----+ |Ciper | 472 401 | +-----+
+-----+ |Latvija | 18 437 | +-----+-----+ |Litva | 17 304 |
+-----+-----+ |Madžarska | 1 146 000 | +-----+-----+
|Poljska | 335 880 | +-----+-----+ |Portugalska | 2 690 000 | +-----+
+-----+ |Romunija | 5 880 620 | +-----+-----+ |Slovenija | 84 909
| +-----+-----+ |Slovaška | 305 756 | +-----+-----+
|Finska | 80 000 | +-----+-----+ |Skupaj | 41 273 174 | +-----+
+-----+ «"
```

(s) V členu 112(5) se za vnosom za Francijo vstavi naslednje:

```
text="» +-----+-----+ |Hrvaška | 105 270 | +-----+-----+
+ «"
```

(t) Člen 121 se nadomesti z naslednjim:

»Člen 121

Uvedba neposrednih plačil

V novih državah članicah, razen v Bolgariji, na Hrvaškem in v Romuniji, se uvedejo neposredna plačila v skladu z naslednjim razporedom povečanj, izraženih kot odstotek tedaj veljavne ravni takih plačil v državah članicah, ki niso nove države članice:

– 60 % v letu 2009,

– 70 % v letu 2010,

– 80 % v letu 2011,

– 90 % v letu 2012,

– 100 % od leta 2013.

V Bolgariji in Romuniji se neposredna plačila uvedejo v skladu z naslednjim razporedom povečanj, izraženih kot odstotek tedaj veljavne ravni takih plačil v državah članicah, ki niso nove države članice:

– 35 % v letu 2009,

- 40 % v letu 2010,
- 50 % v letu 2011,
- 60 % v letu 2012,
- 70 % v letu 2013,
- 80 % v letu 2014,
- 90 % v letu 2015,
- 100 % od leta 2016.

Na Hrvaškem se neposredna plačila uvedejo v skladu z naslednjim razporedom povečanj, izraženih kot odstotek tedaj veljavne ravni takih plačil v državah članicah, ki niso nove države članice:

- 25 % v letu 2013,
- 30 % v letu 2014,
- 35 % v letu 2015,
- 40 % v letu 2016,
- 50 % v letu 2017,
- 60 % v letu 2018,
- 70 % v letu 2019,
- 80 % v letu 2020,
- 90 % v letu 2021,
- 100 % od leta 2022.«

(u) V členu 132(2) se za drugim pododstavkom vstavi naslednji pododstavek:

»z odstopanjem od točk (a) in (b) prvega pododstavka lahko Hrvaška neposredna plačila dopolni do 100 % ravni, veljavne v državah članicah, ki niso nove države članice.«

(v) V Prilogi VII se za vnosom za Francijo vstavi naslednje:

text="» +-----+-----+-----+ |Hrvaška |100 |1 | +-----+-----+-----+
«"

(w) v Prilogi VIII se doda naslednja preglednica:

»Preglednica 3(*)

Država	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	članica
Hrvaška	93	111	130	149	186	223	261	298	335	373	250
	900	550	200	500	800	100	400	700	000		

(*) Zgornje meje so izračunane ob upoštevanju razporeda povečanj iz člena 121.«

5. RIBIŠTVO

1. 32002 R 2371: Uredba Sveta (ES) št. 2371/2002 z dne 20. decembra 2002 o ohranjanju in trajnostnem izkoriščanju ribolovnih virov v okviru skupne ribiške politike (UL L 358, 31. 12. 2002, str. 59).

V Prilogi I se dodajo naslednji deli:

»11. OBALNE VODE HRVAŠKE*

```
text="+-----+-----+-----+-----+ | Zemljepisno | Država | Vrsta |
Obseg ali | | območje | članica | | posebne | | | | značilnosti | +-----+-----
+-----+-----+ |12 milj, omejeno |Slovenija |pridnene in |100 ton za | |na morski
prostor| |male |največ 25 | |pod suverenostjo | |pelagične |ribiških plovil, | |Hrvaške, ki leži |
|vrste, |kar vključuje | |severno od | |vključno s |tudi 5 ribiških | |vzporednika 45 | |sardinami in
|plovil, | |stopinj in 10 | |sardoni |opremljenih z | |minut severne | | |vlečnimi mrežami |
|zemljepisne | | | |širine ob zahodni| | | |obali Istre, od | | | |zunanjega roba | | | |
|teritorialnega | | | |morja Hrvaške, | | | |kjer se ta | | | |vzporednik dotika| | | |kopnega
zahodne | | | |obale Istre | | | |(Grgatov rt | | | |Funtana) | | | | +-----+-----
+-----+-----+"
```

* Navedena ureditev se uporablja, ko se začne v celoti izvajati arbitražna odločba na podlagi Arbitražnega sporazuma med vlado Republike Slovenije in vlado Republike Hrvaške, podpisanega 4. novembra 2009 v Stockholmu.

12. OBALNE VODE SLOVENIJE*

```
text="+-----+-----+-----+-----+ | Zemljepisno | Država | Vrsta |
Obseg ali | | območje | članica | | posebne | | | | značilnosti | +-----+-----
+-----+-----+ |12 milj, omejeno |Hrvaška |pridnene in |100 ton za | |na morski
prostor | |male pelagične|največ 25 | |pod suverenostjo | |vrste, |ribiških | |Slovenije, ki |
|vključno s |plovil, kar | |leži severno od | |sardinami in |vključuje tudi | |vzporednika 45 | |sardoni
|5 ribiških | |stopinj in 10 | | |plovil, | |minut severne | | |opremljenih z | |zemljepisne | | |vlečnimi |
|širine ob zahodni | | |mrežami | |obali Istre, od | | | |zunanjega roba | | | |teritorialnega | | | |
|morja Hrvaške, | | | |kjer se ta | | | |vzporednik dotika | | | |kopnega zahodne | | | |obale
Istre | | | |(Grgatov rt | | | |Funtana) | | | | +-----+-----+-----+-----+"
```

* Navedena ureditev se uporablja, ko se začne v celoti izvajati arbitražna odločba na podlagi Arbitražnega sporazuma med vlado Republike Slovenije in vlado Republike Hrvaške, podpisanega 4. novembra 2009 v Stockholmu.«

2. 32006 R 1198: Uredba Sveta (ES) št. 1198/2006 z dne 27. julija 2006 o Evropskem skladu za ribištvo (UL L 223, 15. 8. 2006, str. 1).

(a) V členu 27 se doda naslednji odstavek:

»5. ESR lahko prispeva k financiranju sheme individualnih premij za ribiče, za katere bo veljala ureditev o dostopu iz dela 11 Priloge I k Uredbi (ES) št. 2371/2002, kakor je bila spremenjena z Aktom o pristopu Hrvaške. Shema se lahko uporablja le med letoma 2014 in 2015, oziroma do datuma, ko se začne v celoti izvajati arbitražna odločba na podlagi Arbitražnega sporazuma med vlado Republike Slovenije in vlado Republike Hrvaške, podpisanega 4. novembra 2009 v Stockholmu, če je to prej.«

(b) Člen 29(3) se nadomesti z naslednjim:

»3. Z odstopanjem od odstavka 2 se pomoč v najbolj oddaljenih regijah in na odročnih grških otokih ter hrvaških otokih Dugi otok, Vis, Mljet in Lastovo lahko dodeli vsem podjetjem.«

(c) Člen 35(4) se nadomesti z naslednjim:

»4. Z odstopanjem od odstavka 3 se pomoč v najbolj oddaljenih regijah in na odročnih grških otokih ter hrvaških otokih Dugi otok, Vis, Mljet in Lastovo lahko dodeli vsem podjetjem.«

(d) V členu 53(9) se prvi pododstavek nadomesti z naslednjim:

»9. Kadar ESR financira operacije na odročnih grških otokih, ki so zaradi njihove oddaljenosti v slabšem položaju, in v najbolj obrobni regijah ter na hrvaških otokih Dugi otok, Vis, Mljet in Lastovo, se zgornja meja prispevka za vsako prednostno os ESR poveča do 10 odstotnih točk v regijah, ki izpolnjujejo pogoje za pridobitev pomoči v okviru cilja konvergenca, ter do 35 odstotnih točk za regije, ki ne izpolnjujejo pogojev za pridobitev pomoči v okviru cilja konvergenca.«

(e) V točki (a) Priloge II se tabela nadomesti z naslednjim:

»

```
text="+-----+-----+-----+-----+-----+ |Skupina 1 |Skupina 2 |Skupina
3 |Skupina 4 | +-----+-----+-----+-----+-----+ |Regije, ki |A < / = 100 %
|A < / = 40 %|A < / = 80 %|A < / = 60 %| jih zajema |B > / = 0 % |B > / = 60 %|B > / = 20 %|B >
/ = 40 %| |cilj | |(*) (**) | |(***) | |konvergenca, | | | | | |in odročni | | | | | |grški otoki | | | | | |ter
hrvaški | | | | | |otoki Dugi | | | | | |otok, Vis, | | | | | |Mljet in | | | | | |Lastovo | | | | | +-----
+-----+-----+-----+-----+ |Regije, ki |A < / = 100 %|A < / = 40 %|A < / = 60 %
|A < / = 40 %| |jih ne zajema |B > / = 0 % |B > / = 60 %|B > / = 40 %|B > / = 60 %| |cilj | |(*) (**) | |
(***) | |konvergenca | | | | | +-----+-----+-----+-----+-----+ |Najbolj |A <
/ = 100 %|A < / = 50 %|A < / = 80 %|A < / = 75 %| |oddaljene |B > / = 0 % |B > / = 50 %|B > / =
20 %|B > / = 25 %| |regije | |(*) (**) | | | +-----+-----+-----+-----+-----+"
```

(*) V primeru operacij iz člena 25(3) se stopnje B za Skupino 2 povečajo za 20 odstotnih točk. Stopnje (A) se ustrezno zmanjšajo.

(**) V primeru operacij iz člena 26(2) (naložbe v ribiška plovila za mali priobalni ribolov v smislu člena 25), se stopnje B za Skupino 2 lahko zmanjšajo za 20 odstotnih točk. Stopnje (A) se ustrezno povečajo.

(***) V primeru operacij iz člena 29 in člena 35, ki jih izvajajo podjetja, za katere ne velja opredelitev iz člena 3(f), z manj kot 750 zaposlenimi ali s prihodki, manjšimi od 200 milijonov EUR, se stopnje B povečajo v regijah, ki jih zajema cilj konvergenca, razen na odročnih grških otokih ter hrvaških otokih Dugi otok, Vis, Mljet in Lastovo, za 30 odstotnih točk in v regijah, ki jih ne zajema cilj konvergenca, za 20 odstotnih točk. Stopnje (A) se ustrezno zmanjšajo.«

(f) V točki (a) Priloge II se drugi odstavek podnaslova »Skupina 2« nadomesti z naslednjim:

»V primeru financiranja operacij iz ESR, določenih v členu 25(3), v prid plovilom za mali priobalni ribolov, so stopnje B za Skupino 2 po začetku uporabe (*) in (**):

– za regije, ki jih zajema cilj konvergenca, odročne grške otoke in hrvaške otoke Dugi otok, Vis, Mljet in Lastovo ter regije, ki jih ne zajema cilj konvergenca, enake ali večje od 60 odstotnih točk ($B \geq 60\%$),

in

– za najbolj oddaljene regije enake ali večje od 50 odstotnih točk ($B \geq 50 \%$).«

6. OBDAVČITEV

1. 32006 L 0112: Direktiva Sveta 2006/112/ES z dne 28. novembra 2006 o skupnem sistemu davka na dodano vrednost (UL L 347, 11. 12. 2006, str. 1).

V členu 287 se doda naslednja točka:

»(19) Hrvaška: 35 000 EUR.«

2. 32008L0118: Direktiva Sveta 2008/118/ES z dne 16. decembra 2008 o splošnem režimu za trošarino in o razveljavitvi Direktive 92/12/EGS (UL L 9, 14. 1. 2009, str. 12).

Člen 46(3) se nadomesti z naslednjim:

»3. Brez poseganja v člen 32 lahko države članice, ki niso navedene v tretjem in četrtem pododstavku člena 2(2) Direktive 92/79/EGS, za cigarete, ki se lahko vnesejo na njihovo ozemlje brez dodatnega plačila trošarin, od 1. januarja 2014 uporabljajo količinsko omejitev v višini vsaj 300 kosov za cigarete, ki se vnesejo iz države članice, v kateri v skladu s tretjim in četrtem pododstavkom člena 2(2) navedene direktive veljajo trošarine, nižje od tistih, ki izhajajo iz prvega pododstavka člena 2(2) navedene direktive.

Države članice, navedene v tretjem in četrtem pododstavku člena 2(2) Direktive 92/79/EGS, ki obračunavajo trošarino v višini najmanj 77 EUR za 1 000 cigaret ne glede na ponderirano povprečno maloprodajno ceno, lahko od 1. januarja 2014 uporabljajo količinsko omejitev v višini vsaj 300 kosov cigaret, ki se lahko vnesejo na njihovo ozemlje brez dodatnega plačila trošarin iz države članice, v kateri v skladu s tretjim pododstavkom člena 2(2) navedene direktive veljajo nižje trošarine.

Države članice, ki uporabijo količinsko omejitev v skladu s prvim in drugim pododstavkom tega odstavka, o tem obvestijo Komisijo. Opravijo lahko potrebne preglede, pod pogojem, da ti pregledi ne vplivajo na pravilno delovanje notranjega trga.«

7. REGIONALNA POLITIKA IN USKLAJEVANJE STRUKTURNIH INSTRUMENTOV

1. Uredba Sveta (ES) št. 1083/2006 z dne 11. julija 2006 o splošnih določbah o Evropskem skladu za regionalni razvoj, Evropskem socialnem skladu in Kohezijskem skladu in razveljavitvi Uredbe (ES) št. 1260/1999 (UL L 210, 31. 7. 2006, str. 25).

(a) V členu 15(4) se za drugim pododstavkom doda naslednji stavek:

»Glede Hrvaške je datum preverjanja 31. december 2017.«

(b) V členu 18(1) se prvi pododstavek nadomesti z naslednjim:

»1. Razpoložljiva sredstva za prevzem obveznosti skladov za obdobje 2007–2013 znašajo 308 417 037 817 EUR v cenah iz leta 2004, v skladu z letno razdelitvijo, ki je prikazana v Prilogi I.«

(c) Člen 19 se nadomesti z naslednjim:

»Člen 19 Sredstva za cilj »konvergenca«

Skupna sredstva za cilj »konvergenca« znašajo 81,56 % sredstev iz člena 18(1) (tj. skupno 251 529 800 379 EUR) in se med različnimi deli razdelijo na sledeč način:

(a) 70,50 % (tj. skupno 177 324 921 223 EUR) za financiranje iz člena 5(1), z uporabo upravičenega prebivalstva, regionalne blaginje in nezaposlenosti kot meril za izračun okvirne razdelitve po državah članicah;

(b) 4,98 % (tj. skupno 12 521 289 405 EUR) za prehodno in posebno pomoč iz člena 8(1), z uporabo upravičenega prebivalstva, regionalne blaginje, nacionalne blaginje in nezaposlenosti kot meril za izračun okvirne razdelitve po državah članicah;

(c) 23,23 % (tj. skupno 58 433 589 750 EUR) za financiranje iz člena 5(2), z uporabo prebivalstva, nacionalne blaginje in površine kot meril za izračun okvirne razdelitve po državah članicah;

(d) 1,29 % (tj. skupno 3 250 000 000 EUR) za prehodno in posebno pomoč iz člena 8(3).«

(d) V členu 20 se uvodni del nadomesti z naslednjim:

»Skupna sredstva za cilj »regionalna konkurenčnost in zaposlovanje« znašajo 15,93 % sredstev iz člena 18(1) (tj. skupno 49 127 784 318 EUR) in se med različnimi deli razdelijo na sledeč način:«

(e) V členu 21 se odstavka 1 in 2 nadomestita z naslednjim:

»1. Skupna sredstva za cilj »evropsko teritorialno sodelovanje« znašajo 2,52 % sredstev iz člena 18(1) (tj. skupno 7 759 453 120 EUR) in se, razen zneska iz odstavka 22 Priloge II, med različnimi deli razdelijo na sledeč način:

(a) 73,86 % (tj. skupno 5 583 386 893 EUR) za financiranje čezmejnega sodelovanja iz člena 7(1), z uporabo upravičenega prebivalstva kot merila za izračun okvirne razdelitve po državah članicah;

(b) 20,95 % (tj. skupno 1 583 594 654 EUR) za financiranje transnacionalnega sodelovanja iz člena 7(2), z uporabo upravičenega prebivalstva kot merila za izračun okvirne razdelitve po državah članicah;

(c) 5,19 % (tj. skupno 392 471 574 EUR) za financiranje medregionalnega sodelovanja, mrež sodelovanja in izmenjave izkušenj iz člena 7(3).

2. Prispevek ESRR k čezmejnim programom in programom skupnega morskega bazena v skladu z instrumentom o evropskem sosodstvu in partnerstvu in k čezmejnim programom v okviru instrumenta za predpristopno pomoč v skladu z Uredbo (ES) št. 1085/2006 znaša 817 691 234 EUR na podlagi navedbe vsake zadevne države članice, odšteto od njihovih dodeljenih sredstev iz odstavka 1(a). Ti prispevki ESRR niso vnovič porazdeljeni med zadevnimi državami članicami.«

(f) V členu 22 se doda naslednji odstavek:

»Z odstopanjem od prvega odstavka lahko Hrvaška v okviru cilja »evropsko teritorialno sodelovanje« dodeljena finančna sredstva zaradi doseganja čim večje učinkovitosti in enostavnosti prerazdeli med tri komponente iz člena 21(1)(a) do (c).«

(g) Člen 23 se nadomesti z naslednjim:

»Člen 23

Sredstva za rezervo na podlagi doseženih rezultatov

Tri odstotke sredstev iz člena 19(a) in (b) ter člena 20 lahko države članice, razen Hrvaške, dodelijo v skladu s členom 50.«

(h) Člen 28 se spremeni:

(i) V odstavku 1 se za prvi pododstavek vstavi naslednji pododstavek:

»Glede Hrvaške nacionalni strateški referenčni okvir zajema obdobje od dne pristopa do 31. decembra 2013.«

(ii) V odstavku 2 se za prvi pododstavek vstavi naslednji pododstavek:

»Hrvaška pošlje Komisiji nacionalni strateški referenčni okvir v treh mesecih od dne pristopa.«

(i) V členu 29 se doda naslednji odstavek:

»5. Za Hrvaško se odstavki 1 do 4 ne uporabljajo.«

(j) Členu 32(3) se doda naslednji pododstavek:

»Glede Hrvaške, Komisija sklep o odobritvi operativnega programa, ki naj bi se financiral v okviru programskega obdobja 2007–2013, sprejme najpozneje 31. decembra 2013. Hrvaška v tem operativnem programu upošteva morebitne pripombe Komisije in ga predloži Komisiji najpozneje v treh mesecih po dnevu pristopa.«

(k) Členu 33(1) se doda naslednji pododstavek:

»Glede Hrvaške se operativni programi, sprejeti pred dnem pristopa, lahko pregledajo z izključnim namenom boljše usklajenosti s to uredbo.«

(l) Členu 49(3) se doda naslednji pododstavek:

»Za operativne programe Hrvaške se naknadno vrednotenje zaključi do 31. decembra 2016.«

(m) Vstavi se naslednji člen:

»Člen 51a

Za Hrvaško se člena 50 in 51 ne uporabljata.«

(n) Člen 53(3) se nadomesti z naslednjim:

»3. Za operativne programe v okviru cilja »evropsko teritorialno sodelovanje«, pri katerih vsaj en udeleženec spada med države članice, katerih povprečni bruto domači proizvod na prebivalca (BDP) za obdobje 2001–2003 ni presegal 85 % povprečja EU-25 v istem obdobju, ali za takšne programe, v katerih Hrvaška sodeluje, prispevek iz ESRR ne sme biti višji od 85 % upravičenih izdatkov. Za vse druge operativne programe prispevek iz ESRR ne sme biti višji od 75 % upravičenih izdatkov, ki jih sofinancira ESRR.«

(o) Členu 56(1) se doda naslednji pododstavek:

»Glede Hrvaške so izdatki upravičeni do prispevka iz skladov med začetnim datumom upravičenosti izdatkov, kakor je določen v skladu z instrumenti, sprejetimi na podlagi Uredbe (ES) št. 1085/2006, in 31. decembrom 2016. Vendar so izdatki za operativne programe, sprejete po pristopu, upravičeni do prispevka iz skladov od dne pristopa, razen če je v sklepu o zadevnem operativnem programu določen poznejši datum.«

(p) Členu 56(3) se doda naslednji pododstavek:

»Ne glede na posebne določbe o upravičenosti iz člena 105a se merila, ki jih določi nadzorni odbor operativnih programov za Hrvaško, ne uporabljajo za operacije, katerih odobritev je bila sprejeta pred dnem pristopa in so del instrumentov, sprejetih na podlagi Uredbe (ES) št. 1085/2006.«

(q) Člen 62(1) se spremeni:

(i) V točki (c) se za prvi pododstavek vstavi naslednji pododstavek:

»Glede Hrvaške revizijski organ operativnega programa v treh mesecih od dne pristopa Komisiji predloži posodobljen letni načrt revizijskega dela, kakor je opredeljeno v členu 29(2)(a) Uredbe Komisije (ES) št. 718/2007 z dne 12. junija 2007 o izvajanju Uredbe Sveta (ES) št. 1085/2006 o vzpostavitvi instrumenta za predpristopno pomoč (IPA)(*).

(*) UL L 170, 29. 6. 2007, str. 1.«

(ii) V točki (d)(i) se doda naslednji pododstavek:

»Glede Hrvaške se prvo letno poročilo o nadzoru predloži do 31. decembra 2013, zajemajoč obdobje od 1. oktobra 2012 do 30. junija 2013. Naslednja poročila, ki zajemajo obdobja od 1. julija 2013 do 30. junija 2014, od 1. julija 2014 do 30. junija 2015 in od 1. julija 2015 do 30. junija 2016, se Komisiji predložijo do 31. decembra 2014, 31. decembra 2015 oziroma 31. decembra 2016. Podatki v zvezi z revizijami, izvedenimi po 1. juliju 2016, se vključijo v končno poročilo o nadzoru k izjavi o zaključitvi iz točke (e);«

(iii) V točki (e) se doda naslednji pododstavek:

»Glede Hrvaške se izjava o zaključitvi, osnovana na končnem poročilu o nadzoru, Komisiji predloži do 31. marca 2018.«

(r) Členu 67(1) se doda naslednji pododstavek:

»Glede Hrvaške organ upravljanja pošlje končno poročilo o izvajanju operativnega programa do 31. marca 2018.«

(s) Člen 71 se spremeni:

(i) Vstavi se naslednji odstavek:

»1a. Ne glede na odstavek 1 Hrvaška v najkrajšem možnem času po dnevu pristopa ali najpozneje pred vsakršnim plačilom Komisije tej predloži opis sistemov, ki zajema elemente iz točk (a) in (b) tega odstavka.«

(ii) Vstavi se naslednji odstavek:

»2a. Odstavek 2 se smiselno uporablja za Hrvaško. Poročilo iz prvega pododstavka odstavka 2 se šteje za sprejeto pod enakimi pogoji, kakor so določeni v drugem pododstavku odstavka 2. Vendar pa je takšno sprejetje predpogoj za znesek vnaprejšnjega financiranja iz člena 82.«

(t) V členu 75 se vstavi naslednji odstavek:

»1a. Glede Hrvaške se ustrezne proračunske obveznosti iz ESRR, Kohezijskega sklada in ESS za leto 2013 prevzamejo na podlagi odločitve iz člena 28(3), preden Komisija sprejme kakršno koli odločitev o spremembi sprejetega operativnega programa. Odločitev iz člena 28(3) se za proračunske obveznosti v korist Hrvaške šteje za odločitev o financiranju v smislu člena 75 Uredbe (ES, Euratom) št. 1605/2002.«

(u) Členu 78(2)(c) se doda naslednji stavek:

»Glede Hrvaške jih pokrivajo izdatki, ki so jih plačali upravičenci pri izvajanju projekta, in so utemeljeni s prejetimi računi ali računovodskimi listinami z enako dokazno vrednostjo najpozneje tri leta po letu plačila predujma ali 31. decembra 2016, kar je prej; če niso, se naslednji izkaz o izdatkih ustrezno popravi.«

(v) V členu 82 se vstavi naslednji odstavek:

»1a. Glede Hrvaške se po sprejetju poročila iz člena 71(2a) in v skladu z ustreznimi proračunskimi obveznostmi iz člena 75(1a) enkratni znesek vnaprejšnjega financiranja za preostanek obdobja 2007–2013 izplača v enem obroku, ustreza pa 30 % prispevka iz strukturnih skladov in 40 % prispevka iz Kohezijskega sklada za operativni program.«

(w) V členu 89(1) se doda naslednji pododstavek:

»Glede Hrvaške se zahtevek za plačilo, ki vsebuje dokumente iz točke (a) (i) do (iii), pošlje do 31. marca 2018.«

(x) V členu 93 se vstavi naslednji odstavek:

»3a. Z odstopanjem od odstavkov 1 do 3 Komisija glede Hrvaške uporabi mehanizem prenehanja prevzetih obveznosti iz odstavka 1 na naslednji način:

(i) rok za kateri koli odprti del prevzetih obveznosti iz leta 2010 je 31. december 2013;

(ii) rok za kateri koli odprti del prevzetih obveznosti iz leta 2011 je 31. december 2014;

(iii) rok za kateri koli odprti del prevzetih obveznosti iz leta 2012 je 31. december 2015;

(iv) kateri koli del prevzetih obveznosti iz leta 2013, ki so 31. decembra 2016 še vedno odprte, samodejno preneha, če Komisija do 31. marca 2018 ne prejme ustreznega zahtevka za plačilo.«

(y) V členu 95 se za drugim odstavkom vstavi naslednji odstavek:

»Z odstopanjem od prvega in drugega odstavka se glede Hrvaške roki iz člena 93 (3a) prekinejo pod pogoji iz prvega odstavka tega člena, ki veljajo za znesek za zadevne operacije.«

(z) Členu 98(2) se doda naslednji pododstavek:

»V primeru Hrvaške lahko sredstva iz skladov, ki so bila sproščena na ta način, Hrvaška porablja do 31. decembra 2016.«

(za) Vstavi se naslednji člen:

»Člen 105a

Posebne določbe po pristopu Hrvaške

1. Za programe in velike projekte, ki so bili na dan pristopa Hrvaške odobreni na podlagi Uredbe (ES) št. 1085/2006 in ki do tega dne niso bili zaključeni, se šteje, da jih je odobrila Komisija v okviru te uredbe, z izjemo programov, odobrenih v okviru komponent iz točk (a) in (e) člena 3(1) navedene uredbe.

Poleg tega se izključijo tudi naslednji programi, zajeti v komponenti iz točke (b) člena 3(1) Uredbe (ES) št. 1085/2006:

- (a) »program čezmejnega sodelovanja IPA Adriatic«;
- (b) čezmejni program »Hrvaška-Bosna in Hercegovina«;
- (c) čezmejni program »Hrvaška-Črna gora«;
- (d) čezmejni program »Hrvaška-Srbija«.

Brez poseganja v odstavke 2 do 7 se za operacije in velike projekte uporabljajo določbe o izvajanju teh operacij in velikih projektov, odobrenih v skladu s to uredbo.

2. Postopki javnega naročanja v zvezi z operacijami znotraj programov ali v zvezi z velikimi projekti iz odstavka 1, za katere je bil do dne pristopa že objavljen javni razpis v Uradnem listu Evropske unije, se izvedejo v skladu s pravili iz tega razpisa. Člen 165 Uredbe (ES, Euratom) št. 1605/2002 se ne uporablja.

Postopki javnega naročanja v zvezi z operacijami znotraj programov ali v zvezi z velikimi projekti iz odstavka 1, za katere do dne pristopa še ni bil objavljen javni razpis v Uradnem listu Evropske unije, se izvedejo v skladu s Pogodbami ali akti, sprejetimi v okviru Pogodb, in členom 9 te uredbe.

Operacije, ki niso operacije iz prvega in drugega pododstavka in za katere so bili razpisi za predloge objavljeni v skladu s členom 158 Uredbe Komisije (ES) št. 718/2007 z dne 12. junija 2007 ali za katere so bili zahtevki predloženi pristojnim organom pred dnem pristopa in za katere bi bilo pogodbe mogoče skleniti šele po tem datumu, se izvedejo v skladu s pogoji in pravili o upravičenosti, objavljenimi v ustreznih razpisih za predloge, oziroma pogoji in pravili o upravičenosti, o katerih so bili potencialni upravičenci predhodno obveščeni.

3. Plačila Komisije v okviru programov iz odstavka 1 se štejejo za prispevek iz skladov v skladu s to uredbo in se knjižijo na najstarejšo odprto obveznost, vključno z obveznostmi v zvezi z IPA.

Ta uredba od dne pristopa ureja kateri koli del obveznosti, ki jih je Komisija prevzela v okviru programov iz odstavka 1 in ki so še odprte na dan pristopa.

4. Za operacije, odobrene v okviru Uredbe Sveta (ES) št. 1085/2006, ki so bile odobrene ali za katere so bili ustrezni sporazumi o donaciji s končnimi upravičenci podpisani pred dnem pristopa, se še naprej uporabljajo pravila o upravičenosti izdatkov v skladu z Uredbo Sveta

(ES) št. 718/2007 ali na podlagi te uredbe, razen v upravičenih primerih, o katerih na prošnjo Hrvaške odloča Komisija.

Pravilo o upravičenosti iz prvega pododstavka se uporablja tudi za velike projekte iz odstavka 1, za katere so bili pred dnem pristopa podpisani sporazumi o dvostranskih projektih.

5. Glede Hrvaške se vsak sklic na sklade, kakor so opredeljeni v drugem odstavku člena 1, šteje, kot da vključuje tudi instrument za predpristopno pomoč, vzpostavljen z Uredbo (ES) št. 1085/2006.

6. Posebni roki, ki se uporabljajo za Hrvaško, se uporabljajo tudi za naslednje čezmejne programe, zajete v komponenti iz člena 3(1)(b) Uredbe (ES) št. 1085/2006, v katerih sodeluje Hrvaška:

(a) čezmejni program »Madžarska-Hrvaška« in

(b) čezmejni program »Slovenija-Hrvaška«.

Posebni roki, ki se v skladu s to uredbo uporabljajo za Hrvaško, se ne uporabljajo za operativne programe iz transnacionalnih in medregionalnih komponent v okviru cilja »evropsko teritorialno sodelovanje«, v katerem sodeluje Hrvaška.

7. Če so potrebni ukrepi za lažji prehod Hrvaške iz predpristopne ureditve na ureditev, ki izhaja iz uporabe tega člena, te potrebne ukrepe sprejme Komisija.«

(zb) Priloga I se nadomesti z naslednjim:

»PRILOGA I

Letna razdelitev odobritev za prevzem obveznosti za obdobje 2007–2013

(iz člena 18)

```
text="&nbsp; (EUR, po cenah iz leta 2004) +-----+-----+-----+-----+-----+-----+-----+
+ |2007 |2008 |2009 |2010 |2011 |2012 |2013 | +-----+-----+-----+-----+-----+-----+
+-----+ |42 863 |43 318 |43 862 |43 860 |44 073 |44 723 |45 718 | |000 000 |000 000 |000 000
|000 000 |000 000 |000 000 |037 817 | +-----+-----+-----+-----+-----+-----+ «"
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(zc) Priloga II se spremeni:

(i) V odstavku 5 se dodajo naslednje točke:

»(c) za Hrvaško bodo sredstva za financiranje čezmejnega sodelovanja znašala 7 028 744 EUR po cenah iz leta 2004;

(d) za Hrvaško bodo sredstva za financiranje transnacionalnega sodelovanja znašala 1 874 332 EUR po cenah iz leta 2004.«

(ii) Vstavi se naslednji odstavek:

»7a. Za Hrvaško bo največja stopnja prenosa iz skladov 3,5240 % njenega BDP.«

(iii) Vstavi se naslednji odstavek:

»9a. Za Hrvaško bodo izračuni BDP, ki jih opravi Komisija, temeljili na statističnih podatkih in napovedih, objavljenih maja 2011.«

(zd) Priloga III se nadomesti z naslednjim:

text="»PRILOGA III Zgornje meje, ki veljajo za stopnje sofinanciranja (iz člena 53) +-----
+-----+-----+-----+ | Merila |Države članice | ESRR in ESS | Kohezijski | | | |
Odstotek | sklad | | | upravičenih | Odstotek | | | izdatkov | upravičenih | | | | izdatkov |
+-----+-----+-----+-----+ | 1. Države |Bolgarija, |85 % za cilja | 85 %
| članice, |Češka, |»konvergenca« | | | katerih |Estonija, |ter »regionalna | | | povprečni BDP
| Ciper, Grčija, |konkurenčnost | | | na prebivalca |Hrvaška, |in zaposlovanje« | | | za obdobje
| Latvija, Litva, | | | 2001–2003 ni |Madžarska, | | | presegal 85 % |Malta, Poljska, | | | povprečja
EU-25 |Portugalska, | | | v istem |Romunija, | | | obdobju. |Slovenija | | | |Slovaška | | |
+-----+-----+-----+-----+ | 2. Države |Španija |80 % za cilj | 85 % |
članice, ki ne		»konvergenca in			spadajo v (1),	regije v		upravičene do		postopnem							
prehodne		uvajanju« v			ureditve		okviru cilja			Kohezijskega		»regionalna			sklada 1.		
konkurenčnost in			januarja 2007		zaposlovanje« 50				% za cilj				»regionalna				
konkurenčnost in				zaposlovanje«				izven regij v				postopnem				uvajanju	
+-----+-----+-----+-----+	3. Države	Belgija,	75 % za cilj	-													
članice, ki	Danska,	»konvergenca«			niso navedene v	Nemčija,				(1) in (2).	Francija,						
	Irska, Italija,				Luksemburg,				Nizozemska,				Avstrija,				Finska, Švedska
in Združeno				kraljestvo			+-----+-----+-----+-----+	4. Države									
Belgija,	50 % za cilj	-	članice, ki	Danska,	»regionalna			niso navedene v	Nemčija,								
konkurenčnost in			(1) in (2).	Francija,	zaposlovanje«				Irska, Italija,				Luksemburg,				
	Nizozemska,				Avstrija,				Finska, Švedska				in Združeno				kraljestvo
+-----+-----+-----+-----+	5. Najbolj	Španija,	50 %	-		oddaljene											
Francija in				regije iz člena	Portugalska				349 PDEU,				upravičene do				dodatne
			dodelitve za te				regije iz točke				20 Priloge II.				+-----+-----+-----		
+-----+-----+-----+	6. Najbolj	Španija,	85 % v okviru	-		oddaljene	Francija in	ciljev									
regije iz člena	Portugalska	»konvergenca«				349 PDEU		ter »regionalna									
konkurenčnost in				zaposlovanje«			+-----+-----+-----+-----+ «"										

2. Uredba Sveta (ES) št. 1084/2006 z dne 11. julija 2006 o ustanovitvi Kohezijskega sklada in razveljavitvi Uredbe (ES) št. 1164/94 (UL L 210, 31. 7. 2006, str. 79).

Vstavi se naslednji člen:

»Člen 5a

Posebne določbe po pristopu Hrvaške

1. Ukrepi, za katere na dan pristopa Hrvaške veljajo sklepi Komisije o pomoči na podlagi Uredbe Sveta (ES) št. 1267/1999 z dne 21. junija 1999 o vzpostavitvi instrumenta strukturne politike v predpristopnem obdobju(*) in katerih izvajanje se do dne pristopa še ni zaključilo, se štejejo za odobrene s strani Komisije na podlagi te uredbe.

Brez poseganja v odstavke 2 do 5 se za ukrepe iz prvega pododstavka tega odstavka uporabljajo določbe o izvajanju dejavnosti, odobrenih v skladu s to uredbo in Uredbo (ES) št. 1083/2006.

2. Postopki javnih naročil v zvezi z ukrepi iz odstavka 1, za katere je bil z dnem pristopa že objavljen javni razpis v Uradnem listu Evropske unije, se izvedejo v skladu s pravili iz tega razpisa. Ne uporablja se člen 165 Uredbe Sveta (ES, Euratom) št. 1605/2002 z dne 25. junija 2002 o finančni uredbi, ki se uporablja za splošni proračun Evropskih skupnosti(**).

Postopki javnih naročil v zvezi z ukrepom iz odstavka 1, za katere z dnem pristopa še ni bil objavljen javni razpis v Uradnem listu Evropske unije, se izvedejo v skladu s Pogodbami ali akti, sprejetimi v okviru Pogodb, in členom 9 Uredbe (ES) št. 1083/2006.

3. Plačila Komisije v okviru ukrepa iz odstavka 1 štejejo za prispevek iz sklada po tej uredbi.

Plačila Komisije v okviru ukrepa iz odstavka 1 se knjižijo na najstarejšo odprto obveznost, nastalo najprej v skladu z Uredbo (ES) št. 1267/1999, nato pa v skladu s to uredbo in Uredbo (ES) št. 1083/2006.

Za vmesna plačila ali za končno plačilo veljajo pogoji iz odstavkov 2(b) do (d) in odstavkov 3 do 5 člena D Priloge II k Uredbi (ES) št. 1164/94.

4. Za ukrepe iz odstavka 1 se še naprej uporabljajo pravila o upravičenosti izdatkov, ki so v skladu z Uredbo (ES) št. 1267/1999 ali posebej določena v ustreznih sporazumih o financiranju, razen v upravičenih primerih, o katerih na prošnjo Hrvaške odloča Komisija.
5. Če so potrebni ukrepi za lažji prehod Hrvaške iz predpristopne ureditve na ureditev, ki izhaja iz uporabe tega člena, te potrebne ukrepe sprejme Komisija.

(*) UL L 161, 26. 6. 1999, str. 73.

(**) UL L 248, 16. 9. 2002, str. 1.«

8. OKOLJE

1. Direktiva 2003/87/ES Evropskega parlamenta in Sveta z dne 13. oktobra 2003 o vzpostavitvi sistema za trgovanje s pravicami do emisije toplogrednih plinov v Skupnosti in o spremembi Direktive Sveta 96/61/ES (UL L 275, 25. 10. 2003, str. 32).

(a) V členu 9 se prvemu odstavku doda naslednja poved:

»Količina pravic za celotno Skupnost se kot posledica pristopa Hrvaške poveča le za količino pravic, ki jih Hrvaška da na dražbo v skladu s členom 10(1).«

(b) V Prilogi IIa se za vnosom za Španijo vstavi naslednje:

»Hrvaška 26 %«.

2. Odločba št. 406/2009/ES Evropskega parlamenta in Sveta z dne 23. aprila 2009 o prizadevanju držav članic za zmanjšanje emisij toplogrednih plinov, da do leta 2020 izpolnijo zavezo Skupnosti za zmanjšanje emisij toplogrednih plinov (UL L 140, 5. 6. 2009, str. 136).

V Prilogi IIa se za vnosom za Francijo vstavi naslednje:

»Hrvaška 11 %«.

PRILOGA IV

Seznam iz člena 16 Akta o pristopu: druge trajne določbe

1. PRAVO INTELEKTUALNE LASTNINE

Pogodba o delovanju Evropske unije, tretji del, naslov II, prosti pretok blaga

POSEBNI MEHANIZEM

Na Hrvaškem se lahko imetnik patenta ali dodatnega varstvenega certifikata (DVC) za zdravilo, ki je prijavljen v državi članici, ker taka zaščita ni mogla biti pridobljena na Hrvaškem, ali imetnikov upravičenec, sklicuje na pravice, podeljene s tem patentom ali DVC, da bi preprečil uvoz in trženje tega izdelka v državi članici oziroma državah članicah, kjer ta

izdelek uživa patentno varstvo ali varstvo z DVC, tudi če je izdelek prvič dal na hrvaški trg imetnik ali se je to zgodilo s soglasjem imetnika.

Vsakdo, ki namerava uvažati ali tržiti zdravilo iz prvega odstavka v državi članici, kjer izdelek uživa patentno varstvo ali varstvo z DVC, pristojnim organom v prijavi za uvoz dokaže, da je bil imetnik tega varstva ali njegov upravičenec o tem mesec dni prej uradno obveščen.

2. POLITIKA KONKURENCE

Pogodba o delovanju Evropske unije, tretji del, naslov VII, poglavje 1, pravila o konkurenci

1. Naslednji programi pomoči in posamična pomoč, ki so se na Hrvaškem začeli izvajati pred dnem pristopa in se izvajajo tudi po tem datumu, se od pristopa štejejo za obstoječo pomoč v smislu člena 108(1) PDEU:

(a) ukrepi pomoči, ki so se začeli izvajati pred 1. marcem 2002;

(b) ukrepi pomoči, ki so naštetih v dodatku k tej prilogi;

(c) ukrepi pomoči, ki jih je pred dnem pristopa ocenila hrvaška agencija za konkurenco in ugotovila, da so združljivi s pravnim redom Unije, ter jim Komisija v skladu s postopkom iz odstavka 2 ni nasprotovala zaradi resnih dvomov o združljivosti ukrepa z notranjim trgom.

Za uporabo člena 108(3) PDEU se vsi ukrepi, ki se po dnevu pristopa še vedno uporabljajo in pomenijo državno pomoč ter ne izpolnjujejo zgornjih pogojev, od pristopa štejejo za novo pomoč.

Zgornje določbe se ne uporabljajo za pomoč dejavnostim, povezanim s proizvodnjo, predelavo ali trženjem proizvodov, ki so naštetih v Prilogi I k PEU in PDEU.

2. Če Hrvaška želi, da Komisija preuči ukrep pomoči po postopku iz točke (c) odstavka 1, Komisiji redno pošilja:

(a) seznam obstoječih ukrepov pomoči, ki jih je ocenila hrvaška agencija za konkurenco in ugotovila, da so združljivi s pravnim redom Unije, in

(b) kakršne koli druge informacije, ki so bistvene za oceno združljivosti obravnavanega ukrepa pomoči,

v skladu s predpisanim obrazcem za poročilo, ki ga pripravi Komisija.

Če Komisija v treh mesecih od prejema popolnih informacij o obstoječem ukrepu pomoči ali po prejemu izjave nove države članice, v kateri ta obvešča Komisijo, da šteje predložene informacije za popolne, ker dodatne zahtevane informacije niso dostopne ali so že bile predložene, glede tega ukrepa pomoči nima pripomb zaradi resnih dvomov glede njegove združljivosti z enotnim trgom, se šteje, da ukrepu ni nasprotovala.

Postopek iz točke (c) odstavka 1 velja za vse ukrepe pomoči, ki so pred dnem pristopa predloženi Komisiji po navedenem postopku, ne glede na dejstvo, da je v času preučevanja ukrepa Hrvaška že postala članica Unije.

3. Odločba Komisije, da nasprotuje ukrepu v smislu točke (c) odstavka 1, šteje za odločbo o začetku formalnega postopka preiskave v smislu Uredbe Sveta (ES) št. 659/1999 z dne 22. marca 1999 o določitvi podrobnih pravil za uporabo člena 93 Pogodbe ES(19) (zdaj člen 108 PDEU).

Če je taka odločba sprejeta pred dnem pristopa, začne veljati šele z dnem pristopa.

3. KMETIJSTVO

(a) Pogodba o delovanju Evropske unije, tretji del, naslov III, kmetijstvo in ribištvo

1. Javne zaloge, ki jih ima Hrvaška na dan pristopa in so posledica njene politike tržne podpore, prevzame Unija po vrednosti, izračunani na osnovi člena 4(1)(d) in Priloge VIII k Uredbi Komisije (ES) št. 884/2006 z dne 21. junija 2006 o določitvi podrobnih pravil za uporabo Uredbe Sveta (ES) št. 1290/2005 v zvezi s financiranjem intervencijskih ukrepov s strani Evropskega kmetijskega jamstvenega sklada (EKJS) in knjiženjem postopkov javnega skladiščenja s strani plačilnih agencij držav članic(20). Omenjene zaloge se prevzamejo le pod pogojem, da je javna intervencija za zadevne proizvode opravljena v Uniji in da zaloge izpolnjujejo zahteve za intervencijo Unije.
2. Hrvaški je treba za vse zaloge, zasebne ali javne, ki so v prostem prometu na Hrvaškem na dan pristopa, in presegajo količino, ki velja za običajen presežek zalog, naložiti plačilo v obliki nakazila v splošni proračun Evropske unije.

Višina plačila mora odražati stroške, povezane s posledicami presežka zalog na trgu kmetijskih proizvodov.

Količino presežka je treba določiti za vsak proizvod posebej glede na njegove značilnosti in ustrezne trge ter zakonodajo Unije, ki se zanj uporablja.

3. Zaloge iz odstavka 1 se odštejejo od količine, ki presega običajen prenos zalog.
4. Komisija izvaja in uporablja ureditve iz odstavkov 1 do 3 v skladu s postopkom iz člena 41(2) Uredbe Sveta (ES) št. 1290/2005 z dne 21. junija 2005 o financiranju skupne kmetijske politike(21) ali, če je to primerno, v skladu s postopkom iz člena 195(2) Uredbe Sveta (ES) št. 1234/2007 ali v skladu z ustreznim postopkom v odboru, kot je opredeljen v zakonodaji, ki se uporablja.

(b) Pogodba o delovanju Evropske unije, tretji del, naslov VIII, poglavje 1, pravila o konkurenci

Brez poseganja v postopke o obstoječih pomočeh iz člena 108 PDEU se programi pomoči in posamična pomoč, dodeljena dejavnostim, povezanim s proizvodnjo in trgovino s proizvodi, navedenimi v Prilogi I k PEU in PDEU, z izjemo ribiških proizvodov in iz njih pridobljenih proizvodov, ki so se na Hrvaškem začeli izvajati pred dnem pristopa in se izvajajo tudi po tem datumu, štejejo za obstoječo pomoč v smislu člena 108(1) PDEU, ob upoštevanju naslednjih pogojev:

- Komisija je o ukrepih pomoči obveščena v roku štirih mesecev od dne pristopa. To obvestilo vključuje podatke o pravni podlagi vsakega ukrepa. Za obstoječe ukrepe pomoči in načrte o podelitvi ali spremembi pomoči, o katerih je Komisija obveščena pred dnem pristopa, se šteje, da je bila Komisija o njih obveščena na dan pristopa. Komisija objavi seznam takšne pomoči.

Ti ukrepi pomoči v obdobju treh let od dne pristopa veljajo za »obstoječo« pomoč v smislu člena 108(1) PDEU.

V obdobju treh let od dne pristopa Hrvaška po potrebi spremeni te ukrepe pomoči, da bi upoštevala smernice, ki jih uporablja Komisija. Po tem obdobju se vsaka pomoč, za katero se ugotovi, da je nezdržljiva s temi smernicami, šteje za novo pomoč.

4. RIBIŠTVO

Pogodba o delovanju Evropske unije, tretji del, naslov VII, poglavje 1, pravila o konkurenci

Brez poseganja v postopke o obstoječi pomoči iz člena 108 PDEU se programi pomoči in posamična pomoč, dodeljena dejavnostim, povezanim s proizvodnjo in trgovino ribiških proizvodov in iz njih pridobljenih proizvodov, navedenih v Prilogi I k PEU in PDEU, in ki so na Hrvaškem začeli učinkovati pred dnem pristopa in se uporabljajo tudi po tem datumu, štejejo za obstoječo pomoč v smislu člena 108(1) PDEU, ob upoštevanju naslednjih pogojev:

– Komisija je o ukrepih pomoči obveščena v roku štirih mesecev od dne pristopa. To obvestilo vključuje podatke o pravni podlagi vsakega ukrepa. Za obstoječe ukrepe pomoči in načrte o podelitvi ali spremembi pomoči, o katerih je Komisija obveščena pred dnem pristopa, se šteje, da je bila Komisija o njih obveščena na dan pristopa. Komisija objavi seznam takšne pomoči.

Ti ukrepi pomoči v obdobju treh let od dne pristopa veljajo za »obstoječo« pomoč v smislu člena 108(1) PDEU.

V obdobju treh let od dne pristopa Hrvaška po potrebi spremeni te ukrepe pomoči, da bi upoštevala smernice, ki jih uporablja Komisija. Po tem obdobju se vsaka pomoč, za katero se ugotovi, da je nezdržljiva s temi smernicami, šteje za novo pomoč.

5. CARINSKA UNIJA

Pogodba o delovanju Evropske unije, tretji del, naslov II, prosti pretok blaga, poglavje 1, carinska unija

31992 R 2913: Uredba Sveta (EGS) št. 2913/92 z dne 12. oktobra 1992 o carinskem zakoniku Skupnosti (UL L 302, 19. 10. 1992, str. 1).

31993 R 2454: Uredba Komisije (EGS) št. 2454/93 z dne 2. julija 1993 o določbah za izvajanje Uredbe Sveta (EGS) št. 2913/92 o carinskem zakoniku Skupnosti (UL L 253, 11. 10. 1993, str. 1).

Uredba Sveta (EGS) št. 2913/92 in Uredba Komisije (EGS) št. 2454/93 se za Hrvaško uporabljata ob upoštevanju naslednjih posebnih določb.

DOKAZILO O STATUSU UNIJE (TRGOVINA V RAZŠIRJENI UNIJI)

1. Ne glede na člen 20 Uredbe Sveta (EGS) št. 2913/92 je blago, ki je na dan pristopa v razširjeni Uniji v začasni hrambi ali v carinski rabi in v postopkih iz členov 4(15)(b) in (16) (b) do (h) navedene uredbe ali ki se prevaža v razširjeni Uniji po opravljenih izvoznih formalnostih, ob deklaraciji za sprostitev v prosti promet v razširjeni Uniji oproščeno carin in drugih carinskih ukrepov, pod pogojem, da se predloži eno izmed naslednjih dokazil:

(a) dokazilo o preferencialnem poreklu, ki je bilo ustrezno izdano ali sestavljeno pred dnem pristopa v skladu s SPS;

(b) katerokoli dokazilo o statusu Unije iz člena 314c Uredbe Komisije (EGS) št. 2454/93;

(c) zvezek ATA, ki je bil izdan v sedanji državi članici ali na Hrvaškem pred dnevom pristopa.

2. Za namene izdajanja dokazila iz odstavka 1(b), upoštevajoč položaj na dan pristopa in poleg določb člena 4(7) Uredbe Sveta (EGS) št. 2913/92, »blago Skupnosti« pomeni blago, ki je:

– v celoti pridobljeno na območju Hrvaške pod pogoji, enakimi tistim iz člena 23 Uredbe Sveta (EGS) št. 2913/92, in ne vsebuje blaga, uvoženega iz drugih držav ali območij,

– uvoženo iz držav ali območij razen Hrvaške in sproščeno v prosti promet na Hrvaškem ali

– pridobljeno ali proizvedeno na Hrvaškem bodisi izključno iz blaga, navedenega v drugi alineji, bodisi iz blaga, navedenega v prvi in drugi alineji.

3. Za namene preverjanja dokazila iz odstavka 1(a) se uporabljajo določbe o opredelitvi » izdelkov s poreklom« in načinih upravnega sodelovanja iz SPS. Zahtevke za naknadno preverjanje takšnega dokazila sprejemajo pristojni carinski organi sedanjih držav članic in Hrvaške v obdobju treh let od izdaje ali sestave zadevnega dokazila o poreklu ter jih lahko vlagajo ti organi v obdobju treh let po sprejemu dokazila o poreklu v podporo deklaraciji o prostem prometu.

DOKAZILO O PREFERENCIALNEM POREKLU (TRGOVINA S TRETJIMI DRŽAVAMI, VKLJUČNO S TURČIJO, V OKVIRU PREFERENCIALNIH SPORAZUMOV O KMETIJSKIH IZDELKIH TER IZDELKIH IZ PREMOGA IN JEKLA)

4. Brez poseganja v uporabo kateregakoli ukrepa, ki izhaja iz skupne trgovinske politike, je dokazilo o poreklu, ki ga ustrezno izdajo tretje države ali se ga sestavi v okviru preferencialnih sporazumov, ki jih Hrvaška sklene s temi tretjimi državami, sprejeto na Hrvaškem, pod pogojem, da:

(a) pridobitev takega porekla pomeni priznanje preferencialne tarifne obravnave na podlagi preferencialnih tarifnih ukrepov iz člena 20(3)(d) in (e) Uredbe Sveta (EGS) št. 2913/92, ki jih predvidevajo sporazumi ali dogovori, ki jih je Unija sklenila s temi tretjimi državami ali skupinami tretjih držav oziroma jih je sprejela v zvezi z njimi,

(b) so bili dokazilo o poreklu in prevozni dokumenti izdani ali sestavljeni najkasneje na dan pred dnevom pristopa, in

(c) se dokazilo o poreklu predloži carinskim organom v roku štirih mesecev od dne pristopa.

Če je bilo blago na Hrvaškem deklarirano za sprostitev v prosti promet pred dnevom pristopa, je tudi naknadno izdano ali sestavljeno dokazilo o poreklu na podlagi preferencialnih sporazumov, ki na Hrvaškem veljajo na dan sprostitve v prosti promet, lahko sprejeto na Hrvaškem, pod pogojem, da je takšno dokazilo o poreklu predloženo carinskim organom v roku štirih mesecev od dne pristopa.

5. Hrvaški se dovoli ohraniti pooblastila, s katerimi je bil v okviru sporazumov, sklenjenih s tretjimi državami, podeljen status »pooblaščenih izvoznikov«, pod pogojem, da:

(a) je taka določba predvidena tudi v sporazumih ali dogovorih, ki jih je Unija sklenila s temi tretjimi državami ali skupinami tretjih držav oziroma jih je sprejela v zvezi z njimi pred dnevom pristopa, in

(b) pooblaščen izvozniki uporabljajo pravila o poreklu iz teh sporazumov ali dogovorov.

Ta pooblastila Hrvaška najkasneje eno leto od dne pristopa nadomesti z novimi pooblastili, ki se izdajo v skladu s pogoji iz zakonodaje Unije.

6. Za namene preverjanja dokazil iz odstavka 4 se uporabijo določbe o opredelitvi »izdelkov s poreklom« in načinih upravnega sodelovanja iz ustreznih sporazumov ali ureditev. Zahtevke za naknadno preverjanje takšnega dokazila sprejemajo pristojni carinski organi sedanjih držav članic in Hrvaške v obdobju treh let po izdaji ali sestavi zadevnega dokazila o poreklu ter jih lahko vlagajo ti organi v obdobju treh let po sprejemu dokazila o poreklu v podporo deklaraciji o prostem prometu.

7. Brez poseganja v uporabo katerega koli ukrepa, ki izhaja iz skupne trgovinske politike, je dokazilo o poreklu, ki ga naknadno izdajo ali sestavijo tretje države v okviru preferencialnih sporazumov ali ureditev, ki jih je Unija sklenila s temi tretjimi državami oziroma sprejela v zvezi z njimi, sprejeto na Hrvaškem za sprostitev v prosti promet blaga, ki je bilo na dan pristopa v postopku prevoza ali začasni hrambi, v carinskem skladišču ali prosti coni v eni od teh tretjih držav ali na Hrvaškem, pod pogojem, da na Hrvaškem za zadevne izdelke v času izdaje prevoznih dokumentov ne velja sporazum o prosti trgovini s tretjo državo, in pod pogojem, da:

(a) pridobitev takega porekla podeli preferencialno tarifno obravnavo na podlagi preferencialnih tarifnih ukrepov iz člena 20(3)(d) in (e) Uredbe Sveta (EGS) št. 2913/92, ki jih vsebujejo sporazumi ali ureditve, ki jih je sklenila ali sprejela Unija glede tretjih držav ali skupin tretjih držav,

(b) so bili prevozniki dokumenti izdani najkasneje dan pred dnem pristopa in

(c) se naknadno izdano ali sestavljeno dokazilo o poreklu predloži carinskemu organom v roku štirih mesecev od dne pristopa.

8. Za namene preverjanja dokazil iz odstavka 7 se uporabijo določbe o opredelitvi »izdelkov s poreklom« in načinih upravnega sodelovanja iz ustreznih sporazumov ali ureditev.

DOKAZILO O STATUSU NA PODLAGI DOLOČB O PROSTEM PROMETU ZA INDUSTRIJSKE IZDELKE V CARINSKI UNIJI EU-TURČIJA

9. Dokazila o poreklu, ki jih je pravilno izdala ali sestavila Turčija ali Hrvaška v okviru preferencialnih trgovinskih sporazumov, ki se uporabljajo med njima, in določajo prepoved povračila ali oprostitve plačila carinskih dajatev za zadevno blago, so v zadevnih državah sprejeta kot dokazilo o statusu v skladu z določbami o prostem prometu za industrijske izdelke iz Sklepa št. 1/95 Pridružitvenega sveta ES-Turčija z dne 22. 12. 1995 o izvajanju zaključne faze carinske unije(22) (v nadaljnjem besedilu: Sklep št. 1/95), pod pogojem, da:

(a) so bili dokazilo o poreklu in prevozniki dokumenti izdani ali sestavljeni najkasneje na dan pred dnem pristopa in

(b) se dokazilo o poreklu predloži carinskemu organom v roku štirih mesecev od dne pristopa.

Če je bilo blago v Turčiji ali na Hrvaškem deklarirano za sprostitev v prosti promet pred dnem pristopa v okviru preferencialnih trgovinskih sporazumov iz prvega pododstavka, se lahko sprejme tudi dokazilo o poreklu, izdano ali sestavljeno naknadno na podlagi teh sporazumov, pod pogojem, da je carinskemu organom predloženo v roku štirih mesecev od dne pristopa.

10. Za namene preverjanja dokazil iz odstavka 9 se uporabijo določbe o opredelitvi »izdelkov s poreklom« in načinih upravnega sodelovanja iz ustreznih preferencialnih sporazumov.

Zahtevke za naknadno preverjanje takšnega dokazila sprejemajo pristojni carinski organi sedanjih držav članic in Hrvaške v obdobju treh let po izdaji ali sestavi zadevnega dokazila o poreklu ter jih lahko vlagajo ti organi v obdobju treh let po sprejemu dokazila o poreklu v podporo deklaraciji o prostem prometu.

11. Brez poseganja v uporabo katerega koli ukrepa, ki izhaja iz skupne trgovinske politike, se potrdilo o gibanju blaga A.TR, izdano na podlagi določb o prostem prometu za industrijske izdelke iz Sklepa št. 1/95, sprejme na Hrvaškem za sprostitev v prosti promet blaga, ki je na dan pristopa v prevozu po Uniji ali Turčiji po opravljenih izvoznih formalnostih, v začasni hrambi ali carinskem postopku iz člena 4(16)(b) do (h) Uredbe Sveta (EGS) št. 2913/92 v Turčiji ali na Hrvaškem, pod pogojem, da:

(a) za zadevno blago ni predloženo dokazilo o poreklu iz odstavka 9,

(b) je blago v skladu s pogoji za izvajanje določb o prostem pretoku za industrijske izdelke,

(c) so bili prevozni dokumenti izdani najkasneje na dan pred dnem pristopa in

(d) se potrdilo o gibanju blaga A.TR predloži carinskim organom v obdobju štirih mesecev od dne pristopa.

12. Za namene preverjanja potrdil o gibanju blaga A.TR iz odstavka 11 se uporabijo določbe o izdaji potrdil o gibanju blaga A.TR in načinih upravnega sodelovanja iz Sklepa št. 1/2006 Odbora za carinsko sodelovanje ES-Turčija z dne 26. julija 2006 o določitvi podrobnih pravil za uporabo Sklepa št. 1/95 Pridružitvenega sveta ES-Turčija(23).

CARINSKI POSTOPKI

13. Začasna hramba in carinski postopki iz člena 4(16)(b) do (h) Uredbe Sveta (EGS) št. 2913/92, ki so se začeli pred pristopom, se zaključijo ali opravijo pod pogoji iz zakonodaje Unije.

Če zaključek ali dovršitev postopka povzroči nastanek carinskega dolga, je uvozna dajatev, ki jo je treba plačati, tista, ki je v veljavi v času nastanka carinskega dolga v skladu s skupno carinsko tarifo, plačani znesek pa se šteje za lastna sredstva Unije.

14. Postopki iz členov 84 do 90 in 98 do 113 Uredbe Sveta (EGS) št. 2913/92 in iz členov 496 do 535 Uredbe Komisije (EGS) št. 2454/93, ki urejajo carinsko skladiščenje, se za Hrvaško uporabljajo ob upoštevanju naslednjih posebnih določb:

– če je znesek carinskega dolga določen na podlagi narave uvoznega blaga in če je bila deklaracija o vnosu blaga v postopek sprejeta pred dnem pristopa, tarifna uvrstitev, količina, carinska vrednost in poreklo uvoznega blaga v trenutku vnosa blaga v postopek izhajajo iz zakonodaje, ki se je na Hrvaškem uporabljala na dan, ko carinski organi sprejmejo deklaracijo.

15. Postopki iz členov 84 do 90 in 114 do 129 Uredbe Sveta (EGS) št. 2913/92 ter členov 496 do 523 in 536 do 550 Uredbe Komisije (EGS) št. 2454/93, ki urejajo aktivno oplemenitenje, se za Hrvaško uporabljajo ob upoštevanju naslednjih posebnih določb:

– če je znesek carinskega dolga določen na podlagi narave uvoznega blaga in če je bila deklaracija o vnosu blaga v postopek sprejeta pred dnem pristopa, tarifna uvrstitev, količina, carinska vrednost in poreklo uvoznega blaga v trenutku vnosa blaga v postopek izhajajo iz zakonodaje, ki se je na Hrvaškem uporabljala na dan, ko carinski organi sprejmejo deklaracijo;

- če zaključek postopka povzroči nastanek carinskega dolga se, da bi se ohranila enakost med imetniki dovoljenj v sedanjih državah članicah in na Hrvaškem, plača kompenzacijske obresti na uvozne dajatve, ki so od dne pristopa dolgovane v skladu s pogoji iz zakonodaje Unije;
 - če je bila deklaracija za aktivno oplemenitenje sprejeta po sistemu povračila in je carinski dolg, za katerega se zahteva povračilo, nastal pred dnem pristopa, povračilo izvede Hrvaška na lastne stroške v skladu s pogoji iz zakonodaje Unije.
16. Postopki iz členov 84 do 90 in 137 do 144 Uredbe Sveta (EGS) št. 2913/92 ter členov 496 do 523 in 553 do 584 Uredbe Komisije (EGS) št. 2454/93, ki urejajo začasni uvoz, se za Hrvaško uporabljajo ob upoštevanju naslednjih posebnih določb:
- če je znesek carinskega dolga določen na podlagi narave uvoznega blaga in če je bila deklaracija o vnosu blaga v postopek sprejeta pred dnem pristopa, tarifna uvrstitev, količina, carinska vrednost in poreklo uvoznega blaga v trenutku vnosa blaga v postopek izhajajo iz zakonodaje, ki se je na Hrvaškem uporabljala na dan, ko carinski organi sprejmejo deklaracijo;
 - če zaključek postopka povzroči nastanek carinskega dolga se, da bi se tako ohranila enakost med imetniki dovoljenj v sedanjih državah članicah in na Hrvaškem, plača kompenzacijske obresti na uvozne dajatve, ki so od dne pristopa dolgovane v skladu s pogoji iz zakonodaje Unije.
17. Postopki iz členov 84 do 90 in 145 do 160 Uredbe Sveta (EGS) št. 2913/92 ter členov 496 do 523 in 585 do 592 Uredbe Komisije (EGS) št. 2454/93, ki urejajo pasivno oplemenitenje, se za Hrvaško uporabljajo ob upoštevanju naslednjih posebnih določb:
- drugi odstavek člena 591 Uredbe Komisije (EGS) št. 2454/93 se smiselno uporablja za blago v začasnem izvozu, ki je bilo začasno izvoženo iz Hrvaške pred dnem pristopa.

DRUGE DOLOČBE

18. Dovoljenja, ki jih je Hrvaška izdala pred dnem pristopa za uporabo carinskih postopkov iz člena 4(16)(d), (e) in (g) ali statusa pooblaščenih gospodarskih subjektov iz člena 5a(2) Uredbe Sveta (EGS) št. 2913/92, veljajo do konca svoje veljavnosti oziroma eno leto od dne pristopa, kar se zgodi prej.
19. Postopki iz členov 201 do 232 Uredbe Sveta (EGS) št. 2913/92 in členov 859 do 876a Uredbe Komisije (EGS) št. 2454/93, ki urejajo nastanek carinskega dolga, vknjižbo in naknadno izterjavo, se za Hrvaško uporabljajo ob upoštevanju naslednjih posebnih določb:
- izterjava se izvede v skladu s pogoji iz zakonodaje Unije. Če je carinski dolg nastal pred dnem pristopa, izterjavo izvede Hrvaška v svojo korist v skladu s pogoji, ki so veljali na Hrvaškem pred pristopom.
20. Postopki iz členov 235 do 242 Uredbe Sveta (EGS) št. 2913/92 in členov 877 do 912 Uredbe Komisije (EGS) št. 2454/93, ki urejajo povračilo in odpust dajatev, se za Hrvaško uporabljajo ob upoštevanju naslednjih posebnih določb:
- povračilo in odpust dajatev se izvede v skladu s pogoji iz zakonodaje Unije. Če se dajatve, katerih povračilo ali odpust se zahteva, nanašajo na carinski dolg, ki je nastal pred dnem pristopa, povračilo in odpust dajatev izvede Hrvaška na lastne stroške v skladu s pogoji, ki so veljali na Hrvaškem pred pristopom.

Dodatek k PRILOGI IV

Seznam obstoječih ukrepov pomoči iz točke (b) odstavka 1 mehanizma za obstoječe pomoči, ki je določen v oddelku 2 (»politika konkurence«)

Opomba: Ukrepi pomoči, naštetih v tem dodatku, štejejo za obstoječo pomoč za namene uporabe mehanizma za obstoječe pomoči iz oddelka 2 le, kolikor spadajo v področje uporabe odstavka 1 navedenega oddelka.

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text="+-----+-----+-----+-----+ | Številka |Naslov (v izvorniku) |
Datum | Trajanje | | prijave | |odobritve s| | | | strani | | +---+---+---+ | hrvaške | | | DČ | Št. |
Leto | |agencije za| | | | konkurenco| | +---+---+---+-----+-----+-----+ |
HR | 1 | 2011 |Zakon o slobodnim | 17/06/2008| 31/12/2016 | | | |zonama (NN 44/96, | | | | |92
/05, 85/08) | | | +---+---+---+-----+-----+-----+ | HR | 3 | 2011 |Zakon o
Hrvatskoj | 21/10/2010| Neomejeno | | | |radioteleviziji (NN | | | | |137/10) | | | +---+---+---+
+-----+-----+-----+ | HR | 4 | 2011 |Odluka o otvorenosti | 25/05/2009| 31/12
/2013 | | | |Zračne luke Osijek | | | | |d.o.o. u razdoblju od| | | | |2009. do 2013. | | | | |
|godine, od 20. | | | | |veljače 2009. i 24. | | | | |travnja 2009. | | | +---+---+---+
+-----+-----+-----+ | HR | 5 | 2011 |Program financiranja | 10/02/2011| 31/12
/2013 | | | |nakladništva od 2011.| | | | |do 2013. | | | +---+---+---+-----+-----+
+-----+ | HR | 6 | 2011 |Naknadno odobrenje | 30/12/2010| 31/12/2015 | | | |državnih
potpora | | | | |poduzetniku Rockwool | | | | |Adriatic d.o.o. | | | +---+---+---+
+-----+-----+-----+ | HR | 9 | 2011 |Zakon o znanstvenoj | 01/02/2007| 31/12
/2014 | | | |djelatnosti i visokom| | | | |obrazovanju (NN | | | | |123/03, 198/03, | | | | |105
/04, 174/04, | | | | |46/07) | | | +---+---+---+-----+-----+ | HR | 10 |
2011 |Odluka o obvezi | 10/03/2011| 31/12/2014 | | | |otvorenosti Zračne | | | | |luke Rijeka d.
o.o. za| | | | |javni zračni promet u| | | | |razdoblju od 2010. do| | | | |2014., od 25. | | | | |
|siječnja 2010. i 3. | | | | |studenoga 2010. | | | +---+---+---+-----+-----+
+-----+"
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PRILOGA V

Seznam iz člena 18 Akta o pristupu: prehodni ukrepi

1. PROSTI PRETOK BLAGA

32001 L 0083: Direktiva 2001/83/ES Evropskega parlamenta in Sveta z dne 6. novembra 2001 o zakoniku Skupnosti o zdravilih za uporabo v humani medicini (UL L 311, 28. 11. 2001, str. 67).

Z odstopanjem od zahtev po kakovosti, varnosti in učinkovitosti, določenih v Direktivi 2001/83/EC, bodo dovoljenja za promet z zdravili, za katera ne velja člen 3(1) Uredbe (ES) št. 726/2004 z dne 31. marca 2004 o postopkih Skupnosti za pridobitev dovoljenja za promet in nadzor zdravil za humano in veterinarsko uporabo ter o ustanovitvi Evropske agencije za zdravila(24) in ki so na seznamu (v Dodatku k tej prilogi, kot ga je predložila Hrvaška), izdanem na podlagi hrvaške zakonodaje pred dnevom pristopa, ostala v veljavi do podaljšanja veljavnosti v skladu s pravnim redom Unije oziroma štiri leta od dne pristopa, odvisno od tega, kar je prej.

Dovoljenj za promet, zajetih v tem odstopanju, v državah članicah ni mogoče vzajemno priznavati, dokler ta zdravila ne dobijo potrebnih dovoljenj v skladu z Direktivo 2001/83/ES.

Nacionalna dovoljenja za promet, ki so izdana v okviru nacionalnega prava pred pristopom in ki niso zajeta v tem odstopanju, ter vsako novo dovoljenje za promet morajo biti od dne pristopa v skladu z Direktivo 2001/83/ES.

2. PROSTO GIBANJE OSEB

Pogodba o delovanju Evropske unije

31996 L 0071: Direktiva 96/71/ES Evropskega parlamenta in Sveta z dne 16. decembra 1996 o napotitvi delavcev na delo v okviru opravljanja storitev (UL L 18, 21. 1. 1997, str. 1).

32004 L 0038: Direktiva 2004/38/ES Evropskega parlamenta in Sveta z dne 29. aprila 2004 o pravici državljanov Unije in njihovih družinskih članov do prostega gibanja in prebivanja na ozemlju držav članic, ki spreminja Uredbo (EGS) št. 1612/68 in razveljavlja direktive 64/221/EGS, 68/360/EGS, 72/194/EGS, 73/148/EGS, 75/34/EGS, 75/35/EGS, 90/364/EGS, 90/365/EGS in 93/96/EGS (UL L 158, 30. 4. 2004, str. 77).

32011 R 0492: Uredba (EU) št. 492/2011 Evropskega parlamenta in Sveta z dne 5. aprila 2011 o prostem gibanju delavcev v Uniji (UL L 141, 27. 5. 2011, str. 1).

1. Člen 45 in prvi odstavek člena 56 PDEU se v zvezi s prostim gibanjem delavcev in svobodo opravljanja storitev, ki vključuje začasno gibanje delavcev, kakor je opredeljeno v členu 1 Direktive 96/71/ES, med Hrvaško na eni strani in vsako od sedanjih držav članic na drugi strani v celoti uporabljata le ob upoštevanju prehodnih določb iz odstavkov 2 do 13.
2. Ne glede na člene 1 do 6 Uredbe (EU) št. 492/2011 in do konca dveletnega obdobja od dne pristopa bodo sedanje države članice uporabljale nacionalne ukrepe ali ukrepe iz dvostranskih sporazumov, ki urejajo dostop hrvaških državljanov na njihove trge dela. Sedanje države članice lahko uporabljajo take ukrepe do konca petletnega obdobja od dne pristopa.

Hrvaški državljani, ki na dan pristopa zakonito delajo v sedanji državi članici in se jim je dovolil dostop na trg dela v tej državi članici za neprekinjeno obdobje 12 mesecev ali več, bodo imeli dostop na trg dela te države članice, vendar ne na trg dela drugih držav članic, ki uporabljajo nacionalne ukrepe.

Hrvaški državljani, ki se jim je dovolil dostop na trg dela v sedanji državi članici po pristopu za neprekinjeno obdobje 12 mesecev ali več, tudi uživajo iste pravice.

Hrvaški državljani iz drugega in tretjega pododstavka prenehajo uživati pravice iz teh pododstavkov, če prostovoljno zapustijo trg dela zadevne sedanje države članice.

Hrvaški državljani, ki na dan pristopa ali v obdobju, ko se uporabljajo nacionalni ukrepi, zakonito delajo v sedanji državi članici in ki se jim je dovolil dostop na trg dela te države članice za obdobje krajše od 12 mesecev, ne uživajo pravic iz drugega in tretjega pododstavka.

3. Pred koncem dveletnega obdobja od dne pristopa Svet na podlagi poročila Komisije ponovno preuči delovanje prehodnih določb iz odstavka 2.

Ob zaključku tega ponovnega pregleda in najpozneje ob koncu dveletnega obdobja od dne pristopa sedanje države članice uradno obvestijo Komisijo, če bodo še naprej uporabljale nacionalne ukrepe ali ukrepe iz dvostranskih sporazumov oziroma če bodo od takrat dalje uporabljale člene 1 do 6 Uredbe (EU) št. 492/2011. Če takega uradnega obvestila ni, se uporabljajo členi 1 do 6 Uredbe (EU) št. 492/2011.

4. Na prošnjo Hrvaške se lahko izvede nadaljnji ponovni pregled. Uporabi se postopek iz odstavka 3, ki se konča v šestih mesecih od prejema prošnje Hrvaške.
5. Država članica, ki do konca petletnega obdobja iz odstavka 2 ohrani nacionalne ukrepe ali ukrepe iz dvostranskih sporazumov, lahko v primeru resnih motenj na svojem trgu dela ali grožnje le-teh in po tem, ko uradno obvesti Komisijo, nadaljuje z uporabo teh ukrepov do konca sedemletnega obdobja od dne pristopa. Če takega uradnega obvestila ni, se uporabljajo členi 1 do 6 Uredbe (EU) št. 492/2011.
6. V sedemletnem obdobju od dne pristopa tiste države članice, v katerih se na podlagi odstavkov 3, 4 ali 5 za hrvaške državljane uporabljajo členi 1 do 6 Uredbe (EU) št. 492 /2011 in ki hrvaškim državljanom v tem obdobju izdajo delovna dovoljenja za namene spremljanja, ta delovna dovoljenja izdajo avtomatično.
7. Tiste države članice, v katerih se na podlagi tretjega, četrtega ali petega odstavka za hrvaške državljane uporabljajo členi 1 do 6 Uredbe (EU) št. 492/2011, lahko do konca sedemletnega obdobja od dne pristopa uporabljajo postopke iz drugega in tretjega pododstavka tega odstavka.

Če država članica iz prvega pododstavka ima ali pričakuje motnje na svojem trgu dela, ki bi lahko resno ogrozile življenjsko raven ali raven zaposlenosti v določeni regiji ali poklicu, ta država članica o tem obvesti Komisijo in druge države članice in jim priskrbi vse potrebne podrobnosti. Na podlagi teh podatkov lahko država članica zaprosi, da Komisija popolnoma ali delno odloži uporabo členov 1 do 6 Uredbe (EU) št. 492/2011, da bi se ponovno vzpostavilo normalno stanje v tej regiji oz. poklicu. Komisija odloči o odložitvi uporabe ter o njenem trajanju in obsegu najpozneje v dveh tednih po prejemu takega zaprosila in o svoji odločitvi uradno obvesti Svet. Vsaka država članica lahko v dveh tednih od odločitve Komisije Svet zaprosi, da to odločitev razveljavi ali spremeni. Svet o zaprosilu odloči s kvalificirano večino v dveh tednih.

Država članica iz prvega pododstavka lahko v nujnih in izjemnih primerih odloži uporabo členov 1 do 6 Uredbe (EU) št. 492/2011 in o tem Komisiji predloži naknadno utemeljeno uradno obvestilo.

8. Dokler je uporaba členov 1 do 6 Uredbe (EU) št. 492/2011 odložena na podlagi drugega do petega in sedmega odstavka, se člen 23 Direktive 2004/38/ES o pravici družinskih članov delavcev do pridobitve zaposlitve uporablja na Hrvaškem glede državljanov sedanjih držav članic in v sedanjih državah članicah glede hrvaških državljanov pod naslednjimi pogoji:
 - zakonec delavca in njuni potomci, ki so stari manj kot 21 let ali so vzdrževani družinski člani in na dan pristopa zakonito prebivajo z delavcem na ozemlju države članice, imajo po pristopu neposreden dostop na trg dela te države članice. Ta določba se ne uporablja za družinske člane delavca, ki se mu je zakonito dovolil dostop na trg dela te države članice za obdobje, krajše od 12 mesecev;
 - zakonec delavca in njuni potomci, ki so stari manj kot 21 let ali so vzdrževani družinski člani in zakonito prebivajo z delavcem na ozemlju države članice od dne po dnevu pristopa, vendar imajo v obdobju uporabe zgoraj navedenih prehodnih določb dostop na trg dela zadevne države članice, ko v zadevni državi članici prebivajo najmanj 18 mesecev ali od tretjega leta od dne pristopa, odvisno od tega, kar je prej.

Te določbe ne posegajo v ugodnejše nacionalne ukrepe ali ugodnejše ukrepe, sprejete z dvostranskimi sporazumi.

9. Če določb Direktive 2004/38/ES, ki prevzemajo določbe Direktive Sveta 68/360/EGS z dne 15. oktobra 1968 o odpravi omejitev gibanja in prebivanja v Skupnosti za delavce držav članic in za njihove družine(25), ni mogoče uporabljati ločeno od tistih iz Uredbe (EU) št. 492/2011, katerih uporaba je odložena v skladu z odstavki 2 do 5 ter 7 in 8, smejo Hrvaška in sedanje države članice odstopati od določb Direktive 2004/38, kolikor je to potrebno za uporabo odstavkov 2 do 5 ter 7 in 8.
10. Kadar sedanje države članice na podlagi zgoraj navedenih prehodnih določb uporabljajo nacionalne ukrepe ali ukrepe iz dvostranskih sporazumov, lahko Hrvaška ohrani v veljavi enakovredne ukrepe za državljane zadevne države članice ali zadevnih držav članic.
11. Vse sedanje države članice, ki v skladu z odstavki 2 do 5 in 7 do 9 uporabljajo nacionalne ukrepe, lahko z notranjimi predpisi uvedejo večjo svobodo prostega gibanja od tiste, ki velja na dan pristopa, vključno s popolnim dostopom na trg dela. Od tretjega leta od dne pristopa se lahko sedanje države članice, ki uporabljajo nacionalne ukrepe, kadar koli odločijo za uporabo členov 1 do 6 Uredbe (EU) št. 492/2011. O takih odločitvah se obvesti Komisija.
12. Nemčija in Avstrija lahko v primeru resnih motenj ali nevarnosti, da do njih pride, na posebno občutljivih storitvenih področjih trgov dela Nemčije ali Avstrije, ki bi lahko nastale v določenih regijah zaradi čezmejnega opravljanja storitev, kot je opredeljeno v členu 1 Direktive 96/71/ES, in dokler na podlagi zgornjih prehodnih določb uporabljata nacionalne ukrepe ali ukrepe iz dvostranskih sporazumov o prostem gibanju hrvaških delavcev, po tem, ko uradno obvestita Komisijo, odstopata od člena 56 PDEU, da bi v okviru opravljanja storitev podjetij s sedežem na Hrvaškem omejili začasno gibanje delavcev, za katere se uporabljajo nacionalni ukrepi glede njihove pravice do začetka opravljanja dela v Nemčiji in Avstriji.

Seznam storitvenih področij, za katere se lahko uporablja odstopanje, je naslednji:

text="– v Nemčiji: Sektor NACE (*) koda, razen če ni določeno drugače Gradbeništvo s 45.1 do 4; sorodnimi panogami Dejavnosti iz Priloge k Direktivi 96/71/ES Čiščenje objektov in 74.70 Čiščenje opreme objektov in opreme Druge storitve 74.87 Samo dejavnosti notranjega dekoraterstva (*) NACE: glej 31990 R 3037: Uredba Sveta (EGS) št. 3037/90 z dne 9. oktobra 1990 o statistični klasifikaciji gospodarskih dejavnosti v Evropski skupnosti (UL L 293, 24. 10. 1990, str. 1); – v Avstriji: Sektor NACE (*) koda, razen če ni določeno drugače Storitve za 01.41 rastlinsko pridelavo; urejanje parkov Rezanje, oblikovanje 26.7 in dodelava kamna Proizvodnja kovinskih28.11 konstrukcij in njihovih delov Gradbeništvo s 45.1 do 4; sorodnimi panogami Dejavnosti iz Priloge k Direktivi 96/71/ES Poizvedovalne 74.60 dejavnosti in varovanje Čiščenje objektov in 74.70 opreme Nega na domu 85.14 Dejavnosti socialnega85.32 varstva brez nastanitve (*) NACE: glej 31990 R 3037: Uredba Sveta (EGS) št. 3037/90 z dne 9. oktobra 1990 o statistični klasifikaciji gospodarskih dejavnosti v Evropski skupnosti (UL L 293, 24. 10. 1990, str. 1)."

Kolikor Nemčija ali Avstrija v skladu s prvim in drugim pododstavkom tega odstavka odstopata od prvega odstavka člena 56 PDEU, lahko Hrvaška po tem, ko uradno obvesti Komisijo, sprejme enakovredne ukrepe.

Učinek uporabe tega odstavka ne vodi do bolj restriktivnih pogojev za začasno gibanje delavcev v okviru čezmejnega opravljanja storitev med Nemčijo ali Avstrijo in Hrvaško od tistih, ki obstajajo na dan podpisa Pogodbe o pristopu.

13. Učinek uporabe odstavkov 2 do 5 in 7 do 11 ne vodi do bolj restriktivnih pogojev za dostop hrvaških državljanov na trge dela sedanjih držav članic od tistih, ki obstajajo na dan podpisa Pogodbe o pristopu.

Ne glede na uporabo določb iz odstavkov 1 do 12 sedanje države članice v katerem koli obdobju, ko se uporabljajo nacionalni ukrepi ali ukrepi iz dvostranskih sporazumov, glede dostopa na njihov trg dela prednostno obravnavajo delavce, ki so državljani držav članic, v primerjavi z delavci, ki so državljani tretjih držav.

Hrvaški delavci migranti in njihove družine, ki zakonito prebivajo in delajo v drugi državi članici, ali delavci migranti iz drugih držav članic in njihove družine, ki zakonito prebivajo in delajo na Hrvaškem, se ne obravnavajo bolj restriktivno kot delavci iz tretjih držav in njihovi družinski člani, ki delajo v tej državi članici oziroma na Hrvaškem. Poleg tega se ob uporabi načela prednostne obravnave v Uniji delavci migranti iz tretjih držav, ki prebivajo in delajo na Hrvaškem, ne obravnavajo bolj ugodno kot državljani Hrvaške.

3. PROSTI PRETOK KAPITALA

Pogodba o Evropski uniji in

Pogodba o delovanju Evropske unije.

Ne glede na obveznosti iz Pogodb, na katerih temelji Evropska unija, lahko Hrvaška sedem let od dne pristopa ohrani na dan podpisa Pogodbe o pristopu veljavne omejitve iz zakona o kmetijskih zemljiščih (OG 152/08), povezane z nakupom kmetijskih zemljišč s strani državljanov drugih držav članic ali držav pogodbenic Sporazuma o Evropskem gospodarskem prostoru (Sporazum EGP) in pravnih oseb, ustanovljenih v skladu z zakoni druge države članice ali države pogodbenice Sporazuma EGP. Vendar pa se državljan države članice ali pravna oseba, ustanovljena v skladu z zakoni druge države članice, glede nakupa kmetijskih zemljišč v nobenem primeru ne sme obravnavati manj ugodno, kot bi takšnega državljana oziroma pravno osebo obravnavali na dan podpisa Pogodbe o pristopu, ali bolj restriktivno kot državljane ali pravne osebe tretjih držav.

Za samozaposlene kmete, ki so državljani druge države članice in želijo imeti sedež ter prebivati na Hrvaškem, ne veljajo določbe prvega odstavka ali kakršna koli pravila in postopki, ki ne veljajo za hrvaške državljane.

Pred iztekom tretjega leta od dne pristopa se opravi splošni ponovni pregled tega prehodnega ukrepa. V ta namen Komisija Svetu predloži poročilo. Svet lahko na predlog Komisije soglasno odloči, da se prehodno obdobje, ki je navedeno v prvem odstavku, skrajša ali konča.

Če obstajajo zadostni dokazi, da bo po izteku prehodnega obdobja na trgu s kmetijskimi zemljišči na Hrvaškem prišlo do resnih motenj ali da bi obstajala nevarnost resnih motenj, Komisija na zahtevo Hrvaške odloči o podaljšanju prehodnega obdobja za tri leta. To podaljšanje lahko po potrebi velja samo za določena geografska območja, ki so močno ogrožena.

4. KMETIJSTVO

I. PREHODNI UKREPI ZA HRVAŠKO

1. 32001 L 0113: Direktiva Sveta 2001/113/ES z dne 20. decembra 2001 o sadnih džemih, želejih, marmeladah in sladkani kostanjevi kaši, namenjeni za prehrano ljudi (UL L 10, 12. 1. 2002, str. 67).

Z odstopanjem od obveznosti iz člena 8 se trženje proizvodov, ki so označeni kot »domaća marmelada« in »ekstra domaća marmelada«, dovoli na hrvaškem trgu do razprodaje zaloga, ki obstajajo na dan pristopa.

2. Uredba Sveta (ES) št. 510/2006 z dne 20. marca 2006 o zaščiti geografskih označb in označb porekla za kmetijske proizvode in živila (UL L 93, 31. 3. 2006, str. 12 in UL L 335 M, 13. 12. 2008, str. 213).

(a) V členu 5(8) se drugi pododstavek nadomesti z naslednjim:

»Bolgarija, Romunija in Hrvaška sprejmejo navedene zakone ali druge predpise najpozneje eno leto po dnevu njihovega pristopa.«

(b) V členu 5(11) se prvi pododstavek nadomesti z naslednjim:

»11. Za Bolgarijo, Romunijo in Hrvaško lahko nacionalna zaščita geografskih označb in označb geografskega porekla, ki obstajajo na dan pristopa, poteka še dvanajst mesecev od dne njihovega pristopa.«

3. 32007 R 1234: Uredba Sveta (ES) št. 1234/2007 z dne 22. oktobra 2007 o vzpostavitvi skupne ureditve kmetijskih trgov in o posebnih določbah za nekatere kmetijske proizvode (»Uredba o enotni SUT«) (UL L 299, 16. 11. 2007, str. 1).

(a) V členu 118m se doda naslednji odstavek:

»5. Z odstopanjem od odstavkov 1 do 4 sme Hrvaška do razprodaje zalog, obstoječih na dan pristopa, dajati na trg na Hrvaškem ali izvažati v tretje države vina, poimenovana »Mlado vino portugizac«. Hrvaška vzpostavi računalniško zbirko podatkov z informacijami o zalogah, obstoječih na dan pristopa, in zagotovi, da se te zaloge preverijo in prijavijo Komisiji.«

(b) V členu 118s se doda naslednji odstavek:

»5. Za Hrvaško se na podlagi te uredbe zaščitijo imena vin, objavljena v UL C 116 z dne 14. aprila 2011, s pridržkom ugodnega izida postopka ugovora. Komisija jih vključi v register iz člena 118n.

Odstavki 2 do 4 tega člena se uporabijo pod naslednjimi pogoji: rok iz odstavka 3 je eno leto od dne pristopa Hrvaške. Rok iz odstavka 4 je štiri leta od dne pristopa Hrvaške.«

4. 32009 R 0073: Uredba Sveta (ES) št. 73/2009 z dne 19. januarja 2009 o skupnih pravilih za sheme neposrednih podpor za kmete v okviru skupne kmetijske politike in o uvedbi nekaterih shem podpor za kmete, spremembi uredb (ES) št. 1290/2005, (ES) št. 247/2006, (ES) št. 378/2007 in razveljavitvi Uredbe (ES) št. 1782/2003 (UL L 30, 31. 1. 2009, str. 16).

(a) Z odstopanjem od obveznosti iz člena 4(1) Uredbe (ES) št. 73/2009, ki ureja spoštovanje predpisanih zahtev ravnanja, naštetih v Prilogi II k navedeni uredbi, kmetje na Hrvaškem, ki prejemajo neposredna plačila, v področje uporabe navzkrižne skladnosti vključijo predpisane zahteve ravnanja iz točk A, B in C Priloge II v skladu z naslednjim časovnim razporedom: zahteve iz točke A od 1. januarja 2014, zahteve iz točke B od 1. januarja 2016 in zahteve iz točke C od 1. januarja 2018.

(b) Za poglavjem 1 naslova V Uredbe (ES) št. 73/2009 se vstavita naslednje poglavje in člen:

»POGLAVJE 1a

Shema enotnega plačila

Člen 121a

Shema enotnega plačila na Hrvaškem

Za Hrvaško je uporaba členov 4, 5, 23, 24 in 25 neobvezna do 31. decembra 2013, če se navedene določbe nanašajo na predpisane zahteve ravnanja. Od 1. januarja 2014 mora kmet, ki prejema plačila v okviru sheme enotnega plačila v teh državah članicah, spoštovati predpisane zahteve ravnanja iz Priloge II v skladu z naslednjim časovnim razporedom:

(a) zahteve iz točke A Priloge II se uporabljajo od 1. januarja 2014;

(b) zahteve iz točke B Priloge II se uporabljajo od 1. januarja 2016;

(c) zahteve iz točke C Priloge II se uporabljajo od 1. januarja 2018.«

II. PREHODNA TARIFNA KVOTA ZA SUROVI TRSNI SLADKOR ZA PREČIŠČEVANJE

Za Hrvaško se za surovi trsni sladkor za prečiščevanje pridrži letna avtonomna uvozna kvota 40 000 ton (erga omnes), in sicer za obdobje do treh tržnih let po pristopu z uvozno dajatvijo 98,00 EUR na tono. Če bi pogajanja z drugimi članicami Svetovne trgovinske organizacije v skladu s členom XXIV.6 Splošnega sporazuma o carinah in trgovini glede kompenzacijske spremembe zaradi pristopa Hrvaške privedla do odprtja kompenzacijskih kvot za sladkor pred koncem prehodnega obdobja, se kvota 40 000 ton, dodeljena Hrvaški, po odprtju kompenzacijskih kvot za sladkor delno ali v celoti ukine. Komisija sprejme ukrepe za izvajanje, ki so potrebni v ta namen, po postopku iz člena 195(2) Uredbe Sveta (ES) št. 1234/2007 v povezavi s členom 13(1)(b) Uredbe (EU) št. 182/2011 Evropskega parlamenta in Sveta.

III. ZAČASNI UKREPI NEPOSREDNIH PLAČIL ZA HRVAŠKO

Povračilo neposrednih plačil, dodeljenih kmetom za leto 2013, je mogoče pod pogojem, da Hrvaška pred pristopom uporablja pravila, ki so enaka pravilom za taka neposredna plačila iz Uredbe Sveta (ES) št. 73/2009 in iz Uredbe Komisije (ES) št. 1120/2009 z dne 29. oktobra 2009 o podrobnih pravilih za izvajanje sheme enotnega plačila iz naslova III Uredbe Sveta (ES) št. 73/2009 o skupnih pravilih za sheme neposrednih podpor za kmete v okviru skupne kmetijske politike in o uvedbi nekaterih shem podpor za kmete(26), Uredbe Komisije (ES) št. 1121/2009 z dne 29. oktobra 2009 o določitvi podrobnih pravil za izvajanje Uredbe Sveta (ES) št. 73/2009 v zvezi s shemami podpor za kmete iz naslovov IV in V Uredbe (27) in Uredbe Komisije (ES) št. 1122/2009 z dne 30. novembra 2009 o podrobnih pravilih za izvajanje Uredbe Sveta (ES) št. 73/2009 v zvezi z navzkrižno skladnostjo, modulacijo ter integriranim administrativnim in kontrolnim sistemom v okviru shem neposrednih podpor za kmete, določenih za navedeno uredbo, ter za izvajanje Uredbe Sveta (ES) št. 1234/2007 v zvezi z navzkrižno skladnostjo v okviru sheme podpore, določene za sektor vina(28).

5. VARNOST HRANE, VETERINARSKA IN FITOSANITARNA POLITIKA

I. KOKOŠI NESNICE

31999 L 0074: Direktiva Sveta 1999/74/ES z dne 19. julija 1999 o minimalnih standardih za zaščito kokoši nesnic (UL L 203, 3. 8. 1999, str. 53).

Z odstopanjem od člena 6 Direktive Sveta 1999/74/ES glede Hrvaške se kokoši nesnice, ki valijo jajca, na dan pristopa lahko gojijo v kletkah, ki niso v skladu s strukturnimi zahtevami iz navedenega člena. Hrvaška zagotovi, da se take kletke prenehajo uporabljati najpozneje 12 mesecev po pristopu.

Jajca iz teh neizpopolnjenih kletk se dajo le na domači trg Hrvaške. Ta jajca in njihova embalaža so jasno označena s posebno oznako, ki omogoča potreben nadzor. Jasen opis te posebne oznake se sporoči Komisiji najpozneje eno leto pred dnevom pristopa.

II. OBRATI (MESO, MLEKO, RIBE IN ŽIVALSKI STRANSKI PROIZVODI)

32004 R 0852: Uredba (ES) št. 852/2004 Evropskega parlamenta in Sveta z dne 29. aprila 2004 o higieni živil (UL L 139, 30. 4. 2004, str. 1).

32004 R 0853: Uredba (ES) št. 853/2004 Evropskega parlamenta in Sveta z dne 29. aprila 2004 o posebnih higienskih pravilih za živila živalskega izvora (UL L 139, 30. 4. 2004, str. 55).

32009 R 1069: Uredba (ES) št. 1069/2009 Evropskega parlamenta in Sveta z dne 21. oktobra 2009 o določitvi zdravstvenih pravil za živalske stranske proizvode in pridobljene proizvode, ki niso namenjeni prehrani ljudi, ter razveljavitvi Uredbe (ES) št. 1774/2002 (Uredba o živalskih stranskih proizvodih) (UL L 300, 14. 11. 2009, str. 1).

1. Strukturne zahteve iz:

(a) Uredbe (ES) št. 852/2004 Evropskega parlamenta in Sveta:

– poglavja II Priloge II,

(b) Uredbe (ES) št. 853/2004 Evropskega parlamenta in Sveta:

– poglavij II in III oddelka I Priloge III,

– poglavij II in III oddelka II Priloge III,

– poglavja I oddelka V Priloge III,

(c) Uredbe Komisije (EU) št. 142/2011 z dne 25. februarja 2011 o izvajanju Uredbe (ES) št. 1069/2009 Evropskega parlamenta in Sveta o določitvi zdravstvenih pravil za živalske stranske proizvode in pridobljene proizvode, ki niso namenjeni prehrani ljudi, ter o izvajanju Direktive Sveta 97/78/ES glede nekaterih vzorcev in predmetov, ki so izvzeti iz veterinarskih pregledov na meji v skladu z navedeno direktivo(29):

– poglavja I Priloge IV,

– poglavij I, II in III Priloge IX,

– poglavij I in II Priloge X ter

– Priloge XIII,

se na Hrvaškem do 31. decembra 2015 ne uporabljajo za nekatere obrate v sektorjih mesa, mleka, rib in živalskih stranskih proizvodov, ob upoštevanju spodnjih pogojev.

2. Dokler so obrati iz odstavka 1 upravičeni do koristi iz tega odstavka, se proizvodi, ki izvirajo iz teh obratov, dajo le na domači trg Hrvaške ali na trge tretjih držav v skladu z zadevno zakonodajo Unije oziroma se uporabljajo za nadaljnjo predelavo v hrvaških obratih, za katere tudi velja odstavek 1, ne glede na datum trženja.

3. Živila iz obratov iz odstavka 1 so opremljena z drugačno oznako zdravstvene ustreznosti oziroma drugačno identifikacijsko oznako, kot je predvidena v členu 5 Uredbe (ES) št. 853/2004. Jasen opis drugačne oznake zdravstvene ustreznosti oziroma drugačne identifikacijske oznake se sporoči Komisiji najpozneje eno leto pred dnem pristopa.

4. Odstavka 2 in 3 se uporabljata tudi za vse proizvode, ki izvirajo iz integriranih obratov za proizvodnjo mesa, mleka ali ribiških proizvodov, kjer za del obrata velja odstavek 1.

5. Hrvaška stalno spremlja izvajanje nacionalnega programa za posodobitev obratov in Komisiji predloži letni načrt napredka v zvezi s tem. Hrvaška zagotovi, da se pripravi individualen načrt posodobitve vsakega od teh obratov z roki za popravo strukturnih zahtev; ta načrt se na zahtevo da na voljo Komisiji.
6. Komisija pravočasno pred pristopom sestavi seznam obratov iz odstavka 1. Ta seznam je javen in vsebuje ime in naslov vseh obratov.
7. Hrvaška zagotovi, da bodo vsi obrati, ki do pristopa niso popolnoma skladni s pravnim redom Unije s področja varnosti živil, razen če jih ne urejajo določbe tega prehodnega ukrepa, prenehali svoje dejavnosti.
8. Izvedbena pravila za zagotovitev nemotenega delovanja prehodne ureditve z zvezi z uredbama (ES) št. 852/2004 in št. 853/2004 se lahko sprejmejo v skladu z drugim odstavkom člena 12 oziroma drugim odstavkom člena 9 uredb.
9. Izvedbena pravila za zagotovitev nemotenega delovanja prehodne ureditve v zvezi z Uredbo (ES) št. 1069/2009 se lahko sprejmejo v skladu s členom 52(4) Uredbe.

III. TRŽENJE SEMEN

32002 L 0053: Direktiva Sveta 2002/53/ES z dne 13. junija 2002 o skupnem katalogu sort poljščin (UL L 193, 20. 7. 2002, str. 1).

32002 L 0055: Direktiva Sveta 2002/55/ES z dne 13. junija 2002 o trženju semena zelenjadnic (UL L 193, 20. 7. 2002, str. 33).

Hrvaška lahko do 31. decembra 2014 odloži uporabo člena 4(1) Direktive 2002/53/ES in člena 4(1) Direktive 2002/55/ES za trženje semen na svojem ozemlju, ki so uvrščena na seznam v njeni nacionalni sortni listi poljščin in zelenjadnic, za sorte, ki niso bile uradno sprejete v skladu s temi direktivami. V tem obdobju se ta semena ne tržijo na ozemlju drugih držav članic.

IV. NEUM

31997 L 0078: Direktiva Sveta 97/78/ES z dne 18. decembra 1997 o določitvi načel, ki urejajo organizacijo veterinarskih pregledov proizvodov, ki vstopajo v Skupnost iz tretjih držav (UL L 24, 30. 1. 1998, str. 9).

Člen 1 se nadomesti z naslednjim:

»Člen 1

1. Veterinarske preglede proizvodov iz tretjih držav, ki se vnesejo na eno od ozemelj, navedenih v Prilogi I, opravijo države članice v skladu s to direktivo in Uredbo (ES) št. 882/2004 Evropskega parlamenta in Sveta z dne 29. aprila 2004 o izvajanju uradnega nadzora, da se zagotovi preverjanje skladnosti z zakonodajo o krmi in živilih ter s pravili o zdravstvenem varstvu živali in zaščiti živali(*).

(*) UL L 165, 30. 4. 2004, str. 1."

2. Z odstopanjem od odstavka 1 pošiljk proizvodov, ki prihajajo z ozemlja Hrvaške in prečkajo ozemlje Bosne in Hercegovine pri Neumu (v nadaljnjem besedilu: neumski koridor) pred ponovnim vstopom na ozemlje Hrvaške prek vstopnih točk Klek ali Zaton Doli, ni treba veterinarsko pregledati, če izpolnjujejo naslednje zahteve:

(a) Hrvaška ima na dan pristopa ali pred njim vstopne točke na severu in jugu koridorja, ki so opremljene, kadrovsko zapolnjene in pripravljene na zagotavljanje skladnosti z zahtevami tega odstavka.

(b) Hrvaška zagotovi, da:

(i) se za prevoz pošiljk uporabljajo le zaprta vozila;

(ii) se vozila za prevoz pošiljk pred prečkanjem neumskega koridorja zapečatijo z enkratno oštevilčenimi plombami;

(iii) se izdela register, v katerem se podrobno navedejo številčne oznake plomb v povezavi z ustreznimi vozili, s čimer se omogočijo potrebni pregledi;

(iv) se zabeležita datum in ura izstopa in ponovnega vstopa na ozemlje Hrvaške vozil, ki prevažajo pošiljke, tako da se lahko izračuna celoten čas prečkanja.

(c) Hrvaška zagotovi, da se pošiljkam ne dovoli ponovnega vstopa na ozemlje Hrvaške, če:

(i) se je pečat na vozilu med prečkanjem neumskega koridorja prelomil ali je bil zamenjan in/ali

(ii) celotni čas prečkanja znatno presega sprejemljivi celotni čas prečkanja, glede na celotno razdaljo prečkanja, razen če je pristojni organ opravil oceno tveganja za zdravje živali in javno zdravje ter sprejel učinkovite, sorazmerne in ciljno usmerjene ukrepe, ki temeljijo na tej oceni.

(d) Hrvaška redno in po potrebi obvešča Komisijo o neizpolnjevanju zahtev točke (b) in o ukrepih, sprejetih v skladu s točko (c).

(e) Po potrebi se v skladu s postopkom iz člena 29 sprejme sklep o začasni odpravi ali ukinitvi odstopanja od odstavka 1.

(f) V skladu s postopkom iz člena 29 se po potrebi lahko sprejmejo podrobna pravila za uporabo tega odstavka.

6. RIBIŠTVO

32006 R 1967: Uredba Sveta (ES) št. 1967/2006 z dne 21. decembra 2006 o ukrepih za upravljanje za trajnostno izkoriščanje ribolovnih virov v Sredozemskem morju, spremembi Uredbe (EGS) št. 2847/93 in razveljavitvi Uredbe (ES) št. 1626/94 (UL L 409, 30. 12. 2006, str. 11. Popravljen različica v UL L 36, 8. 2. 2007, str. 6).

(a) Z odstopanjem od člena 13(1) in (2) se plovilom, ki so registrirana in izvajajo ribolov le na območju zahodne Istre, začasno dovoli, da na globini manj kot 50 metrov do 30. junija 2014 uporabljajo pridnene mreže na razdalji najmanj 1,5 navtične milje od obale.

To odstopanje se uporablja za območje zahodne Istre, ki je določeno z zemljepisnima koordinatama $\varphi=44,52135$ in $\lambda=14,29244$ z mejo po črti proti severu in po črti proti zahodu.

Hrvaški se začasno zagotovi, da se do 30. junija 2014 za plovila, katerih skupna dolžina je manj kot 15 metrov, na globini več kot 50 metrov dovoli uporaba pridnenih mrež na razdalji najmanj 1 navtične milje od obale, pri tem pa še naprej veljajo vse druge prostorske in časovne omejitve, ki se uporabljajo na dan pristopa.

(b) Z odstopanjem od člena 17(1) se za določeno število plovil iz posebne kategorije negospodarskega ribolova »ribolov majhnega obsega za osebne potrebe«, ki ne presega 2 000 plovil, do 31. decembra 2014 dovoli, da uporabljajo največ 200 metrov zabodnih mrež, pri čemer se še naprej uporabljajo vse druge omejitve, veljavne na dan pristopa. Hrvaška najpozneje na dan pristopa Komisiji predloži seznam plovil, za katera velja prehodno obdobje, vključno z značilnostmi in zmogljivostjo, izraženo v BT in kW.

7. PROMETNA POLITIKA

1. 31992 R 3577: Uredba Sveta (EGS) št. 3577/92 z dne 7. decembra 1992 o uporabi načela prostega pretoka storitev v pomorskem prometu med državami članicami (pomorska kabotaža), (UL L 364, 12. 12. 1992, str. 7).

Členu 6 se dodajo naslednji odstavki:

»4. Z odstopanjem od drugega pododstavka člena 4(1) se lahko pogodbe o gospodarski javni službi, sklenjene pred dnevom pristopa Hrvaške k EU, uporabljajo do 31. decembra 2016.

5. Z odstopanjem od člena 1(1) so do 31. decembra 2014 križarjenja med hrvaškimi pristanišči, ki se opravljajo z ladjami bruto tonaže 650 ali manj, rezervirana za ladje, ki so vpisane na Hrvaškem in plujejo pod zastavo Hrvaške, jih upravljajo ladjarska podjetja, ustanovljena v skladu s hrvaškim pravom, in katerih glavni kraj poslovanja je na Hrvaškem, kjer se izvaja tudi učinkovit nadzor.

6. Z odstopanjem od člena 1(1) lahko Komisija v prehodnem obdobju do 31. decembra 2014 na utemeljeno zahtevo države članice v 30 delovnih dneh po prejemu take zahteve odloči, da ladje, za katere velja odstopanje iz odstavka 5 tega člena, ne opravljajo križarjenj med pristanišči nekaterih območij držav članic, razen Hrvaške, v katerih se izkaže, da opravljanje teh storitev resno moti notranji trg v pomorskem prometu na zadevnih območjih ali da obstaja nevarnost za takšne motnje. Če po preteku obdobja 30 delovnih dni Komisija ne sprejme nobene odločitve, lahko zadevna država članica uporablja zaščitne ukrepe, dokler Komisija ne sprejme odločitve. V nujnih primerih lahko država članica enostransko sprejme ustrezne začasne ukrepe, ki smejo veljati največ tri mesece. Ta država članica o tem nemudoma obvesti Komisijo. Komisija lahko ukrepe razveljavi ali potrdi, dokler ne sprejme končne odločitve. Države članice so stalno obveščene.«

2. 32009 R 1072: Uredba (ES) št. 1072/2009 Evropskega parlamenta in Sveta z dne 21. oktobra 2009 o skupnih pravilih za dostop do trga mednarodnega cestnega prevoza blaga (prenovitev) (UL L 300, 14. 11. 2009, str. 72).

Z odstopanjem od člena 8 Uredbe (ES) št. 1072/2009 se uporabljajo naslednje določbe:

- podjetja s sedežem na Hrvaškem v obdobju dveh let od dne pristopa Hrvaške ne bodo opravljala kabotaže v drugih državah članicah;
- druge države članice lahko v obdobju dveh let od dne pristopa Hrvaške obvestijo Komisijo o tem, ali nameravajo prehodno obdobje iz prve alineje podaljšati za največ dve leti ali uporabljati člen 8 za podjetja s sedežem na Hrvaškem. Če Komisije o tem ne obvestijo, se uporablja člen 8;
- vsaka od sedanjih držav članic lahko kadar koli v obdobju dveh let od dne pristopa Hrvaške obvesti Komisijo o nameri, da bo za podjetja s sedežem na Hrvaškem uporabljala člen 8;

- kabotažo na Hrvaškem lahko opravljajo le prevozniki s sedežem v državah članicah, ki za podjetja s sedežem na Hrvaškem uporabljajo člen 8;
- vsaka država članica, ki uporablja člen 8, lahko v obdobju štirih let od dne pristopa Hrvaške v primeru resnih motenj na nacionalnem trgu ali v nekaterih njegovih segmentih, ki jih je povzročila ali poslabšala kabotaža, kot sta občutni presežek ponudbe nad povpraševanjem ali ogrožitev finančne stabilnosti ali preživetja znatnega števila podjetij, ki se ukvarjajo s cestnim prevozom, zaprosi Komisijo, naj v celoti ali delno prekine uporabo člena 8 za podjetja s sedežem na Hrvaškem. V tem primeru se uporablja člen 10.

Države članice, ki uporabljajo prehodne ukrepe iz prve in druge alineje prvega odstavka, lahko na podlagi dvostranskih sporazumov s Hrvaško postopoma izmenjajo dovoljenja za kabotažo.

Prehodne ureditve iz prvega in drugega odstavka za hrvaške prevoznike v nobeni državi članici ne smejo imeti slabšega dostopa do kabotaže kot ob podpisu Pogodbe o pristopu.

8. OBDAVČITEV

1. 31992 L 0079: Direktiva Sveta 92/79/EGS z dne 19. oktobra 1992 o približevanju davkov na cigarete (UL L 316, 31. 10. 1992, str. 8).

Členu 2(2) se doda naslednji pododstavek:

»Hrvaški se za izpolnitev zahtev iz prvega in drugega pododstavka dovoli prehodno obdobje do 31. decembra 2017. Kljub temu pa od 1. januarja 2014 trošarina ne sme biti nižja od 77 EUR za 1 000 cigaret ne glede na ponderirano povprečno maloprodajno ceno.«

2. 32006 L 0112: Direktiva Sveta 2006/112/ES z dne 28. novembra 2006 o skupnem sistemu davka na dodano vrednost (UL L 347, 11. 12. 2006, str. 1).

(a) Člen 13(2) se nadomesti z naslednjim:

»2. Države članice lahko obravnavajo dejavnosti oseb javnega prava kot dejavnosti, ki jih opravljajo kot državni organi, če so oproščene po členih 132, 135, 136 in 371, členih 374 do 377, členu 378(2), členu 379(2) ali členih 380 do 390c.«

(b) Člen 80(1)(b) se nadomesti z naslednjim:

»(b) ko je plačilo nižje od tržne vrednosti in dobavitelj nima pravice do popolnega odbitka po členih 167 do 171 in 173 do 177 ter za dobavo velja oprostitev po členih 132, 135, 136, 371, 375, 376, 377, 378(2), 379(2) ali členih 380 do 390c;«

(c) Točka (a) člena 136 se nadomesti z naslednjim:

»(a) dobave blaga, ki se v celoti uporabi za dejavnost, oproščeno po členih 132, 135, 371, 375, 376 in 377, členu 378(2), členu 379(2) in členih 380 do 390c, če za to blago ni bilo mogoče uveljavljati pravice do odbitka;«

(d) Člen 221(3) se nadomesti z naslednjim:

»3. Države članice lahko davčne zavezance oprostijo obveznosti, predpisane v členu 220(1) ali v členu 220a, da izdajo račun za blago, ki ga dobavijo ali storitve, ki jih opravijo na njihovem ozemlju in so oproščene, bodisi s pravico do odbitka DDV, plačanega v predhodni

fazi, ali brez te pravice, v skladu s členoma 110 in 111, členom 125(1), členom 127, členom 128 (1), členom 132, točkami (h) do (l) člena 135(1), členu 136, 371, 375, 376 in 377, členoma 378 (2) in 379(2) ter členu 380 do 390c.«

(e) Vstavi se naslednji člen:

»Člen 390c

Hrvaška lahko pod pogoji, ki so v tej državi članici veljali na dan njenega pristopa, še naprej oprošča naslednje transakcije:

(a) dobavo pozidanih ali nepozidanih stavbnih zemljišč, kakor je določeno v členu 135(1)(j) in v točki 9 dela B Priloge X, do 31. decembra 2014 brez možnosti podaljšanja;

(b) mednarodni prevoz potnikov iz točke 10 dela B Priloge X, dokler se ista oprostitev uporablja v eni od držav članic, ki je bila članica Unije pred pristopom Hrvaške.«

(f) Člen 391 se nadomesti z naslednjim:

»Člen 391

Države članice, ki oprostijo transakcije iz členov 371, 375, 376 ali 377, iz člena 378 (2), člena 379(2) ali členov 380 do 390c, lahko davčnim zavezancem odobrijo izbiro glede obdavčevanja teh transakcij.«

(g) Naslov Priloge X (in ustrezno tudi v kazalu) se nadomesti z naslednjim:

»SEZNAM TRANSAKCIJ, ZA KATERE VELJAJO ODSTOPANJA IZ ČLENOV 370 IN 371 TER ČLENOV 375 DO 390c«.

9. SVOBODA, VARNOST IN PRAVICA

32006 R 0562: Uredba (ES) št. 562/2006 Evropskega parlamenta in Sveta z dne 15. marca 2006 o Zakoniku Skupnosti o pravilih, ki urejajo gibanje oseb prek meja (Zakonik o schengenskih mejah) (UL L 105, 13. 4. 2006, str. 1).

Vstavi se naslednji člen:

»Člen 19a

Z odstopanjem od določb te uredbe, ki se nanašajo na vzpostavitev mejnih prehodov, in do začetka veljavnosti sklepa Sveta o uporabi vseh določb schengenskega pravnega reda na Hrvaškem v skladu s členom 4(2) Akta o pristopu ali do takrat, ko bo ta uredba spremenjena tako, da bo vključevala določbe, ki urejajo mejni nadzor na skupnih mejnih prehodih, karkoli nastopi prejšnji, lahko Hrvaška na svojih mejah z Bosno in Hercegovino ohrani skupne mejne prehode. Na teh skupnih mejnih prehodih mejni policisti ene strani izvajajo vstopne in izstopne preglede na ozemlju druge strani. Hrvaški mejni policisti morajo vse vstopne in izstopne preglede izvajati v skladu s pravnim redom Unije, vključno z obveznostmi držav članic glede mednarodne zaščite in načela nevračanja. Zadevni dvostranski sporazumi za vzpostavitev navedenih skupnih mejnih prehodov se po potrebi ustrezno spremenijo.«

10. OKOLJE

I. HORIZONTALNA ZAKONODAJA

1. 32003 L 0087: Direktiva 2003/87/ES Evropskega parlamenta in Sveta z dne 13. oktobra 2003 o vzpostavitvi sistema za trgovanje s pravicami do emisije toplogrednih plinov v Skupnosti in o spremembi Direktive Sveta 96/61/ES (UL L 275, 25. 10. 2003, str. 32).

(a) Kar zadeva vključitev vseh letov med dvema letališčema na ozemlju Hrvaške in vseh letov med letališčem na ozemlju Hrvaške in letališčem v državi zunaj območja EGP (v nadaljnjem besedilu: dodatne letalske dejavnosti), se uporabljajo naslednje določbe:

(i) Z odstopanjem od člena 3c(2) se obdobje iz člena 13(1) s pričetkom 1. januarja 2013 za dodatne letalske dejavnosti začne 1. januarja 2014.

(ii) Z odstopanjem od člena 3c(4) Komisija po postopku iz iste določbe v roku šestih mesecev od dne pristopa sprejme odločitev o zgodovinskih emisijah iz letalstva za dodatne letalske dejavnosti.

(iii) Z odstopanjem od člena 3d(2) s 1. januarjem 2014 velja, da je odstotek pravic, ki se dajo na dražbo, za dodatne letalske dejavnosti tisti delež pravic, ki preostane po izračunu števila pravic, ki se v skladu s točko (d) člena 3e(3) dodelijo brezplačno, in števila pravic, ki se v skladu s členom 3f izločijo v posebno rezervo.

(iv) Z odstopanjem od člena 3d(3) Komisija sprejme odločitev o dodeljenih emisijah iz letalstva v okviru dodatnih letalskih dejavnosti za referenčno leto 2010 na podlagi najboljših razpoložljivih podatkov. Število pravic, ki jih bodo dale na dražbo države članice, katerih skupne dodeljene emisije iz letalstva vključujejo emisije iz letov, ki prihajajo iz hrvaškega letališča, se od 1. julija 2013 naprej prilagodi, tako da se pravice za prodajo na dražbi v zvezi s temi emisijami prenesejo na Hrvaško.

(v) Z odstopanjem od člena 3e(1) je leto spremljanja za dodatne letalske dejavnosti leto 2012, vse vloge za dodelitev pravic pa je treba vložiti pri pristojnem hrvaškem organu do 31. marca 2013.

(vi) Z odstopanjem od člena 3e(2) Hrvaška Komisiji predloži vloge v zvezi z dodatnimi letalskimi dejavnostmi do 1. julija 2013.

(vii) Z odstopanjem od člena 3e(3) Komisija sprejme odločitev o zadevah iz točk (a) do (e) tega člena, ki se nanašajo na dodatne letalske dejavnosti, do 30. septembra 2013.

(viii) Z odstopanjem od točke (d) člena 3e(3) se število pravic, ki se brezplačno dodelijo za dodatne letalske dejavnosti, izračuna tako, da se referenčno merilo iz točke (e) pomnoži z vsoto tonskih kilometrov iz vlog, predloženih Komisiji v skladu s členom 3e(2), ki je prilagojena tako, da upošteva povprečne spremembe tonskih kilometrov iz letalskih dejavnosti, zajetih v EU ETS, glede na ravni iz leta 2010. Komisija lahko referenčno merilo po potrebi prilagodi, tako da uporabi enotni korekcijski faktor.

(ix) Z odstopanjem od člena 3e(3) je referenčno merilo iz točke (e) tega člena v primeru dodatnih letalskih dejavnosti enako referenčnemu merilu, izračunanemu za letalske dejavnosti, zajete v EU ETS od 1. januarja 2012.

(x) Z odstopanjem od člena 3e(5) je datum izdaje pravic za dodatne letalske dejavnosti 28. februar 2014.

(xi) Z odstopanjem od člena 3f se glede dodatnih letalskih dejavnosti vsak sklic na drugo koledarsko leto obdobja, ki se začne leta 2013, razume kot sklic na leto 2014, vsak sklic na tretje koledarsko leto tega obdobja pa kot sklic na leto 2015.

(xii) Z odstopanjem od člena 14(3) je datum iz tega člena za dodatne letalske dejavnosti 1. julij 2013.

(xiii) Z odstopanjem od člena 18a(1) se prenos pristojnosti za upravljanje letalskih operaterjev na Hrvaško opravi v letu 2014, potem ko operater izpolni svoje obveznosti iz leta 2013, razen če se prejšnji organ upravljanja in Hrvaška na podlagi zahteve letalskega operaterja dogovorita za drug datum v šestih mesecih po tem, ko Komisija objavi posodobljen seznam operaterjev, v katerem je upoštevan pristop Hrvaške. V tem primeru se prenos v zvezi z obdobjem trgovanja, ki se prične leta 2021, opravi najpozneje leta 2020.

(xiv) Z odstopanjem od člena 6 Priloge I se dodatne letalske dejavnosti vključijo od 1. januarja 2014.

(b) Brez poseganja v zgornja odstopanja Hrvaška sprejme zakone in druge predpise, ki so potrebni, da bo od pristopa lahko usklajena z direktivo za celotno leto 2013.

2. 32010 R 0920: Uredba Komisije (EU) št. 920/2010 z dne 7. oktobra 2010 o standardiziranem in zaščitenem sistemu registrov v skladu z Direktivo 2003/87/ES Evropskega parlamenta in Sveta ter Odločbo št. 280/2004/ES Evropskega parlamenta in Sveta (UL L 270, 14. 10. 2010, str. 1).

Členi 16, 29, 41, 46 in 54 ter Priloga VIII se v zvezi z letalskimi dejavnostmi za Hrvaško uporabljajo od 1. januarja 2014.

II. KAKOVOST ZRAKA

32008 L 0050: Direktiva 2008/50/ES Evropskega parlamenta in Sveta z dne 21. maja 2008 o kakovosti zunanjega zraka in čistejšem zraku za Evropo (UL L 152, 11. 6. 2008, str.1).

(a) Z odstopanjem od Priloge XIV je referenčno leto prvega odstavka točke A drugo leto po koncu leta, v katerem bo Hrvaška pristopila. Kazalnik povprečne izpostavljenosti za to referenčno leto je srednja vrednost koncentracije v letu pristopa ter v prvem in drugem letu po letu pristopa.

(b) Z odstopanjem od točke B Priloge XIV se ciljno zmanjšanje izpostavljenosti izračuna glede na kazalnik povprečne izpostavljenosti za referenčno leto, ki je drugo leto po koncu leta pristopa Hrvaške.

III. RAVNANJE Z ODPADKI

31999 L 0031: Direktiva Sveta 1999/31/ES z dne 26. aprila 1999 o odlaganju odpadkov na odlagališčih (UL L 182, 16. 7. 1999, str. 1).

(a) Z odstopanjem od točk (a), (b) in (c) prvega pododstavka člena 5(2) zahteva za zmanjšanje količine biorazgradljivih komunalnih odpadkov, ki se odlagajo na odlagališčih, na 75 %, 50 % oziroma 35 % skupne količine (po teži) biorazgradljivih komunalnih odpadkov, proizvedenih leta 1997, za Hrvaško velja v skladu s spodaj navedenimi roki.

Hrvaška zagotovi postopno zmanjšanje količine biorazgradljivih komunalnih odpadkov, ki se odlagajo na odlagališčih, v skladu z naslednjim časovnim načrtom:

(i) do 31. decembra 2013 se delež biorazgradljivih komunalnih odpadkov, ki se odlagajo na odlagališčih, zmanjša na 75 % skupne količine (po teži) biorazgradljivih komunalnih odpadkov, proizvedenih leta 1997;

(ii) do 31. decembra 2016 se delež biorazgradljivih komunalnih odpadkov, ki se odlagajo na odlagališčih, zmanjša na 50 % skupne količine (po teži) biorazgradljivih komunalnih odpadkov, proizvedenih leta 1997;

(iii) do 31. decembra 2020 se delež biorazgradljivih komunalnih odpadkov, ki se odlagajo na odlagališčih, zmanjša na 35 % skupne količine (po teži) biorazgradljivih komunalnih odpadkov, proizvedenih leta 1997.

(b) Z odstopanjem od člena 14(c) vsa obstoječa odlagališča na Hrvaškem do 31. decembra 2018 izpolnjujejo zahteve iz Direktive, razen zahtev iz točke 1 Priloge I.

Hrvaška zagotovi postopno zmanjšanje odpadkov, ki se odlagajo na obstoječih odlagališčih, ki ne izpolnjujejo zahtev, v skladu z naslednjimi največjimi letnimi količinami:

do 31. decembra 2013: 1 710 000 ton,

do 31. decembra 2014: 1 410 000 ton,

do 31. decembra 2015: 1 210 000 ton,

do 31. decembra 2016: 1 010 000 ton,

do 31. decembra 2017: 800 000 ton.

Hrvaška Komisiji do 31. decembra vsako leto, začevši z letom pristopa, predloži poročilo o postopnem izvajanju direktive in izpolnjevanju vmesnih ciljev.

IV. KAKOVOST VODE

1. 31991 L 0271: Direktiva Sveta 91/271/EGS z dne 21. maja 1991 o čiščenju komunalne odpadne vode (UL L 135, 30. 5. 1991, str. 40).

Z odstopanjem od členov 3, 4, 5, 6 in 7 se zahteve za sisteme zbiranja in čiščenja komunalne odpadne vode na Hrvaškem uporabljajo od 1. januarja 2024 v skladu z naslednjimi vmesnimi cilji:

(a) Do 31. decembra 2018 se skladnost z Direktivo doseže v aglomeracijah s populacijskim ekvivalentom več kot 15 000, razen v naslednjih obalnih aglomeracijah:

Bibinje - Sukošan,

Biograd,

Jelsa - Vrboska,

Makarska,

Mali Lošinj,

Malinska - Njivice,

Nin,

Pirovac - Tisno - Jezera,

Pula - sjever,

Vela Luka,

Vir.

(b) Do 31. decembra 2020 se skladnost z Direktivo doseže v aglomeracijah s populacijskim ekvivalentom več kot 10 000, katerih odpadna voda se izpušča v občutljiva območja, ter pri čistilnih napravah, ki se nahajajo v zadevnih zbiralnih področjih Donave in drugih občutljivih območjih in ki prispevajo k onesnaževanju teh območij, ter v 11 obalnih aglomeracijah iz točke (a).

(c) Do 31. decembra 2023 se skladnost z Direktivo doseže v aglomeracijah s populacijskim ekvivalentom več kot 2 000.

2. 31998 L 0083: Direktiva Sveta 98/83/ES z dne 3. novembra 1998 o kakovosti vode, namenjene za prehrano ljudi (UL L 330, 5. 12. 1998, str. 32).

Kot izjema se mikrobiološki parametri iz dela A Priloge I oziroma indikatorski parametri iz dela C Priloge I na naslednjih območjih za oskrbo z vodo na Hrvaškem uporabljajo od 1. januarja 2019:

text=" Območje za oskrbo z vodo Številka Prebivalstvo Koda območja NUTS DA
BJELOVAR 107 51 921 HR02 DA DARUVAR 125 25 608 HR02 DA ĐURĐEVAC 204 30 079
HR01 DA GORSKI KOTAR 306 26 430 HR03 DA HRVATSKO ZAGORJE 101 143 093 HR01
DA ISTOČNA SLAVONIJA - 129 124 349 HR02 SLAVONSKI BROD DA ISTRA 301 97 046
HR03 DA JASTREBARSKO-KLINČA SELA 114 23 213 HR01 DA KARLOVAC-DUGA RESA
116 91 511 HR02 DA KNIN 404 17 187 HR03 DA KOPRIVNICA 203 58 050 HR01 DA
KRIŽEVCI 103 36 338 HR01 DA LAPAC 311 1 880 HR03 DA LIČKA JESENICA 118 13 893
HR02 DA NAŠICE 210 37 109 HR02 DA NERETVA-PELJEŠAC-KORČULA- 407 58 246 HR03
LASTOVO-MLJET DA OGULIN 117 25 192 HR02 DA OPATIJA-RIJEKA-KRK 304 238 088
HR03 DA OTOČAC 309 15 434 HR03 DA OZALJ 113 11 458 HR02 DA PETRINJA-SISAK 121
84 528 HR02 DA PISAROVINA 115 3 910 HR01 DA PITOMAČA 205 10 465 HR02 DA
POŽEŠTINE 128 70 302 HR02 DA SVETI IVAN ZELINA 102 17 790 HR01 DA UDBINA-
KORENICA 310 6 747 HR03 DA VARAŽDIN 201 184 769 HR01 DA VELIKA GORICA 503 75
506 HR01 DA ZAGREB 501 831 047 HR01 DA ZAPREŠIĆ 502 50 379 HR01 DA ZRMANJA-
ZADAR 401 158 122 HR03 DA ŽRNOVNICA 307 20 160 HR03"

V. CELOVITO PREPREČEVANJE IN NADZOROVANJE ONESNAŽEVANJA (IPPC)

1. 31999 L 0013: Direktiva Sveta 1999/13/ES z dne 11. marca 1999 o omejevanju emisij hlapnih organskih spojin zaradi uporabe organskih topil v nekaterih dejavnostih in obratih (UL L 85, 29. 3. 1999, str. 1).

(a) Z odstopanjem od člena 5 ter prilog IIA in IIB se mejne vrednosti emisij hlapnih organskih spojin zaradi uporabe organskih topil v nekaterih dejavnostih in obratih za naslednje obrate na Hrvaškem uporabljajo od navedenih datumov:

(i) Od 1. januarja 2014:

1. ČATEKS, dioničko društvo za proizvodnjo tkanine, umjetne kože, kućanskog rublja i proizvoda za šport i rekreaciju (ČATEKS d.d.), Čakovec, Ulica Zrinsko-Frankopanska 25
2. Drvna industrija KLANA d.d. (DI KLANA d.d.), Klana, Klana 264.

(ii) Od 1. januarja 2015:

1. HEMPEL društvo s ograničenom odgovornošću Prerađivačka kemijska industrija (HEMPEL d.o.o.), Umag, Novigradska ulica 32

2. ALUFLEXPACK, proizvodno, trgovačko, export-import društvo s ograničenom odgovornošću (ALUFLEXPACK, d.o.o.), Zadar, Murvica bb - pogon Zadar (obrat Zadar, kraj: Zadar, Murvica bb)
3. ALUFLEXPACK, proizvodno, trgovačko, export-import društvo s ograničenom odgovornošću (ALUFLEXPACK, d.o.o.), Zadar, Murvica bb - pogon Umag (obrat Umag, kraj: Umag, Ungarija bb).

(iii) Od 1. januarja 2016:

1. PALMA društvo s ograničenom odgovornošću za proizvodnju pogrebnih potrepština (PALMA d.o.o.), Jastrebarsko, Donja Reka 24
2. FERRO-PREIS društvo s ograničenom odgovornošću za proizvodnju lijevanih, kovanih i prešanih metalnih proizvoda (FERRO-PREIS d.o.o.), Čakovec, Dr. Tome Bratkovića 2
3. AD PLASTIK dioničko društvo za proizvodnju dijelova i pribora za motorna vozila i proizvoda iz plastičnih masa (AD PLASTIK d.d.), Solin, Matoševa ulica 8 - kraj: Zagreb, Jankomir 5
4. REMONT ŽELJEZNIČKIH VOZILA BJELOVAR društvo s ograničenom odgovornošću (RŽV d.o.o.), Bjelovar, Trg kralja Tomislava 2
5. FEROKOTAO d.o.o. za proizvodnju transformatorskih kotlova i ostalih metalnih konstrukcija (FEROKOTAO d.o.o.), Kolodvorska bb, Donji Kraljevec
6. SAME DEUTZ-FAHR Žetelice, društvo s ograničenom odgovornošću za proizvodnju i usluge (SAME DEUTZ-FAHR Žetelice d.o.o.), Županja, Industrijska 5
7. CMC Sisak d.o.o. za proizvodnju i usluge (CMC Sisak d.o.o.), Sisak, Braće Kavurića 12
8. METALSKA INDUSTRIJA VARAŽDIN dioničko društvo (MIV d.d.), Varaždin, Fabijanska ulica 33
9. CHROMOS BOJE I LAKOVI, dioničko društvo za proizvodnju boja i lakova (CHROMOS BOJE I LAKOVI, d.d.), Zagreb, Radnička cesta 173/d
10. CHROMOS-SVJETLOST, Tvornica boja i lakova, društvo s ograničenom odgovornošću (CHROMOS-SVJETLOST d.o.o.), Lužani, Mijata Stojanovića 13
11. MURAPLAST društvo s ograničenom odgovornošću za proizvodnju i preradu plastičnih masa (MURAPLAST d.o.o.), Kotoriba, Industrijska zona bb
12. ISTRAPLASTIKA dioničko društvo za proizvodnju ambalaže (ISTRAPLASTIKA d.d.), Pazin, Dubravica 2/a
13. GRUDINA društvo s ograničenom odgovornošću za proizvodnju i usluge (GRUDINA d.o.o.), Županja, Aleja Matice hrvatske 21
14. SLAVICA - KEMIJSKA ČISTIONICA, vlasnik Slavica Hinek, Beli Manastir, J. J. Strossmayera 17
15. MIDA d.o.o. za usluge i ugostiteljstvo (MIDA d.o.o.), Osijek, Ivana Gundulića 206
16. EXPRESS KEMIJSKA ČISTIONA, vlasnik Ivanka Drčec, Križevci, Ulica Petra Preradovića 14
17. Kemijska čistionica »BISER«, vlasnik Gojko Miletić, Dubrovnik, Nikole Tesle 20

18. Kemijska čistionica »ELEGANT«, vlasnik Frane Miletić, Dubrovnik, Andrije Hebranga 106
19. KOLAR obrt za kemijsko čišćenje odjeće, vlasnik Svjetlana Kolar, Žakanje, Kamanje 70/a
20. MM d.o.o. za trgovinu i usluge (MM d.o.o.), Draganić, Lug 112
21. KEMIJSKA ČISTIONA »AGATA«, vlasnik Branko Szabo, Virovitica, S. Radića 66
22. Obrt za kemijsko čišćenje odjeća »KEY«, vlasnik Jovita Malek-Milovanović, Pula, Dubrovačke bratovštine 29
23. LORNA d.o.o. za pranje i kemijsko čišćenje tekstila i krznenih proizvoda (LORNA d.o.o.), Pula, Valdebečki put 3
24. KEMIJSKA ČISTIONICA I KOPIRANJE KLJUČEVA »ŠUPER«, vlasnik Ivan Šuper, Virovitica, J.J. Strossmayera 5
25. KEMIJSKO ČIŠĆENJE ŠTEFANEC kemijsko čišćenje tekstila i krznenih proizvoda, vlasnik Nadica Štefanec, Koprivnica, Ledinska 1a
26. ARIES društvo s ograničenom odgovornošću za proizvodnju glazbala i usluge (ARIES d.o.o.), Varaždin, Creska 3
27. OBRT ZA PRANJE I ČIŠĆENJE TEKSTILA I ODJEĆE ĐORĐEVIĆ, vlasnik Javorka Đorđević, Makarska, Ante Starčevića 2
28. OBRT ZA USLUGE PRANJA I KEMIJSKOG ČIŠĆENJA »KORDIĆ«, vlasnik Pero Kordić, Makarska, Kipara Rendića 2
29. Kemijsko čišćenje tekstila i krznenih proizvoda ČISTIONICA GALEB, vlasnik Stipan Radović, Zadar, Varoška 6
30. KEMIJSKA ČISTIONICA, vlasnik Krešimir Borovec, Varaždin, Juraja Habelića 2
31. KEMIJSKA ČISTIONICA »VBM«, vlasnik Biserka Posavec, Maruševac, Biljevec 47
32. OBRT ZA KEMIJSKO ČIŠĆENJE I PRANJE RUBLJA »PLITVICE«, vlasnik Momirka Ninić, Pula, Rizzijeva 34
33. »ANA« KEMIJSKA ČISTIONA, vlasnik Saša Dadić, Pula, Zagrebačka 18

34.

Kemijska čistionica, vlasnik Gordana Bralić, Trogir, Put Demunta 16

35. »ECONOMATIC« - PRAONICA RUBLJA, vlasnik Marino Bassanese, Umag, Savudrijska cesta 9
36. SERVIS ZA ČIŠĆENJE »SJAJ«, vlasnik Danijela Brković, Virovitica, Golo Brdo 2A.

(b) Z odstopanjem od člana 5(3)(b) obveznost upravljavca, da pristojnomu organu prepričljivo dokaže, da se upotrebljava najbolji raspoloživi postupak za nanašanje zaštitnih prevlek v ladjedelništvu, za naslednje obrate na Hrvatskem velja od 1. januarja 2016:

1. BRODOTROGIR d.d., Trogir, Put brodograditelja 16

2. NCP-NAUČIČKI CENTAR PRGIN-REMONTNO BRODOGRADILIŠTE ŠIBENIK d.o.o. za remont i proizvodnju brodova (NCP - REMONTNO BRODOGRADILIŠTE ŠIBENIK d.o.o.), Šibenik, Obala Jerka Šižgorića 1
3. BRODOGRADILIŠTE VIKTOR LENAC dioničko društvo (BRODOGRADILIŠTE VIKTOR LENAC d.d.), Rijeka, Martinšćica bb
4. 3. MAJ BRODOGRADILIŠTE d.d., Rijeka, Liburnijska 3
5. BRODOSPLIT-BRODOGRADILIŠTE društvo s ograničenom odgovornošću (BRODOSPLIT-BRODOGRADILIŠTE d.o.o.), Split, Put Supavla 21
6. ULJANIK Brodogradilište, d.d., Pula, Flaciusova 1.
2. 32001 L 0080: Direktiva 2001/80/ES Evropskega parlamenta in Sveta z dne 23. oktobra 2001 o omejevanju emisij nekaterih onesnaževal v zrak iz velikih kurilnih naprav (UL L 309, 27. 11. 2001, str. 1).

Z odstopanjem od člena 4(1) in (3) se mejne vrednosti emisij žvepovega dioksida, dušikovih oksidov in prahu za naslednje naprave na Hrvaškem uporabljajo od 1. januarja 2018:

1. BELIŠĆE d.d., Belišće: parni kotel K3+K4 (240 MW)
2. DIOKI d.d., Zagreb: parni kotel SG 6401C (86 MW)
3. HEP-Proizvodnja d.o.o., Zagreb, TE Plomin 1: parni kotel (338 MW)
4. TE PLOMIN d.o.o., Plomin, TE Plomin 2: parni kotel (544 MW)
5. HEP-Proizvodnja d.o.o., Zagreb, TE Rijeka: parni kotel (800 MW)
6. HEP-Proizvodnja d.o.o., Zagreb, TE Sisak - blok 1: parna kotla 1A+1B (548 MW)
7. HEP-Proizvodnja d.o.o., Zagreb, TE Sisak - blok 2: parna kotla 2A+2B (548 MW)
8. HEP-Proizvodnja d.o.o., Zagreb, TE-TO Zagreb: sestavljena iz parnega kotla K3 bloka C, vročevodnih kotlov VK 3, VK 4, VK 5, VK 6 in parnega kotla PK 3 (skupaj: 828 MW)
9. HEP-Proizvodnja d.o.o., Zagreb, EL-TO Zagreb: sestavljena iz bloka 30 MW s parnima kotloma K4 (K8) in K5 (K9), bloka 12 MW s parnim kotlom K3 (K6), vročevodnih kotlov WK 1 in WK 3 in parnega kotla K2 (K7) (skupaj: 510 MW)
10. HEP-Proizvodnja d.o.o., Zagreb, TE-TO Osijek: parna kotla K1+K2 (skupaj: 196 MW).
3. 32008 L 0001: Direktiva 2008/1/ES Evropskega parlamenta in Sveta z dne 15. januarja 2008 o celovitem preprečevanju in nadzorovanju onesnaževanja (Kodificirana različica) (UL L 24, 29. 1. 2008, str. 8).

Z odstopanjem od člena 5(1) se zahteve za izdajanje dovoljenj obstoječim obratom za naslednje obrate na Hrvaškem uporabljajo od datuma, določenega za vsak obrat, kar zadeva obveznosti za obratovanje v skladu z mejnimi vrednostmi emisij, enakovrednimi parametri ali tehničnimi ukrepi, ki temeljijo na najboljši razpoložljivi tehnologiji v skladu s členom 2(12):

(a) Od 1. januarja 2014:

1. NAŠICECEMENT Tvornica cementa, dioničko društvo (NAŠICECEMENT d.d. Našice), Našice, Tajnovac 1, dejavnost IPPC 3.1.
2. LIPIK GLAS za proizvodnju stakla društvo s ograničenom odgovornošću (LIPIK GLAS d.o. o.), Lipik, Staklanska b.b., dejavnost IPPC 3.3.
3. KOKA peradarsko prehrambena industrija dioničko društvo (KOKA d.d.), Varaždin, Jalkovečka ulica bb – farma br. 18 (kmetija št.18, kraj: Čakovec, Totovec), dejavnost IPPC 6.6.a.
4. ŽITO d.o.o. za proizvodnju i trgovinu (ŽITO d.o.o.), Osijek, Đakovština 3 - farma Forkuševci (kmetija Forkuševci), dejavnost IPPC 6.6.c.
5. ŽITO d.o.o. za proizvodnju i trgovinu (ŽITO d.o.o.), Osijek, Đakovština 3 - farma V. Branjevina (kmetija V. Branjevina), dejavnost IPPC 6.6.c.
6. Drvna industrija KLANA d.d. (DI KLANA d.d.), Klana, Klana 264, dejavnost IPPC 6.7.
7. ČATEKS, dioničko društvo za proizvodnju tkanine, umjetne kože, kućanskog rublja i proizvoda za šport i rekreaciju (ČATEKS d.d.), Čakovec, Ulica Zrinsko-Frankopanska 25, dejavnost IPPC 6.7.

(b) Od 1. januara 2015:

1. CIMOS LJEVAONICA ROČ d.o.o. proizvodnja aluminijskih odljevaka (CIMOS LJEVAONICA ROČ d.o.o.), Roč, Stanica Roč 21, dejavnost IPPC 2.5.b.
2. P. P. C. BUZET društvo s ograničenom odgovornošću za proizvodnju, trgovinu i usluge (P. P. C. BUZET d.o.o.), Buzet, Most 24, dejavnost IPPC 2.5.b.
3. Vetropack Straža tvornica stakla d.d. Hum na Sutli (Vetropack Straža d.d. Hum na Sutli), Hum na Sutli, Hum na Sutli 203, dejavnost IPPC 3.3.
4. KOKA peradarsko prehrambena industrija dioničko društvo (KOKA d.d.), Varaždin, Jalkovečka ulica bb - pogon mesa (mesni obrat), dejavnost IPPC 6.4.a.
5. SLADORANA TVORNICA ŠEĆERA dioničko društvo (SLADORANA d.d.), Županja, Šećerana 63, dejavnost IPPC 6.4.b.
6. KOKA peradarsko prehrambena industrija dioničko društvo (KOKA d.d.), Varaždin, Jalkovečka ulica bb – farma br. 19 (kmetija št. 19, kraj: Donji Martijanec, Vrbanovec), dejavnost IPPC 6.6.a.
7. ŽITO d.o.o. za proizvodnju i trgovinu (ŽITO d.o.o.), Osijek, Đakovština 3 - farma Slaščak (kmetija Slaščak), dejavnost IPPC 6.6.b.
8. ŽITO d.o.o. za proizvodnju i trgovinu (ŽITO d.o.o.), Osijek, Đakovština 3 - farma Magadenovac (kmetija Magadenovac), dejavnost IPPC 6.6.c.
9. ALUFLEXPACK, proizvodno, trgovačko, export-import društvo s ograničenom odgovornošću (ALUFLEXPACK, d.o.o.), Zadar, Murvica bb - pogon Umag (obrat Umag, kraj: Umag, Ungarija bb), dejavnost IPPC 6.7.
10. ALUFLEXPACK, proizvodno, trgovačko, export-import društvo s ograničenom odgovornošću (ALUFLEXPACK, d.o.o.), Zadar, Murvica bb - pogon Zadar (obrat Zadar, kraj: Zadar, Murvica bb), dejavnost IPPC 6.7.

11. HEMPEL društvo s ograničenom odgovornošću Prerađivačka kemijska industrija (HEMPEL d.o.o.), Umag, Novigradska ulica 32, dejavnost IPPC 6.7.
12. BELIŠĆE dioničko društvo za proizvodnju papira, kartonske ambalaže, strojeva, primarnu i finalnu preradu drva i suhu destilaciju drva (BELIŠĆE d.d.), Belišće, Trg Ante Starčevića 1 - razen parnih kotlov K3 in K4 (prehodno obdobje do 31. decembra 2017, glej spodaj), dejavnost IPPC 6.1.b.
13. MAZIVA-ZAGREB d.o.o. za proizvodnju i trgovinu mazivima i srodnim proizvodima (MAZIVA-ZAGREB d.o.o.), Zagreb, Radnička cesta 175, dejavnost IPPC 1.2.

(c) Od 1. julija 2015:

GAVRILOVIĆ Prva hrvatska tvornica salame, sušena mesa i masti M. Gavrilovića potomci, d.o.o. (GAVRILOVIĆ d.o.o.), Petrinja, Gavrilovićev trg 1 - pogon klaonice: papkari, rezanje i prerada mesa i proizvodnja prerađevina od peradi i papkara, te skladištenje mesa (obrat klavnice: parkljarji, rezanje in predelava mesa ter proizvodnja predelanih proizvodov iz perutnine in parkljarjev ter hramba mesa), dejavnost IPPC 6.4.a.

(d) Od 1. januarja 2016:

1. FERRO-PREIS društvo s ograničenom odgovornošću za proizvodnju lijevanih, kovanih i prešanih metalnih proizvoda (FERRO-PREIS d.o.o.), Čakovec, Dr. Tome Bratkovića 2, dejavnost IPPC 2.4.
2. CEMEX Hrvatska dioničko društvo za proizvodnju i prodaju cementa i drugih građevinskih materijala (CEMEX Hrvatska d.d.), Kaštel Sućurac, Cesta dr. Franje Tuđmana bb - pogon Sv. Kajo (obrat Sv. Kajo), dejavnost IPPC 3.1
3. CEMEX Hrvatska dioničko društvo za proizvodnju i prodaju cementa i drugih građevinskih materijala (CEMEX Hrvatska d.d.), Kaštel Sućurac, Cesta dr. Franje Tuđmana bb - pogon Sv. Juraj (obrat Sv. Juraj), dejavnost IPPC 3.1.
4. CEMEX Hrvatska dioničko društvo za proizvodnju i prodaju cementa i drugih građevinskih materijala (CEMEX Hrvatska d.d.), Kaštel Sućurac, Cesta dr. Franje Tuđmana bb - pogon 10. kolovoza (obrat 10. kolovoza), dejavnost IPPC 3.1.
5. KIO KERAMIKA d.o.o. za proizvodnju keramičkih pločica - »u stečaju« (KIO KERAMIKA d.o.o. - »u stečaju«), Orahovica, V. Nazora bb - pogon Orahovica (obrat Orahovica, kraj: Orahovica, V. Nazora bb), dejavnost IPPC 3.5.
6. KIO KERAMIKA d.o.o. za proizvodnju keramičkih pločica - »u stečaju« (KIO KERAMIKA d.o.o. - »u stečaju«), Orahovica, V. Nazora bb - pogon Rujevac (obrat Rujevac, kraj: Dvor, Rujevac bb), dejavnost IPPC 3.5.
7. PLIVA HRVATSKA d.o.o. za razvoj, proizvodnju i prodaju lijekova i farmaceutskih proizvoda (PLIVA HRVATSKA d.o.o.), Zagreb, Prilaz baruna Filipovića 25 - pogon Savski Marof (obrat Savski Marof, kraj: Prigorje Brdovečko, Prudnička 98), dejavnost IPPC 4.5.
8. PURIS, poljoprivredna, prehrambena, trgovačka i ugostiteljska djelatnost, dioničko društvo (PURIS d.d.), Pazin, Hrvatskog narodnog preporoda 2 - mesna industrija (mesna industrija, kraj: Sv. Petar u Šumi), dejavnost IPPC 6.4 a in b.
9. KOKA peradarsko prehrambena industrija dioničko društvo (KOKA d.d.), Varaždin, Jalkovečka ulica bb – farma br. 20 (kmetija št. 20, kraj: Petrijanec-Nova Ves), dejavnost IPPC 6.6.a.

10. PURIS, poljoprivredna, prehrambena, trgovačka i ugostiteljska djelatnost, dioničko društvo (PURIS d.d.), Pazin, Hrvatskog narodnog preporoda 2 - farma Sv. Petar u Šumi 8 (kmetija Sv. Petar u Šumi 8, kraj: Sveti Petar u Šumi), dejavnost IPPC 6.6.a.
11. PURIS, poljoprivredna, prehrambena, trgovačka i ugostiteljska djelatnost, dioničko društvo (PURIS d.d.), Pazin, Hrvatskog narodnog preporoda 2 - farma Sv. Petar u Šumi 9 (kmetija Sv. Petar u Šumi 9, kraj: Sveti Petar u Šumi), dejavnost IPPC 6.6.a.
12. PURIS, poljoprivredna, prehrambena, trgovačka i ugostiteljska djelatnost, dioničko društvo (PURIS d.d.), Pazin, Hrvatskog narodnog preporoda 2 - farma Barban (kmetija Barban, kraj: Barban), dejavnost IPPC 6.6.a.
13. PURIS, poljoprivredna, prehrambena, trgovačka i ugostiteljska djelatnost, dioničko društvo (PURIS d.d.), Pazin, Hrvatskog narodnog preporoda 2 - farma Muntrilj (kmetija Muntrilj, kraj: Muntrilj), dejavnost IPPC 6.6.a.
14. PURIS, poljoprivredna, prehrambena, trgovačka i ugostiteljska djelatnost, dioničko društvo (PURIS d.d.), Pazin, Hrvatskog narodnog preporoda 2 - farma Šikuti (kmetija Šikuti, kraj: Svetvinčenat), dejavnost IPPC 6.6.a.
15. PURIS, poljoprivredna, prehrambena, trgovačka i ugostiteljska djelatnost, dioničko društvo (PURIS d.d.), Pazin, Hrvatskog narodnog preporoda 2 - farma Žminj 2 (kmetija Žminj 2, kraj: Žminj), dejavnost IPPC 6.6.a.
16. PURIS, poljoprivredna, prehrambena, trgovačka i ugostiteljska djelatnost, dioničko društvo (PURIS d.d.), Pazin, Hrvatskog narodnog preporoda 2 - farma Surani 2 (kmetija Surani 2, kraj: Tinjani, Surani), dejavnost IPPC 6.6.a.
17. PURIS, poljoprivredna, prehrambena, trgovačka i ugostiteljska djelatnost, dioničko društvo (PURIS d.d.), Pazin, Hrvatskog narodnog preporoda 2 - farma Pilati (kmetija Pilati, kraj: Lovrin, Pilati), dejavnost IPPC 6.6.a.
18. PURIS, poljoprivredna, prehrambena, trgovačka i ugostiteljska djelatnost, dioničko društvo (PURIS d.d.), Pazin, Hrvatskog narodnog preporoda 2 - farma Škropeti 2 (kmetija Škropeti 2, kraj: Škropeti), dejavnost IPPC 6.6.a.
19. PURIS, poljoprivredna, prehrambena, trgovačka i ugostiteljska djelatnost, dioničko društvo (PURIS d.d.), Pazin, Hrvatskog narodnog preporoda 2 - farma Katun 2 (kmetija Katun 2, kraj: Trviz, Katun Trviski), dejavnost IPPC 6.6.a.
20. PURIS, poljoprivredna, prehrambena, trgovačka i ugostiteljska djelatnost, dioničko društvo (PURIS d.d.), Pazin, Hrvatskog narodnog preporoda 2 - farma Srbinjak (kmetija Srbinjak, kraj: Jakovici, Srbinjak), dejavnost IPPC 6.6.a.
21. AD PLASTIK dioničko društvo za proizvodnju dijelova i pribora za motorna vozila i proizvoda iz plastičnih masa (AD PLASTIK d.d.), Solin, Matoševa ulica 8 - kraj: Zagreb, Jankomir 5, dejavnost IPPC 6.7.
22. BRODOSPLIT-BRODOGRADILIŠTE društvo s ograničenom odgovornošću (BRODOSPLIT-BRODOGRADILIŠTE d.o.o.), Split, Put Supavla 21, dejavnost IPPC 6.7.
23. CHROMOS BOJE I LAKOVI, dioničko društvo za proizvodnju boja i lakova (CHROMOS BOJE I LAKOVI, d.d.), Zagreb, Radnička cesta 173/d, dejavnost IPPC 6.7.
24. MURAPLAST društvo s ograničenom odgovornošću za proizvodnju i preradu plastičnih masa (MURAPLAST d.o.o.), Kotoriba, Industrijska zona bb, dejavnost IPPC 6.7.

25. 3. MAJ BRODOGRADILIŠTE d.d., Rijeka, Liburnijska 3, dejavnost IPPC 6.7.
26. CHROMOS-SVJETLOST, Tvornica boja i lakova, društvo s ograničenom odgovornošću (CHROMOS-SVJETLOST d.o.o.), Lužani, Mijata Stojanovića 13, dejavnost IPPC 6.7.
27. BRODOTROGIR d.d., Trogir, Put brodograditelja 16, dejavnost IPPC 6.7.
28. ULJANIK Brodogradilište, d.d., Pula, Flaciusova 1, dejavnost IPPC 6.7.

(e) Od 1. januarja 2017:

1. METALSKA INDUSTRIJA VARAŽDIN dioničko društvo (MIV d.d.), Varaždin, Fabijanska ulica 33, dejavnost IPPC 2.4.
2. KANDIT PREMIJER d.o.o. za proizvodnju, promet i usluge (KANDIT PREMIJER d.o.o.), Osijek, Frankopanska 99, dejavnost IPPC 6.4.b.
3. KOKA peradarsko prehrambena industrija dioničko društvo (KOKA d.d.), Varaždin, Jalkovečka ulica bb – farma br. 21 (kmetija št. 21, kraj: Čakovec, Totovec), dejavnost IPPC 6.6.a.
4. ŽITO d.o.o. za proizvodnju i trgovinu (ŽITO d.o.o.), Osijek, Đakovština 3 – farma Lužani (kmetija Lužani), dejavnost IPPC 6.6.b.

(f) Od 1. januarja 2018:

1. BELIŠĆE dioničko društvo za proizvodnju papira, kartonske ambalaže, strojeva, primarnu i finalnu preradu drva i suhu destilaciju drva (BELIŠĆE d.d.), Belišće, Trg Ante Starčevića 1 – parni kotao K3, parni kotao K4 (parni kotel K3, parni kotel K4), dejavnost IPPC 1.1 (nanaša se le na parne kotle K3 in K4).
2. HEP-Proizvodnja d.o.o. za proizvodnju električne i toplinske energije (HEP-Proizvodnja d.o.o.), Zagreb, Ulica grada Vukovara 37 – KTE Jertovec (kombinirana elektrarna Jertovec, kraj: Konjšćina, Jertovec, Jertovec 151), dejavnost IPPC 1.1.
3. HEP-Proizvodnja d.o.o. za proizvodnju električne i toplinske energije (HEP-Proizvodnja d.o.o.), Zagreb, Ulica grada Vukovara 37 - TE Plomin 1 (termoelektrarna Plomin 1, kraj: Plomin, Plomin bb), dejavnost IPPC 1.1.
4. TE PLOMIN društvo s ograničenom odgovornošću za proizvodnju električne energije (TE PLOMIN d.o.o.), Plomin, Plomin bb - TE Plomin 2 (termoelektrarna Plomin 2, kraj: Plomin, Plomin bb), dejavnost IPPC 1.1.
5. HEP-Proizvodnja d.o.o. za proizvodnju električne i toplinske energije (HEP-Proizvodnja d.o.o.), Zagreb, Ulica grada Vukovara 37 - EL-TO Zagreb (elektrarna Zagreb - toplotna postaja, kraj: Zagreb, Zagorska 1), dejavnost IPPC 1.1.
6. HEP-Proizvodnja d.o.o. za proizvodnju električne i toplinske energije (HEP-Proizvodnja d.o.o.), Zagreb, Ulica grada Vukovara 37 - TE-TO Zagreb (termoelektrarna Zagreb - toplotna postaja, kraj: Zagreb, Kuševačka 10 a), dejavnost IPPC 1.1.
7. HEP-Proizvodnja d.o.o. za proizvodnju električne i toplinske energije (HEP-Proizvodnja d.o.o.), Zagreb, Ulica grada Vukovara 37 - TE Sisak (termoelektrarna Sisak, kraj: Sisak, Čret bb), dejavnost IPPC 1.1.

8. HEP-Proizvodnja d.o.o. za proizvodnju električne i toplinske energije (HEP-Proizvodnja d.o. o.), Zagreb, Ulica grada Vukovara 37 - TE-TO Osijek (termoelektrarna Osijek - toplotna postaja, kraj: Osijek, Martina Divalta 203), dejavnost IPPC 1.1.
9. HEP-Proizvodnja d.o.o. za proizvodnju električne i toplinske energije (HEP-Proizvodnja d.o. o.), Zagreb, Ulica grada Vukovara 37 - TE Rijeka (termoelektrarna Rijeka, kraj: Kostrena, Urinj bb), dejavnost IPPC 1.1.
10. DIOKI Organska petrokemija dioničko društvo (DIOKI d.d.), Zagreb, Čulinečka cesta 252, dejavnost IPPC 1.1.
11. INA-INDUSTRIJA NAFTE, d.d. (INA, d.d.), Zagreb, Avenija V. Holjevca 10 – Rafinerija nafte Rijeka - Urinj (rafinerija nafte Rijeka - Urinj, kraj: Kostrena, Urinj), dejavnost IPPC 1.2.
12. INA-INDUSTRIJA NAFTE, d.d. (INA, d.d.), Zagreb, Avenija V. Holjevca 10 – Rafinerija nafte Sisak (rafinerija nafte Sisak, kraj: Sisak, Ante Kovačića 1), dejavnost IPPC 1.2.
13. ŽELJEZARA SPLIT poduzeće za proizvodnju i preradu čelika d.d. »u stečaju« (ŽELJEZARA SPLIT d.d. »u stečaju«), Kaštel Sućurac, Cesta dr. F. Tuđmana bb, dejavnost IPPC 2.2.
14. PETROKEMIJA, d.d. tvornica gnojiva (PETROKEMIJA, d.d.), Kutina, Aleja Vukovar 4, dejavnost IPPC 4.2.b.

VI. KEMIKALIJE

32006 R 1907: Uredba (ES) št. 1907/2006 Evropskega parlamenta in Sveta z dne 18. decembra 2006 o registraciji, evalvaciji, avtorizaciji in omejevanju kemikalij (REACH) ter o ustanovitvi Evropske agencije za kemikalije in o spremembi Direktive 1999/45/ES ter o razveljavitvi Uredbe Sveta (EGS) št. 793/93 in Uredbe Komisije (ES) št. 1488/94 ter Direktive Sveta 76/769/EGS in direktiv Komisije 91/155/EGS, 93/67/EGS, 93/105/ES in 2000/21/ES (UL L 396, 30. 12. 2006, str. 1).

(a) Z odstopanjem od člena 23(1) in (2) ter člena 28, ki določata rok za registracijo in predregistracijo snovi iz teh členov, se proizvajalcem, uvoznikom in izdelovalcem izdelkov s sedežem na Hrvaškem odobri prilagoditveno obdobje šestih mesecev od dne pristopa za predregistracijo snovi v postopnem uvajanju. Datum prvega in drugega roka za registracijo iz člena 23(1) in (2) je 12 mesecev od dne pristopa.

(b) Členi 6, 7, 9, 17, 18 in 33 se za Hrvaško ne uporabljajo v obdobju šestih mesecev od dne pristopa.

(c) Z odstopanjem od prehodnih ureditev za vse snovi, ki so vključene v Prilogo XIV, v primeru če se datum zadnje uporabe izteče pred dnevom pristopa ali prej kot v šestih mesecih po tem dnevu, se za prosilce s sedežem na Hrvaškem odobri prilagoditveno obdobje šestih mesecev od dne pristopa, do izteka katerega morajo biti prejete vloge za avtorizacijo.

Dodatek k PRILOGI V

Seznam (*), ki ga je predložila Hrvaška, na katerem so zdravila, za katera dovoljenja za promet, izdana na podlagi hrvaške zakonodaje pred dnevom pristopa, ostanejo v veljavi do podaljšanja veljavnosti v skladu s pravnim redom Unije oziroma do 30. junija 2017, kar je prej.

Uvrstitev na seznam sama po sebi ne pomeni, da ima zadevno zdravilo dovoljenje za promet v skladu s pravnim redom Unije.

(*) Glej UL C

PRILOGA VI

Razvoj podeželja (iz člena 35(2) Akta o pristopu)

ZAČASNI DODATNI UKREPI ZA RAZVOJ PODEŽELJA ZA HRVAŠKO

A. Podpora za delno samooskrbne kmetije v prestrukturiranju

V zakonodajnem okviru razvoja podeželja za programsko obdobje 2014–2020 se, kar zadeva Hrvaško, kmetom v skladu z načeli iz člena 34 Uredbe Sveta (ES) št. 1698/2005 dodeli posebna podpora za delno samooskrbna kmetijska gospodarstva, in sicer na podlagi vlog, odobrenih do 31. decembra 2017, če v novi uredbi o razvoju podeželja za programsko obdobje 2014–2020 ne bo predviden noben podoben ukrep in/ali podpora.

B. Skupine proizvajalcev

V zakonodajnem okviru razvoja podeželja za programsko obdobje 2014–2020 se, kar zadeva Hrvaško, skupinam proizvajalcev, ki jih uradno priznava hrvaški pristojni organ, do 31. decembra 2017 v skladu z načeli iz člena 35 Uredbe Sveta (ES) št. 1698/2005 dodeli posebna podpora za lažje ustanavljanje in upravno delovanje skupin proizvajalcev, če v novi uredbi o razvoju podeželja za programsko obdobje 2014–2020 ne bo predviden noben podoben ukrep in/ali podpora.

C. Leader

V zakonodajnem okviru razvoja podeželja za programsko obdobje 2014–2020 se, kar zadeva Hrvaško, najnižji prispevek EKSRP iz programa razvoja podeželja za Leader določi v povprečju na ravni, ki je vsaj polovica odstotka proračuna, ki se bo uporabljal za ostale države članice, če se takšna zahteva določi.

D. Dopolnila neposrednih plačil

1. Podpora se lahko dodeljuje kmetom, ki so upravičeni do dopolnilnih nacionalnih neposrednih plačil ali pomoči na podlagi člena 132 Uredbe Sveta (ES) št. 73/2009.

2. Podpora, podeljena kmetu za leta 2014, 2015 in 2016, ne presega razlike med:

(a) ravni neposrednih plačil, ki se uporabljajo na Hrvaškem za zadevno leto v skladu s členom 121 Uredbe Sveta (ES) št. 73/2009, in

(b) 45 % ravni neposrednih plačil, ki se uporabljajo v Uniji v njeni sestavi na dan 30. aprila 2004 za zadevno leto.

3. Prispevek Unije k podpori, dodeljeni kmetu na podlagi pododdelka D na Hrvaškem za leta 2014, 2015 in 2016 ne presega 20 % njenih celotnih sredstev, dodeljenih za razvoj podeželja (EKSRP).

4. Višina prispevka Unije za dopolnila k neposrednim plačilom ne presega 80 %.

E. Instrument za predpristopno pomoč – razvoj podeželja

1. Hrvaška lahko še naprej sklepa pogodbe ali sprejema obveznosti na podlagi programa IPARD v skladu z Uredbo Komisije (ES) št. 718/2007 z dne 12. junija 2007 o izvajanju Uredbe Sveta (ES) št. 1085/2006 o vzpostavitvi instrumenta za predpristopno pomoč (IPA) (30), dokler ne bo začela sklepati pogodb ali sprejemati obveznosti na podlagi ustrezne uredbe o razvoju podeželja. Hrvaška Komisijo obvesti o datumu, ko bo začela sklepati pogodbe ali sprejemati obveznosti na podlagi ustrezne uredbe o razvoju podeželja.
2. Komisija sprejme ukrepe, ki so potrebni v ta namen, po postopku iz člena 5 Uredbe (EU) št. 182/2011 Evropskega parlamenta in Sveta. V ta namen Komisiji pomaga Odbor IPA iz člena 14(1) Uredbe Sveta (ES) št. 1085/2006.

F. Naknadno vrednotenje programa IPARD

V zakonodajnem okviru razvoja podeželja za programsko obdobje 2014–2020 se, kar zadeva izvajanje programa IPARD za Hrvaško, izdatki v zvezi z naknadnim vrednotenjem programa IPARD iz člena 191 Uredbe Komisije (ES) št. 718/2007 lahko štejejo za upravičene v okviru ukrepa tehnične pomoči.

G. Posodabljanje kmetijskih gospodarstev

V zakonodajnem okviru razvoja podeželja za programsko obdobje 2014–2020 znaša, kar zadeva Hrvaško, največja intenzivnost pomoči za posodobitev kmetijskih gospodarstev 75 % zneska upravičene naložbe za izvajanje Direktive Sveta 91/676/EGS z dne 12. decembra 1991 o varstvu voda pred onesnaževanjem z nitrati iz kmetijskih virov⁽³¹⁾ v obdobju največ štirih let od dne pristopa v skladu s členoma 3(2) in 5(1) navedene direktive.

H. Izpolnjevanje standardov

V zakonodajnem okviru razvoja podeželja za programsko obdobje 2014–2020 se, kar zadeva Hrvaško, izpolnjujejo predpisane zahteve ravnanja iz Priloge II k Uredbi Sveta (ES) št. 73/2009, ki se uporabljajo v navedenem programskem obdobju, v skladu z naslednjim časovnim razporedom: zahteve iz točke A Priloge II se uporabljajo od 1. januarja 2014; zahteve iz točke B Priloge II se uporabljajo od 1. januarja 2016 in zahteve iz točke C Priloge II se uporabljajo od 1. januarja 2018.

PRILOGA VII

Posebne zaveze, ki jih je Republika Hrvaška prevzela v pristopnih pogajanjih (iz drugega pododstavka člena 36(1) Akta o pristopu)

1. Nadaljnje zagotavljanje učinkovitega izvajanja strategije in akcijskega načrta za reformo pravosodja.
2. Nadaljnja krepitev neodvisnosti, odgovornosti, nepristranskosti in strokovnosti sodstva.
3. Nadaljnje izboljševanje učinkovitosti sodstva.
4. Nadaljnje izboljševanje obravnave domačih zadev, povezanih z vojnimi zločini.
5. Nadaljnje trajno doseganje opaznih rezultatov z uspešnimi, učinkovitimi in nepristranskimi preiskavami, pregonom in sodnimi odločbami v zadevah v zvezi z organiziranim kriminalom in korupcijo na vseh ravneh, tudi korupcijo na visoki ravni, in v izpostavljenih sektorjih, kot so javna naročila.

6. Nadaljnje izboljševanje rezultatov v okviru okrepljenih preprečevalnih ukrepov v boju proti korupciji in pri navzkrižju interesov.
7. Nadaljnja krepitev varstva manjšin, med drugim z učinkovitim izvajanjem ustavnega zakona o pravicah narodnostnih manjšin.
8. Nadaljnje reševanje nerešenih vprašanj v zvezi z vračanjem beguncev.
9. Nadaljnje izboljševanje varstva človekovih pravic.
10. Nadaljnje polno sodelovanje z Mednarodnim kazenskim sodiščem za nekdanjo Jugoslavijo.

PRILOGA VIII

Zaveze, ki jih je Republika Hrvaška prevzela v zvezi s prestrukturiranjem hrvaške ladjedelniške industrije (iz tretjega pododstavka člena 36(1) Akta o pristopu)

Ladjedelniška podjetja, ki bodo prestrukturirana (v nadaljnjem besedilu: podjetja), so naslednja:

- Brodograđevna industrija 3. MAJ dioničko društvo, Rijeka (v nadaljnjem besedilu: 3. MAJ)
- BRODOTROGIR d.d., Trogir (v nadaljnjem besedilu: Brodotrogir)
- BRODOGRAĐEVNA INDUSTRIJA SPLIT, dioničko društvo, Split (v nadaljnjem besedilu: Brodosplit)
- BRODOSPLIT-BRODOGRADILIŠTE SPECIJALNIH OBJEKATA društvo s omejenom odgovornostjo, Split (v nadaljnjem besedilu: BSO)
- BRODOGRADILIŠTE KRALJEVICA dioničko društvo za izgradnjo i popravak brodova, Kraljevica (v nadaljnjem besedilu: Kraljevica).

Hrvaška soglašuje, da se prestrukturiranje teh podjetij izvede s privatizacijo na podlagi konkurenčnega razpisnega postopka. Načrte prestrukturiranja teh podjetij, ki so jih predložili ponudniki, sta odobrili hrvaška agencija za konkurenco in Evropska komisija. Vključeni bodo v ustrezne privatizacijske pogodbe, ki jih bo Hrvaška sklenila s kupci podjetij.

Načrti prestrukturiranja, predloženi za posamezna podjetja, podrobno določajo naslednje ključne pogoje, ki jih je treba spoštovati v procesu prestrukturiranja:

- Vsa državna pomoč, ki so jo ta podjetja prejela od 1. marca 2006, se mora šteti kot pomoč za prestrukturiranje. Podjetja za načrt prestrukturiranja zagotovijo prispevek iz lastnih sredstev, ki mora biti realen, ne sme vsebovati državne pomoči in znaša najmanj 40 % celotnih stroškov prestrukturiranja.
- Splošna proizvodna zmogljivost podjetij se v primerjavi z ravnmi z dne 1. junija 2011 zmanjša s 471 324 KBT na 372 346 KBT. Podjetja svojo proizvodno zmogljivost zmanjšajo najpozneje dvanajst mesecev po podpisu privatizacijske pogodbe. Zmanjšanje zmogljivosti se izvede s trajnim zaprtjem splavišč, z določitvijo splavišč za izključno vojaško proizvodnjo v smislu člena 346 PDEU in/ali z zmanjšanjem površine. KBT je enota za merjenje obsega proizvodnje, ki se izračunava v skladu s pravili OECD, ki se uporabljajo.
- Skupna letna proizvodnja podjetij se omeji na 323 600 KBT za desetletno obdobje z začetkom 1. januarja 2011. Obseg proizvodnje podjetij bo omejen na naslednje ravni(32):

- 3. MAJ: 109 570 KBT
- Brodotrogir: 54 955 KBT
- Brodosplit in BSO: 132 078 KBT
- Kraljevica: 26 997 KBT

Ta podjetja se lahko dogovorijo za revizijo svojih individualnih proizvodnih omejitev. Na podlagi zavezujočih sporazumov lahko izrecno določijo, kateri del njihove individualne proizvodne kvote (izražene v KBT) si medsebojno odstopijo. Upošteva se splošna letna proizvodna omejitev v višini 323 600 KBT.

- V načrtih prestrukturiranja je določena tudi vrsta drugih ukrepov, ki jih bo izvedlo vsako podjetje, da bi se ponovno usposobilo za dolgoročno preživetje.

Morebitne naknadne spremembe teh načrtov morajo biti skladne s ključnimi pogoji navedenega procesa prestrukturiranja, in se predložijo v odobritev Komisiji.

Podjetja najmanj deset let od datuma podpisa privatizacijske pogodbe ne prejmejo nikakršne nove pomoči za reševanje ali prestrukturiranje. Komisija od Hrvaške ob njenem pristopu zahteva vrnitev vsakršne pomoči za reševanje ali prestrukturiranje, ki ji je bila dodeljena v nasprotju s to določbo, skupaj z obrestnimi obrestmi.

Načrti prestrukturiranja, ki sta jih hrvaška agencija za konkurenco in Komisija odobrili, bodo vključeni v ustrezne privatizacijske pogodbe, ki jih bo Hrvaška sklenila s kupci podjetij. Privatizacijske pogodbe se predložijo Komisiji v odobritev in se podpišejo pred pristopom Hrvaške.

Komisija pozorno spremlja izvajanje načrtov prestrukturiranja ter izpolnjevanje v tej prilogi določenih pogojev glede ravni državne pomoči, lastnega prispevka, zmanjšanj zmogljivosti, omejitve proizvodnje in ukrepov, sprejetih za ponovno usposobitev podjetij za preživetje.

To spremljanje se izvaja vsa leta obdobja prestrukturiranja. Hrvaška v celoti spoštuje vse dogovore o spremljanju. Zlasti:

- Hrvaška Komisiji do konca obdobja prestrukturiranja vsako leto najpozneje 15. januarja in 15. julija predloži polletna poročila o prestrukturiranju upravičenih podjetij;
- poročila vsebujejo vse podatke, potrebne za spremljanje procesa prestrukturiranja, lastnega prispevka, zmanjšanja zmogljivosti, omejitve proizvodnje in ukrepov, sprejetih za ponovno usposobitev podjetij za preživetje;
- Hrvaška do konca leta 2020 vsako leto najpozneje 15. julija predloži poročila o letnem obsegu proizvodnje podjetij v postopku prestrukturiranja;
- Hrvaška od podjetij zahteva, da razkrijejo vse pomembne podatke, ki bi se jih v drugih okoliščinah lahko štelo za zaupne. Komisija zagotovi, da se zaupni podatki, ki zadevajo posamezna podjetja, ne razkrijejo.

Komisija se lahko kadar koli odloči za pooblastitev neodvisnega strokovnjaka, da ovrednoti rezultate spremljanja, izvede vse potrebne raziskave in poroča Komisiji. Hrvaška polno sodeluje z neodvisnim strokovnjakom, ki ga imenuje Komisija, in zagotovi, da ima takšen strokovnjak poln dostop do vseh podatkov, potrebnih za opravljanje nalog, ki mu jih je zaupala Komisija.

Komisija od Hrvaške ob njenem pristopu zahteva vrnitev vse pomoči za reševanje ali prestrukturiranje, ki je bila določenemu podjetju dodeljena od 1. marca 2006, skupaj z obrestnimi obrestmi, če:

- privatizacijska pogodba za to podjetje še ni bila podpisana ali ne vključuje vseh pogojev, določenih v načrtu prestrukturiranja, ki sta ga odobrili hrvaška agencija za konkurenco in Komisija, ali
 - podjetje iz lastnih sredstev ni zagotovilo takega prispevka v višini najmanj 40 % celotnih stroškov prestrukturiranja, ki bi bil realen in ne bi vseboval državne pomoči, ali
 - zmanjšanje splošne proizvodne zmogljivosti ni bilo opravljeno v dvanajstih mesecih od podpisa privatizacijske pogodbe. V tem primeru se vračilo pomoči zahteva le od tistih podjetij, ki niso dosegla naslednjih individualnih zmanjšanj zmogljivosti:
- 3. MAJ: za 46 543 KBT
 - Brodotrogir: za 15 101 KBT
 - Brodosplit in BSO: za 29 611 KBT
 - Kraljevica: za 9 636 KBT ali
- je bila v katerem koli posamičnem koledarskem letu v obdobju 2011–2020 presežena splošna proizvodna omejitev za podjetja (tj. 323 600 KBT). V tem primeru se vračilo pomoči zahteva od tistih podjetij, ki so preseгла individualne proizvodne omejitve (kakor so bile spremenjene s pravno zavezujočim sporazumom z drugim ladjedelniškim podjetjem, če je ustrezno).

PRILOGA IX

Zaveze, ki jih je Republika Hrvaška prevzela v zvezi s prestrukturiranjem jeklarskega sektorja (iz tretjega pododstavka člena 36(1) Akta o pristopu)

Hrvaška je s pismom z dne 23. maja 2011 obvestila Komisijo, da je od proizvajalca jekla CMC Sisak d.o.o. prejela pripoznavo dolga, ki ustreza vsoti pomoči za prestrukturiranje, ki jo je to podjetje prejelo v obdobju od 1. marca 2002 do 28. februarja 2007, in obrestnih obresti (33). Prejeta državna pomoč, brez obrestnih obresti, znaša 19 117 572,36 HRK.

Če CMC Sisak d.o.o. do pristopa Hrvaške ne vrne skupnega zneska te pomoči skupaj z obrestnimi obrestmi, Komisija od Hrvaške zahteva vrnitev vsakršne pomoči za reševanje in prestrukturiranje, ki je bila navedenemu podjetju dodeljena od 1. marca 2006, skupaj z obrestnimi obrestmi.

PROTOKOL

O DOLOČENIH DOGOVORIH O MOREBITNEM ENKRATNEM PRENOSU ENOT DODELJENIH KOLIČIN, KI SE REPUBLIKI HRVAŠKI IZDAJO V OKVIRU KJOTSKEGA PROTOKOLA K OKVIRNI KONVENCIJI ZDRUŽENIH NARODOV O SPREMEMBI PODNEBJA, TER O USTREZNEM NADOMESTILU

VISOKE POGODBENICE SO SE

OB UGOTOVITVI, da je bilo glede na posebne zgodovinske okoliščine, ki so zaznamovale Hrvaško, dogovorjeno, da se izrazi pripravljenost za pomoč Hrvaški z enkratnim prenosom enot dodeljenih količin, ki se izdajo v okviru Kjotskega protokola k Okvirni konvenciji Združenih narodov o spremembi podnebja (v nadaljnjem besedilu: Kjotski protokol),

OB OPOZARJANJU, da bi šlo le za enkratni prenos, ki ne bi pomenil precedensa in bi odražal edinstveno in izjemno naravo položaja Hrvaške,

OB POUDARJANJU, da bi morala Hrvaška takšen prenos nadomestiti s prilagoditvijo svojih obveznosti v skladu z Odločbo št. 406/2009/ES Evropskega parlamenta in Sveta z dne 23. aprila 2009 o prizadevanju držav članic za zmanjšanje emisij toplogrednih plinov, da do leta 2020 izpolnijo zavezo Skupnosti za zmanjšanje emisij toplogrednih plinov (34), da se zagotovi okoljska skladnost in prepreči povečanje skupne količine dovoljenih emisij Unije in Hrvaške do leta 2020,

DOGOVORILE O NASLEDNJEM:

DEL I PRENOS

ČLEN 1

Ta del se uporablja za ukrepe v zvezi z morebitnim enkratnim prenosom enot dodeljenih količin Hrvaški, ki se izdajo v okviru Kjotskega protokola.

ČLEN 2

Prenos se izvede samo, če Hrvaška v skladu z ustreznimi pravili in časovnimi omejitvami, ki veljajo za umik pritožb, umakne pritožbo zoper odločitev izvršilne veje odbora za zagotavljanje izpolnjevanja obveznosti iz Kjotskega protokola, in sicer pred začetkom konference UNFCCC, ki bo od 28. novembra do 9. decembra 2011 v Durbanu.

Prenos se izvede šele, ko skupina izvedencev UNFCCC za pregledovanje po obdobju prilagoditve («true-up period») ugotovi, da Hrvaška ni izpolnila svojih obveznosti iz člena 3 Kjotskega protokola.

Prenos se izvede samo, če si Hrvaška po najboljših močeh prizadeva za izpolnitev svojih obveznosti iz člena 3 Kjotskega protokola, vključno z dosledno uporabo enot odstranitve iz naslova rabe zemljišč, spremembe namembnosti zemljišč in gozdarstva.

ČLEN 3

Sklep o prenosu enot dodeljenih količin (AAU) se sprejme v skladu s postopkom pregleda iz člena 5 Uredbe (EU) št. 182/2011 Evropskega parlamenta in Sveta z dne 16. februarja 2011 o določitvi splošnih pravil in načel, na podlagi katerih države članice nadzirajo izvajanje izvedbenih pooblastil Komisije(35). Komisiji pomaga Odbor za podnebne spremembe, ustanovljen s členom 9 Odločbe št. 280/2004/ES Evropskega parlamenta in Sveta z dne 11. februarja 2004 o mehanizmu za spremljanje emisij toplogrednih plinov v Skupnosti in o izvajanju Kjotskega protokola(36). Navedeni odbor je odbor v smislu Uredbe (EU) št. 182/2011 Evropskega parlamenta in Sveta. Če odbor mnenja ne da, se sklep ne sprejme.

AAU, ki se prenesejo, se vzamejo iz količine AAU iz člena 2 Odločbe Komisije 2006 /944/ES z dne 14. decembra 2006 o določitvi ravni emisij, ki se dodelijo Skupnosti in vsaki od njenih držav članic v okviru Kjotskega protokola v skladu z Odločbo Sveta 2002/358/ES(37).

Prenos ne presega skupne količine 7 000 000 AAU.

DEL II NADOMESTILO

ČLEN 4

Ta del se uporablja za nadomestilo, ki ga mora Hrvaška zagotoviti v primeru prenosa AAU v skladu z določbami iz dela I.

ČLEN 5

1. Hrvaška zagotovi nadomestilo za vse AAU, ki so bile nanjo prenesene, tako da v skladu s tem členom prilagodi svoje obveznosti, ki izhajajo iz Odločbe št. 406/2009/ES Evropskega parlamenta in Sveta.

Zlasti se enakovredna količina prenesenih AAU, izražena v tonah ekvivalenta ogljikovega dioksida, v skladu s tem členom odšteje od letnih emisij, dodeljenih Hrvaški, potem ko se letne količine določijo v skladu s členom 3(2) Odločbe št. 406/2009/ES Evropskega parlamenta in Sveta.

2. Komisija objavi podatke o dodeljenih letnih emisijah za Hrvaško, izračunane v skladu z odstavkom 1.

SKLEPNA LISTINA

I. BESEDILO SKLEPNE LISTINE

1. Pooblaščenci:

NJEGOVEGA VELIČANSTVA KRALJA BELGIJCEV,
PREDSEDNIKA REPUBLIKE BOLGARIJE,
PREDSEDNIKA ČEŠKE REPUBLIKE,
NJENEGA VELIČANSTVA KRALJICE DANSKE,
PREDSEDNIKA ZVEZNE REPUBLIKE NEMČIJE,
PREDSEDNIKA REPUBLIKE ESTONIJE,
PREDSEDNIKA IRSKE,
PREDSEDNIKA HELENSKE REPUBLIKE,
NJEGOVEGA VELIČANSTVA KRALJA ŠPANIJE,
PREDSEDNIKA FRANCOŠKE REPUBLIKE,
REPUBLIKE HRVAŠKE,
PREDSEDNIKA ITALIJANSKE REPUBLIKE,
PREDSEDNIKA REPUBLIKE CIPER,

PREDSEDNIKA REPUBLIKE LATVIJE,
PREDSEDNICE REPUBLIKE LITVE,
NJEGOVE KRALJEVE VISOKOSTI VELIKEGA VOJVODE LUKSEMBURŠKEGA,
PREDSEDNIKA REPUBLIKE MADŽARSKE,
PREDSEDNIKA MALTE,
NJENEGA VELIČANSTVA KRALJICE NIZOZEMSKE,
ZVEZNEGA PREDSEDNIKA REPUBLIKE AVSTRIJE,
PREDSEDNIKA REPUBLIKE POLJSKE,
PREDSEDNIKA PORTUGALSKE REPUBLIKE,
PREDSEDNIKA ROMUNIJE,
PREDSEDNIKA REPUBLIKE SLOVENIJE,
PREDSEDNIKA SLOVAŠKE REPUBLIKE,
PREDSEDNICE REPUBLIKE FINSKE,
VLADE KRALJEVINE ŠVEDSKE,
NJENEGA VELIČANSTVA KRALJICE ZDRUŽENEGA KRALJESTVA VELIKA
BRITANIJA IN SEVERNA IRSKA,

zbrani v Bruslju, dne devetega decembra leta dva tisoč enajst ob podpisu Pogodbe med Kraljevino Belgijo, Republiko Bolgarijo, Češko republiko, Kraljevino Dansko, Zvezno republiko Nemčijo, Republiko Estonijo, Irsko, Helensko republiko, Kraljevino Španijo, Francosko republiko, Italijansko republiko, Republiko Ciper, Republiko Latvijo, Republiko Litvo, Velikim vojvodstvom Luksemburg, Republiko Madžarsko, Republiko Malto, Kraljevino Nizozemsko, Republiko Avstrijo, Republiko Poljsko, Portugalsko republiko, Romunijo, Republiko Slovenijo, Slovaško republiko, Republiko Finsko, Kraljevino Švedsko, Združenim kraljestvom Velika Britanija in Severna Irska (državami članicami Evropske unije) ter Republiko Hrvaško o pristopu Republike Hrvaške k Evropski uniji,

so ugotovili, da so bila na konferenci držav članic Evropske unije in Republike Hrvaške sestavljena in sprejeta naslednja besedila o pristopu Republike Hrvaške k Evropski uniji:

I Pogodba med Kraljevino Belgijo, Republiko Bolgarijo, Češko republiko, Kraljevino Dansko, Zvezno republiko Nemčijo, Republiko Estonijo, Irsko, Helensko republiko, Kraljevino Španijo, Francosko republiko, Italijansko republiko, Republiko Ciper, Republiko Latvijo, Republiko Litvo, Velikim vojvodstvom Luksemburg, Republiko Madžarsko, Republiko Malto, Kraljevino Nizozemsko, Republiko Avstrijo, Republiko Poljsko, Portugalsko republiko, Romunijo, Republiko Slovenijo, Slovaško republiko, Republiko Finsko, Kraljevino Švedsko, Združenim kraljestvom Velika Britanija in Severna Irska (državami članicami Evropske unije) ter Republiko Hrvaško o pristopu Republike Hrvaške k Evropski uniji (v nadaljnjem besedilu: Pogodba o pristopu)

II. Akt o pogojih pristopa Republike Hrvaške in prilagoditvah Pogodbe o Evropski uniji, Pogodbe o delovanju Evropske unije in Pogodbe o ustanovitvi Evropske skupnosti za atomsko energijo (v nadaljnjem besedilu: Akt o pristopu)

III. spodaj navedena besedila, ki so priložena Aktu o pristopu:

text="A. Priloga Seznam konvencij in I: protokolov, h katerim pristopi Republika Hrvaška ob pristopu (iz člena 3(4) Akta o pristopu) Priloga Seznam določb schengenskega II: pravnega reda, kakor so vključene v okvir Evropske unije, in aktov, ki na njem temeljijo ali so z njim kako drugače povezani, ki so za Republiko Hrvaško zavezujoči in se v njej uporabljajo od pristopa (iz člena 4(1) Akta o pristopu) Priloga Seznam iz člena 15 Akta o III: pristopu: prilagoditve aktov, ki so jih sprejele institucije Priloga Seznam iz člena 16 Akta o IV: pristopu: druge trajne določbe Priloga Seznam iz člena 18 Akta o V: pristopu: prehodni ukrepi Priloga Razvoj podeželja (iz člena VI: 35(2) Akta o pristopu) Priloga Posebne zaveze, ki jih je VII: Republika Hrvaška prevzela v pristopnih pogajanjih (iz drugega pododstavka člena 36 (1) Akta o pristopu) Priloga Zaveze, ki jih je Republika VIII: Hrvaška prevzela v zvezi s prestrukturiranjem hrvaške ladjedelniške industrije (iz tretjega pododstavka člena 36(1) Akta o pristopu) Priloga Zaveze, ki jih je Republika IX: Hrvaška prevzela v zvezi s prestrukturiranjem jeklarskega sektorja (iz tretjega pododstavka člena 36(1) Akta o pristopu)"

B. Protokol o določenih dogovorih o morebitnem enkratnem prenosu enot dodeljenih količin, ki se Republiku Hrvaški izdajo v okviru Kjotskega protokola k Okvirni konvenciji Združenih narodov o spremembi podnebja, ter o ustreznem nadomestilu;

C. besedila Pogodbe o Evropski uniji, Pogodbe o delovanju Evropske unije in Pogodbe o ustanovitvi Evropske skupnosti za atomsko energijo ter pogodbe, ki jih spreminjajo ali dopolnjujejo, vključno s Pogodbo o pristopu Kraljevine Danske, Irske ter Združenega kraljestva Velika Britanija in Severna Irska, Pogodbo o pristopu Helenske republike, Pogodbo o pristopu Kraljevine Španije in Portugalske republike, Pogodbo o pristopu Republike Avstrije, Republike Finske in Kraljevine Švedske, Pogodbo o pristopu Češke republike, Republike Estonije, Republike Ciper, Republike Latvije, Republike Litve, Republike Madžarske, Republike Malte, Republike Poljske, Republike Slovenije in Slovaške republike ter Pogodbo o pristopu Republike Bolgarije in Romunije v hrvaškem jeziku.

2. Visoke pogodbenice so dosegle politični dogovor o nizu prilagoditev aktov institucij zaradi pristopa ter pozivajo Svet in Komisijo, da sprejmeta te prilagoditve pred pristopom v skladu s členom 50 Akta o pristopu, kakor je navedeno v členu 3(4) Pogodbe o pristopu; prilagoditve se po potrebi dopolnijo in posodobijo, da se upošteva razvoj prava Unije.

3. Visoke pogodbenice se obvezujejo, da bodo Komisiji in druga drugi sporočile vse informacije, potrebne za uporabo Akta o pristopu. Po potrebi se te informacije zagotovijo pravočasno pred dnem pristopa, da je od dne pristopa mogoča celovita uporaba Akta o pristopu, predvsem glede delovanja notranjega trga. V tej zvezi je zelo pomembno zgodnje uradno obvestilo v skladu s členom 47 Akta o pristopu o ukrepih, ki jih sprejme Republika Hrvaška. Komisija lahko obvesti Republiko Hrvaško o roku, ki se ji zdi primeren za prejem ali pošiljanje določenih informacij.

Do dne podpisa so visoke pogodbenice prejele seznam, ki določa obveznosti obveščanja na področju veterinarstva.

4. Pooblaščenca so se seznanili z naslednjimi danimi izjavami, ki so priložene tej sklepni listini:

A. Skupna izjava sedanjih držav članic

Skupna izjava o celoviti uporabi določb schengenskega pravnega reda

B. Skupna izjava nekaterih sedanjih držav članic

Skupna izjava Zvezne republike Nemčije in Republike Avstrije o prostem gibanju delavcev: Hrvaška

C. Skupna izjava sedanjih držav članic in Republike Hrvaške

Skupna izjava o Evropskem razvojnem skladu

D. Izjava Republike Hrvaške:

Izjava Republike Hrvaške o prehodni ureditvi glede liberalizacije hrvaškega trga kmetijskih zemljišč

5. Pooblaščenca so se seznanili z izmenjavo pisem med Evropsko unijo in Republiko Hrvaško o postopku obveščanja in posvetovanja za sprejetje nekaterih sklepov in drugih ukrepov, ki jih je treba sprejeti v obdobju pred pristopom, priloženo tej sklepni listini.

[Podpisniki \(v slovenskem jeziku\)](#)

II. IZJAVE

A. SKUPNA IZJAVA SEDANJIH DRŽAV ČLANIC

Skupna izjava o celoviti uporabi določb schengenskega pravnega reda

Razume se, da dogovorjeni postopki za prihodnjo celovito uporabo vseh določb schengenskega pravnega reda v Republiki Hrvaški, ki bodo vključeni v Pogodbo o pristopu Hrvaške k Uniji (v nadaljnjem besedilu: Pogodba o pristopu Hrvaške), ne posegajo v odločitev, ki jo bo Svet sprejel v zvezi s celovito uporabo določb schengenskega pravnega reda v Republiki Bolgariji in Romuniji, niti nanjo ne vplivajo.

Odločitev Sveta v zvezi s celovito uporabo določb schengenskega pravnega reda v Bolgariji in Romuniji se sprejme na podlagi postopka, ki je bil v tej zvezi določen v Pogodbi o pristopu Bolgarije in Romunije k Uniji, ter v skladu s sklepi Sveta z dne 9. junija 2011 o zaključku postopka evalvacije o pripravljenosti Bolgarije in Romunije na izvajanje vseh določb schengenskega pravnega reda.

Dogovorjeni postopki za prihodnjo celovito uporabo vseh določb schengenskega pravnega reda na Hrvaškem, ki bodo vključene v Pogodbo o pristopu Hrvaške, ne vzpostavljajo pravnih obveznosti v nobenem drugem okviru kakor v okviru Pogodbe o pristopu Hrvaške.

B. SKUPNA IZJAVA NEKATERIH SEDANJIH DRŽAV ČLANIC

**Skupna izjava Zvezne republike Nemčije in Republike Avstrije o prostem gibanju delavcev:
Hrvaška**

Besedilo odstavka 12 prehodnih ukrepov o prostem gibanju delavcev po Direktivi 96 /71/ES iz oddelka 2 Priloge V k Aktu o pristopu si Zvezna republika Nemčija in Republika Avstrija v dogovoru s Komisijo razlagata tako, da lahko, kadar je to primerno, izraz »določene regije« vključuje tudi celotno ozemlje države.

C. SKUPNA IZJAVA SEDANJIH DRŽAV ČLANIC IN REPUBLIKE HRVAŠKE

Skupna izjava o Evropskem razvojnem skladu

Republika Hrvaška bo po pristopu k Uniji pristopila k Evropskemu razvojnemu skladu z začetkom veljavnosti novega večletnega finančnega okvira sodelovanja in bo vanj prispevala od 1. januarja drugega koledarskega leta od dne njenega pristopa.

D. IZJAVA REPUBLIKE HRVAŠKE

Izjava Republike Hrvaške o prehodni ureditvi glede liberalizacije hrvaškega trga kmetijskih zemljišč

Ob upoštevanju prehodne ureditve za pravne in fizične osebe iz EU/EGP glede pridobitve kmetijskih zemljišč v Republiki Hrvaški, kakor je določeno v Prilogi V k Aktu o pristopu, in

ob upoštevanju določbe, da Komisija na zaprosilo Republike Hrvaške odloči o podaljšanju sedemletnega prehodnega obdobja za dodatna tri leta, če obstajajo zadostni dokazi za to, da bi po izteku sedemletnega prehodnega obdobja v Republiki Hrvaški prišlo do resnih motenj ali nevarnosti resnih motenj na trgu s kmetijskimi zemljišči,

Republika Hrvaška izjavlja, da si bo v primeru odobritve zgoraj omenjenega podaljšanja prehodnega obdobja prizadevala storiti vse potrebno za liberalizacijo pridobivanja kmetijskih zemljišč na določenih območjih še pred iztekom tega triletnega obdobja.

III. IZMENJAVA PISEM MED EVROPSKO UNIJO IN REPUBLIKO HRVAŠKO O POSTOPKU OBVEŠČANJA IN POSVETOVANJA ZA SPREJETJE NEKATERIH SKLEPOV IN DRUGIH UKREPOV V OBDOBJU PRED PRISTOPOM

Pismo št. 1

Spoštovani,

v čast mi je sklicevati se na vprašanje v zvezi s postopkom obveščanja in posvetovanja za sprejetje nekaterih sklepov in drugih ukrepov v obdobju pred pristopom vaše države k Evropski uniji, ki je bilo postavljeno v okviru pristopnih pogajanj.

Potrdujem, da se Evropska unija lahko strinja s takšnim postopkom pod pogoji iz priloge k temu pismu; ta postopek bi se v zvezi z Republiko Hrvaško lahko začel uporabljati od dne, ko pristopna konferenca izjavi, da so pristopna pogajanja dokončno zaključena.

Hvaležen bi vam bil, če bi lahko potrdili, da se vaša vlada strinja z vsebino tega pisma.

S spoštovanjem,

PRILOGA

Postopek obveščanja in posvetovanja za sprejetje nekaterih sklepov in drugih ukrepov v obdobju pred pristopom

I.

1. Da se zagotovi ustrezna obveščenost Republike Hrvaške, se ta obvesti o vsakem predlogu, sporočilu, priporočilu ali pobudi, ki naj bi vodila do sprejetja pravnega akta Evropskega parlamenta in Sveta, Sveta ali Evropskega sveta, potem ko je poslana Svetu ali Evropskemu svetu.
2. Posvetovanja se opravijo na utemeljeno zaprosilo Hrvaške, ki v zaprosilu izrecno predstavi svoje interese kot prihodnja članica Unije in navede svoje pripombe.
3. O upravnih odločitvah se praviloma ne posvetuje.
4. Posvetovanja potekajo v okviru začasnega odbora, ki ga sestavljajo predstavniki Unije in Hrvaške. Razen v primeru utemeljenega ugovora Unije ali Hrvaške lahko posvetovanja potekajo tudi v obliki izmenjave elektronskih sporočil, zlasti na področju skupne zunanje in varnostne politike.
5. Unijo v začasnem odboru predstavljajo člani Odbora stalnih predstavnikov ali osebe, ki jih ti imenujejo v ta namen. Člani začasnega odbora so v ustreznih primerih lahko tudi člani Političnega in varnostnega odbora. Komisija je ustrezno zastopana.
6. Začasnemu odboru pomaga sekretariat, ki je sekretariat pristopne konference in se ohrani v ta namen.
7. Posvetovanja se začnejo takoj, ko so v okviru pripravljalnega dela na ravni Unije za sprejetje aktov, navedenih v odstavku 1, oblikovane skupne smernice, zaradi katerih so taka posvetovanja koristna.
8. Če po posvetovanjih resnejše težave še vedno niso odpravljene, se lahko zadeva na zaprosilo Hrvaške obravnava na ministrski ravni.
9. Zgornje določbe se smiselno uporabljajo tudi za odločitve sveta guvernerjev Evropske investicijske banke.
10. Postopek, določen v zgornjih odstavkih, se uporablja tudi za vse prihodnje odločitve Hrvaške, ki bi lahko vplivale na zaveze, ki izhajajo iz njenega položaja prihodnje članice Unije.

II.

11. Unija in Hrvaška s sprejetjem potrebnih ukrepov zagotovita, da pristop Hrvaške k sporazumom ali konvencijam in protokolom iz členov 3(4), 6(2) in 6(5) Akta o pogojih pristopa Republike Hrvaške in o prilagoditvah Pogodb, na katerih temelji Evropska unija (v nadaljnjem besedilu: Akt o pristopu), čim bolj sovпада z začetkom veljavnosti Pogodbe o pristopu.
12. V zvezi s pogajanjem s sopogodbenicami protokolov iz drugega pododstavka člena 6(2) Akta o pristopu se predstavniki Hrvaške vključijo v delo kot opazovalci, skupaj s predstavniki sedanjih držav članic.

13. Nekateri nepreferencialni sporazumi, ki jih je sklenila Unija in ostanejo v veljavi po dnevu pristopa, se lahko zaradi upoštevanja širitve Unije spremenijo ali prilagodijo. O teh spremembah ali prilagoditvah se bo pogajala Unija skupaj s predstavniki Hrvaške v skladu s postopkom iz odstavka 12.

III.

14. Institucije pravočasno sestavijo besedila iz člena 52 Akta o pristopu. V ta namen Hrvaška institucijam pravočasno zagotovi prevode teh besedil.

Pismo št. 2

Spoštovani,

v čast mi je potrditi prejem vašega pisma, v katerem je zapisano:

»V čast mi je sklicevati se na vprašanje v zvezi s postopkom obveščanja in posvetovanja za sprejetje nekaterih sklepov in drugih ukrepov v obdobju pred pristopom vaše države k Evropski uniji, ki je bilo postavljeno v okviru pristopnih pogajanj.

Potrpujem, da se Evropska unija lahko strinja s takšnim postopkom pod pogoji iz priloge k temu pismu; ta postopek bi se v zvezi z Republiko Hrvaško lahko začel uporabljati od dne, ko pristopna konferenca izjavi, da so pristopna pogajanja dokončno zaključena.

Hvaležen bi vam bil, če bi lahko potrdili, da se vaša vlada strinja z vsebino tega pisma.«

V čast mi je potrditi, da se moja vlada strinja z vsebino tega pisma.

S spoštovanjem,

(1) UL L 114, 30. 4. 2002, str. 6.

(2) UL L 317, 15. 12. 2000, str. 3.

(3) UL L 209, 11. 8. 2005, str. 27, UL L 287, 28. 10. 2005, str. 49, in UL L 168M, 21. 6. 2006, str. 33.

(4) UL L 287, 4. 11. 2010, str. 3.

(5) UL L 1, 3. 1. 1994, str. 3.

(6) UL L 79, 22. 3. 2002, str. 42.

(7) UL L 210, 31. 7. 2006, str. 82.

(8) UL L 248, 16. 9. 2002, str. 1.

(9) UL L 170, 29. 6. 2007, str. 1.

(10) UL L 277, 21. 10. 2005, str. 1, in UL L 286M, 4. 11. 2010, str. 26.

(11) UL L 55, 28. 2. 2011, str. 13.

(12) UL L 26, 28. 1. 2005, str. 3.

(13) UL L 299, 16. 11. 2007, str. 1.

(14) UL L 55, 28. 2. 2011, str. 13.

(15) UL L 56, 4. 3. 1968, str. 1.

(16) UL L 239, 22. 9. 2000, str. 13.

(17) UL L 239, 22. 9. 2000, str. 19.

(18) Do sklenitve navedenega sporazuma, če se ta uporablja začasno.

(19) UL L 83, 27. 3. 1999, str. 1.

(20) UL L 171, 23. 6. 2006, str. 35, in UL L 326 M, 10. 12. 2010, str. 70.

(21) UL L 209, 11. 8. 2005, str. 1.

(22) UL L 35, 13. 2. 1996, str. 1.

(23) UL L 265, 26. 9. 2006, str. 18.

(24) UL L 136, 30. 4. 2004, str. 1.

(25) UL L 257, 19. 10. 1968, str. 13. Direktiva, kakor je bila nazadnje spremenjena z Aktom o pristopu iz leta 2003 (UL L 236, 23. 9. 2003, str. 33) in razveljavljena z učinkom od 30. aprila 2006 z Direktivo 2004/38/ES Evropskega parlamenta in Sveta (UL L 158, 30. 4. 2004, str. 77).

(26) UL L 316, 2. 12. 2009, str. 1.

(27) UL L 316, 2. 12. 2009, str. 27.

(28) UL L 316, 2. 12. 2009, str. 65.

(29) UL L 54, 26. 2. 2011, str. 1.

(30) UL L 170, 29. 6. 2007, str. 1.

(31) UL L 375, 31. 12. 1991, str. 1.

(32) Letna proizvodnja danega podjetja se izračuna na naslednji način. Začetek proizvodnje ladje je načrtovani datum rezanja jekla, zaključek proizvodnje pa datum pričakovane dobave ladje, kot je določen v pogodbi s kupcem (ali predvideni datum dostave nedokončane ladje, kadar pri izgradnji ladje sodelujeta dve podjetji). Število KBT za posamezno ladjo se dodeli linearno glede na število koledarskih let v obdobju proizvodnje. Skupni obseg proizvodnje podjetja v danem letu se izračuna tako, da se doda število v tem letu proizvedenih KBT.

(33) Izračuna se v skladu s členi 9 do 11 Uredbe Komisije (ES) št. 794/2004 z dne 21. aprila 2004 o izvajanju Uredbe Sveta (ES) št. 659/1999 o določitvi podrobnih pravil za uporabo člena 93 Pogodbe ES (UL L 140, 30. 4. 2004, str. 1), kakor je bila nazadnje spremenjena z Uredbo Komisije (ES) št. 1125/2009 (UL L 308, 24. 11. 2009, str. 5).

(34) UL L 140, 5. 6. 2009, str. 136.

(35) UL L 55, 28. 2. 2011, str. 13.

(36) UL L 49, 19. 2. 2004, str. 1.

(37) UL L 358, 16. 12. 2006, str. 87. Odločba kakor je bila spremenjena s Sklepom Komisije 2010/778/EU z dne 15. decembra 2010 (UL L 332, 16. 12. 2010, str. 41).

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

THE PRESIDENT OF THE REPUBLIC OF ESTONIA,

Andrus ANSIP

Prime Minister

THE PRESIDENT OF IRELAND,

Enda KENNY

Taoiseach (Prime Minister)

THE PRESIDENT OF THE HELLENIC REPUBLIC,

Lucas PAPADEMOS

Prime Minister

HIS MAJESTY THE KING OF SPAIN,

José Luis RODRIGUEZ ZAPATERO

President of the Government

THE PRESIDENT OF THE FRENCH REPUBLIC,

Jean LEONETTI

Minister for Europe

THE REPUBLIC OF CROATIA,

Ivo JOSIPOVIĆ,

President

Jadranka KOSOR

Prime Minister

THE PRESIDENT OF THE ITALIAN REPUBLIC,

Sen. Prof. Mario MONTI

President of the Council of Ministers

THE PRESIDENT OF THE REPUBLIC OF CYPRUS,

Demetris CHRISTOFIAS

President

THE PRESIDENT OF THE REPUBLIC OF LATVIA,

Valdis DOMBROVSKIS

Prime Minister

THE PRESIDENT OF THE REPUBLIC OF LITHUANIA,

Dalia GRYBAUSKAITĖ

President

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG,

Jean-Claude JUNCKER

Prime Minister, Minister of State

THE PRESIDENT OF THE REPUBLIC OF HUNGARY,

Viktor ORBÁN

Prime Minister

THE PRESIDENT OF MALTA,

Lawrence GONZI

Prime Minister

HER MAJESTY THE QUEEN OF THE NETHERLANDS,

Mark RUTTE

Prime Minister, Minister of General Affairs

THE FEDERAL PRESIDENT OF THE REPUBLIC OF AUSTRIA,

Werner FAYMANN

Federal Chancellor

THE PRESIDENT OF THE REPUBLIC OF POLAND,

Donald TUSK

Prime Minister

THE PRESIDENT OF THE PORTUGUESE REPUBLIC,

Pedro PASSOS COELHO

Prime Minister

THE PRESIDENT OF ROMANIA,

Traian BĂSESCU

President

THE PRESIDENT OF THE REPUBLIC OF SLOVENIA,

Borut PAHOR

President of the Government

THE PRESIDENT OF THE SLOVAK REPUBLIC,

Iveta RADICOVA

Prime Minister

THE PRESIDENT OF THE REPUBLIC OF FINLAND,

Jyrki KATAINEN

Prime Minister

THE GOVERNMENT OF THE KINGDOM OF SWEDEN,

Fredrik REINFELDT

Prime Minister

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.

[Podpisniki \(v angleškem jeziku\)](#)

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.

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:

text="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:

text="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:

text="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(6):

text=" (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:

– 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(7), 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(8) 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)(9).

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:

text="(EUR million, 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:

text="(EUR million, 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)(10) 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.
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(11) 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(12) (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.

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)(13) in conjunction with Article 13(1)(b) of European Parliament and Council Regulation (EU) No 182/2011(14) 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.

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(15). 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.
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 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)

1. Convention of 23 July 1990 on the elimination of double taxation in connection with the adjustment of profits of associated enterprises (OJ L 225, 20. 8. 1990, p. 10)

- Convention of 21 December 1995 on the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the Convention on the elimination of double taxation in connection with the adjustment of profits of associated enterprises (OJ C 26, 31. 1. 1996, p. 1)
 - Protocol of 25 May 1999 amending the Convention of 23 July 1990 on the elimination of double taxation in connection with the adjustment of profits of associated enterprises (OJ C 202, 16. 7. 1999, p. 1)
 - Convention of 8 December 2004 on 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 to the Convention on the elimination of double taxation in connection with the adjustment of profits of associated enterprises (OJ C 160, 30. 6. 2005, p. 1)
2. Convention of 26 July 1995, drawn up on the basis of Article K.3 of the Treaty on European Union, on the protection of the European Communities' financial interests (OJ C 316, 27. 11. 1995, p. 49)
 - Protocol of 27 September 1996, drawn up on the basis of Article K.3 of the Treaty on European Union, to the Convention on the protection of the European Communities' financial interests (OJ C 313, 23. 10. 1996, p. 2)
 - Protocol of 29 November 1996, drawn up on the basis of Article K.3 of the Treaty on European Union, on the interpretation, by way of preliminary rulings, by the Court of Justice of the European Communities of the Convention on the protection of the European Communities' financial interests (OJ C 151, 20. 5. 1997, p. 2)
 - Second Protocol of 19 June 1997, drawn up on the basis of Article K.3 of the Treaty on European Union, to the Convention on the protection of the European Communities' financial interests (OJ C 221, 19. 7. 1997, p. 12)
 3. Convention of 26 May 1997, drawn up on the basis of Article K.3(2)(c) of the Treaty on European Union, on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union (OJ C 195, 25. 6. 1997, p. 2)
 4. Convention of 18 December 1997, drawn up on the basis of Article K.3 of the Treaty on European Union, on mutual assistance and cooperation between customs administrations (OJ C 24, 23. 1. 1998, p. 2)
 5. Convention of 17 June 1998, drawn up on the basis of Article K.3 of the Treaty on European Union, on driving disqualifications (OJ C 216, 10. 7. 1998, p. 2)
 6. Convention of 29 May 2000, established by the Council in accordance with Article 34 of the Treaty on European Union, on Mutual Assistance in Criminal Matters between the Member States of the European Union (OJ C 197, 12. 7. 2000, p. 3)
 - Protocol of 16 October 2001, established by the Council in accordance with Article 34 of the Treaty on European Union, to the Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union (OJ C 326, 21. 11. 2001, p. 2)

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(16).
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(17), 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)
 - the Arrangement between the European Community and the Republic of Iceland and the Kingdom of Norway on the modalities of the participation by those States in the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union, including the Joint Declaration annexed thereto, signed on 1 February 2007 and approved by Council Decision 2007/511/EC (OJ L 188, 20. 7. 2007, p. 15)
 - the Arrangement between the European Community, of the one part, and the Swiss Confederation and the Principality of Liechtenstein, of the other part, on the modalities of the participation by those States in the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union, including the Annex and Joint Declarations annexed thereto, signed on 30 September 2009 and approved by Council Decision 2010/490/EU (OJ L 243, 16. 9. 2010, p. 2)
 - the Agreement between the European Community and the Republic of Iceland, the Kingdom of Norway, the Swiss Confederation and the Principality of Liechtenstein on supplementary rules in relation to the External Borders Fund for the period 2007 to 2013, including the Declarations annexed thereto, signed on 19 March 2010 and approved by Council Decision 2011/305/EU (OJ L 137, 25. 5. 2011, p. 1)(18).
5. The provisions of the following Decisions (see OJ L 239, 22. 9. 2000, p. 1) of the Executive Committee established by 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, as amended by certain of the acts listed in paragraph 8 of this Annex:
- SCH/Com-ex (93) 10 Decision of the Executive Committee of 14 December 1993 concerning the declarations by the Ministers and State Secretaries
 - SCH/Com-ex (93) 14 Decision of the Executive Committee of 14 December 1993 on improving practical judicial cooperation for combating drug trafficking
 - SCH/Com-ex (94) 16 rev Decision of the Executive Committee of 21 November 1994 on the acquisition of common entry and exit stamps
 - SCH/Com-ex (94) 28 rev Decision of the Executive Committee of 22 December 1994 on the certificate provided for in Article 75 to carry narcotic drugs and psychotropic substances
 - SCH/Com-ex (94) 29 rev 2 Decision of the Executive Committee of 22 December 1994 on bringing into force the Convention implementing the Schengen Agreement of 19 June 1990

- SCH/Com-ex (95) 21 Decision of the Executive Committee of 20 December 1995 on the swift exchange between the Schengen States of statistical and specific data on possible malfunctions at the external borders
 - SCH/Com-ex (98) 1 rev 2 Decision of the Executive Committee of 21 April 1998 on the activities of the Task Force, insofar as it relates to the provisions in paragraph 2 of this Annex
 - SCH/Com-ex (98) 26 def Decision of the Executive Committee of 16 September 1998 setting up a Standing Committee on the evaluation and implementation of Schengen
 - SCH/Com-ex (98) 37 def 2 Decision of the Executive Committee of 27 October 1998 on the adoption of measures to fight illegal immigration, insofar as it relates to the provisions in paragraph 2 of this Annex
 - SCH/Com-ex (98) 52 Decision of the Executive Committee of 16 December 1998 on the Handbook on cross-border police-cooperation, insofar as it relates to the provisions in paragraph 2 of this Annex
 - SCH/Com-ex (98) 59 rev Decision of the Executive Committee of 16 December 1998 on coordinated deployment of document advisers
 - SCH/Com-ex (99) 1 rev 2 Decision of the Executive Committee of 28 April 1999 on the drugs situation
 - SCH/Com-ex (99) 6 Decision of the Executive Committee of 28 April 1999 on the Schengen acquis relating to telecommunications
 - SCH/Com-ex (99) 7 rev 2 Decision of the Executive Committee of 28 April 1999 on liaison officers
 - SCH/Com-ex (99) 8 rev 2 Decision of the Executive Committee of 28 April 1999 on general principles governing the payment of informers
 - SCH/Com-ex (99) 10 Decision of the Executive Committee of 28 April 1999 on the illegal trade in firearms.
6. The following Declarations (see OJ L 239, 22. 9. 2000, p. 1) of the Executive Committee established by 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, to the extent that they relate to the provisions in paragraph 2 of this Annex:
- SCH/Com-ex (96) decl 6 rev 2 Declaration of the Executive Committee of 26 June 1996 on extradition
 - SCH/Com-ex (97) decl 13 rev 2 Declaration of the Executive Committee of 9 February 1998 on the abduction of minors.
7. The following Decisions (see OJ L 239, 22. 9. 2000, p. 1) of the Central Group established by 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, to the extent that they relate to the provisions in paragraph 2 of this Annex:
- SCH/C (98) 117 Decision of the Central Group of 27 October 1998 on the adoption of measures to fight illegal immigration

- SCH/C (99) 25 Decision of the Central Group of 22 March 1999 on general principles governing the payment of informers.

8. The following acts which build upon the Schengen acquis or otherwise relate to it:

- Council Regulation (EC) No 1683/95 of 29 May 1995 laying down a uniform format for visas (OJ L 164, 14. 7. 1995, p. 1)
- Council Decision 1999/307/EC of 1 May 1999 laying down the detailed arrangements for the integration of the Schengen Secretariat into the General Secretariat of the Council (OJ L 119, 7. 5. 1999, p. 49)
- Council Decision 1999/435/EC of 20 May 1999 concerning the definition of the Schengen acquis for the purpose of determining, in conformity with the relevant provisions of the Treaty establishing the European Community and the Treaty on European Union, the legal basis for each of the provisions or decisions which constitute the acquis (OJ L 176, 10. 7. 1999, p. 1)
- Council Decision 1999/436/EC of 20 May 1999 determining, in conformity with the relevant provisions of the Treaty establishing the European Community and the Treaty on European Union, the legal basis for each of the provisions or decisions which constitute the Schengen acquis (OJ L 176, 10. 7. 1999, p. 17)
- Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two states with the implementation, application and development of the Schengen acquis (OJ L 176, 10. 7. 1999, p. 31)
- Council Decision 1999/848/EC of 13 December 1999 on the full application of the Schengen acquis in Greece (OJ L 327, 21. 12. 1999, p. 58)
- Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen acquis (OJ L 131, 1. 6. 2000, p. 43)
- Council Decision 2000/586/JHA of 28 September 2000 establishing a procedure for amending Articles 40(4) and (5), 41(7) and 65(2) of the Convention implementing the Schengen Agreement of 14 June 1985 on the gradual abolition of checks at common borders (OJ L 248, 3. 10. 2000, p. 1)
- Council Decision 2000/777/EC of 1 December 2000 on the application of the Schengen acquis in Denmark, Finland and Sweden, and in Iceland and Norway (OJ L 309, 9. 12. 2000, p. 24)
- Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 81, 21. 3. 2001, p. 1)
- Council Directive 2001/51/EC of 28 June 2001 supplementing the provisions of Article 26 of the Convention implementing the Schengen Agreement of 14 June 1985 (OJ L 187, 10. 7. 2001, p. 45)
- Council Regulation (EC) No 333/2002 of 18 February 2002 on a uniform format for forms for affixing the visa issued by Member States to persons holding travel documents not recognised by the Member State drawing up the form (OJ L 53, 23. 2. 2002, p. 4)

- Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen acquis (OJ L 64, 7. 3. 2002, p. 20)
- Council Regulation (EC) No 1030/2002 of 13 June 2002 laying down a uniform format for residence permits for third-country nationals (OJ L 157, 15. 6. 2002, p. 1)
- Council Framework Decision 2002/946/JHA of 28 November 2002 on the strengthening of the penal framework to prevent the facilitation of unauthorised entry, transit and residence (OJ L 328, 5. 12. 2002, p. 1)
- Council Directive 2002/90/EC of 28 November 2002 defining the facilitation of unauthorised entry, transit and residence (OJ L 328, 5. 12. 2002, p. 17)
- Council Decision 2003/170/JHA of 27 February 2003 on the common use of liaison officers posted abroad by the law enforcement agencies of the Member States (OJ L 67, 12. 3. 2003, p. 27)
- Council Decision 2003/725/JHA of 2 October 2003 amending the provisions of Article 40(1) and (7) of the Convention implementing the Schengen Agreement of 14 June 1985 on the gradual abolition of checks at common borders (OJ L 260, 11. 10. 2003, p. 37)
- Council Directive 2003/110/EC of 25 November 2003 on assistance in cases of transit for the purposes of removal by air (OJ L 321, 6. 12. 2003, p. 26)
- Council Regulation (EC) No 377/2004 of 19 February 2004 on the creation of an immigration liaison officers network (OJ L 64, 2. 3. 2004, p. 1)
- Council Directive 2004/82/EC of 29 April 2004 on the obligation of carriers to communicate passenger data (OJ L 261, 6. 8. 2004, p. 24)
- Council Decision 2004/573/EC of 29 April 2004 on the organisation of joint flights for removals from the territory of two or more Member States, of third-country nationals who are subjects of individual removal orders (OJ L 261, 6. 8. 2004, p. 28)
- Council Decision 2004/512/EC of 8 June 2004 establishing the Visa Information System (VIS) (OJ L 213, 15. 6. 2004, p. 5 and OJ L 142M, 30. 5. 2006, p. 60)
- Council Regulation (EC) No 2007/2004 of 26 October 2004 establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (OJ L 349, 25. 11. 2004, p. 1 and OJ L 153M, 7. 6. 2006, p. 136)
- Council Regulation (EC) No 2252/2004 of 13 December 2004 on standards for security features and biometrics in passports and travel documents issued by Member States (OJ L 385, 29. 12. 2004, p. 1 and OJ L 153M, 7. 6. 2006, p. 375)
- Council Decision 2004/926/EC of 22 December 2004 on the putting into effect of parts of the Schengen acquis by the United Kingdom of Great Britain and Northern Ireland (OJ L 395, 31. 12. 2004, p. 70)
- Council Decision 2005/267/EC of 16 March 2005 establishing a secure web-based Information and Coordination Network for Member States' Migration Management Services (OJ L 83, 1. 4. 2005, p. 48 and OJ L 159M, 13. 6. 2006, p. 288)
- Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons

across borders (Schengen Borders Code) (OJ L 105, 13. 4. 2006, p.1), except the first sentence of Article 1, Article 5(4)(a), Title III and the provisions of Title II and the annexes thereto referring to the Schengen Information System (SIS)

- Council Framework Decision 2006/960/JHA of 18 December 2006 on simplifying the exchange of information and intelligence between law enforcement authorities of the Member States of the European Union (OJ L 386, 29. 12. 2006, p. 89)
- Regulation (EC) No 1931/2006 of the European Parliament and of the Council of 20 December 2006 laying down rules on local border traffic at the external land borders of the Member States and amending the provisions of the Schengen Convention (OJ L 405, 30. 12. 2006, p. 1), except Articles 4(b) and 9(c)
- Council Decision 2007/471/EC of 12 June 2007 on the application of the provisions of the Schengen acquis relating to the Schengen Information System in the Czech Republic, the Republic of Estonia, 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 (OJ L 179, 7. 7. 2007, p. 46)
- Regulation (EC) No 863/2007 of the European Parliament and of the Council of 11 July 2007 establishing a mechanism for the creation of Rapid Border Intervention Teams and amending Council Regulation (EC) No 2007/2004 as regards that mechanism and regulating the tasks and powers of guest officers (OJ L 199, 31. 7. 2007, p. 30), except the provisions of Article 6(8) and (9) to the extent that they refer to access being given to the Schengen Information System
- Council Decision 2007/801/EC of 6 December 2007 on the full application of the provisions of the Schengen acquis in the Czech Republic, the Republic of Estonia, 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 (OJ L 323, 8. 12. 2007, p. 34)
- Council Decision 2008/421/EC of 5 June 2008 on the application of the provisions of the Schengen acquis relating to the Schengen Information System in the Swiss Confederation (OJ L 149, 7. 6. 2008, p. 74)
- Article 6 of Council Decision 2008/633/JHA of 23 June 2008 concerning access for consultation of the Visa Information System (VIS) by designated authorities of Member States and by Europol for the purposes of the prevention, detection and investigation of terrorist offences and of other serious criminal offences (OJ L 218, 13. 8. 2008, p. 129)
- Council Decision 2008/903/EC of 27 November 2008 on the full application of the provisions of the Schengen acquis in the Swiss Confederation (OJ L 327, 5. 12. 2008, p. 15)
- Council Framework Decision 2008/977/JHA of 27 November 2008 on the protection of personal data processed in the framework of police and judicial cooperation in criminal matters (OJ L 350, 30. 12. 2008, p. 60)
- Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals (OJ L 348, 24. 12. 2008, p. 98)
- Article 3 of Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code) (OJ L 243, 15. 9. 2009, p. 1)

- Council Decision 2010/252/EU of 26 April 2010 supplementing the Schengen Borders Code as regards the surveillance of the sea external borders in the context of operational cooperation coordinated by the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (OJ L 111, 4. 5. 2010, p. 20)
- Council Decision 2010/365/EU of 29 June 2010 on the application of the provisions of the Schengen acquis relating to the Schengen Information System in the Republic of Bulgaria and Romania (OJ L 166, 1. 7. 2010, p. 17).

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.";

(b) Article 20(2) is replaced by the following:

"2. This Regulation shall apply to supplementary protection certificates granted in accordance with the national legislation of the Czech Republic, Estonia, Croatia, Cyprus, Latvia, Lithuania, Malta, Poland, Romania, Slovenia and Slovakia prior to their respective date of accession."

2. 32009 R 0469: Regulation (EC) No 469/2009 of the European Parliament and of the Council of 6 May 2009 concerning the supplementary protection certificate for medicinal products (OJ L 152, 16. 6. 2009, p. 1).

(a) The following point is added to Article 20:

"(m) any medicinal product protected by a valid basic patent and for which the first authorisation to place it on the market as a medicinal 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.";

(b) Article 21(2) is replaced by the following:

"2. This Regulation shall apply to supplementary protection certificates granted in accordance with the national legislation of the Czech Republic, Estonia, Croatia, Cyprus, Latvia, Lithuania, Malta, Poland, Romania, Slovenia and Slovakia prior to their respective date of accession."

III. COMMUNITY DESIGNS

32002 R 0006: Council Regulation (EC) No 6/2002 of 12 December 2001 on Community designs (OJ L 3, 5. 1. 2002, p. 1).

Article 110a(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 design protected 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."

3. FINANCIAL SERVICES

32006 L 0048: Directive 2006/48/EC of the European Parliament and of the Council of 14 June 2006 relating to the taking up and pursuit of the business of credit institutions (recast) (OJ L 177, 30. 6. 2006, p. 1).

In Article 2, the following is inserted after the entry for France:

"– in Croatia, the "kreditne unije" and the "Hrvatska banka za obnovu i razvitak",".

4. AGRICULTURE

1. 31991 R 1601: Council Regulation (EEC) No 1601/91 of 10 June 1991 laying down general rules on the definition, description and presentation of aromatized wines, aromatized wine-based drinks and aromatized wine-product cocktails (OJ L 149, 14. 6. 1991, p. 1).

In Annex II, the following is inserted after the geographical designation "Nürnberger Glühwein":

"Samoborski bermet"

2. 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 66, the following paragraph is inserted:

"4a. For Croatia a special restructuring reserve shall be established as set out in point 2 of Annex IX. This reserve shall be released as of 1 April of the first quota year after accession to the extent that the on-farm consumption of milk and milk products in Croatia has decreased in the period 2008-2012.

The decision on releasing the reserve and of its distribution to the deliveries and direct sales quota shall be taken by the Commission in accordance with the procedure referred to in Article 195(2) on the basis of an assessment of a report to be submitted by Croatia by 31 December 2013. That report shall detail the results and trends of the actual restructuring process in Croatia's dairy sector, and in particular the shift from production for on-farm consumption to production for the market.";

(b) In Article 103k(1), the following subparagraph is added:

"This paragraph shall not apply to Croatia for the financial year 2013. Croatia shall submit to the Commission a draft five-year support programme for the 2014-2018 programme period.";

(c) In Annex III, Part II, point 13 is replaced by the following:

"13. "full-time refiner" means a production unit:

– of which the sole activity consists of refining imported raw cane sugar,

or

– which refined in the marketing year 2004/2005 a quantity of at least 15 000 tonnes of imported raw cane sugar. For the purpose of this indent, in the case of Croatia the marketing year shall be that of 2007/2008.";

(d) Annex VI is replaced by the following:

text=""ANNEX VI NATIONAL AND REGIONAL QUOTAS from the 2010/2011 marketing year onwards (in tonnes) +-----+-----+-----+-----+ | Member | Sugar (2) |
|soglucose|Inulin | | States or | | (3) | syrup | | regions (1) | | | (4) | +-----+-----+-----+-----+
+-----+ |Belgium | 676 235,0 | 114 | 0 | | | | 580,2 | | +-----+-----+-----+-----+
|Bulgaria | 0 | 89 198,0 | | +-----+-----+-----+-----+ |Czech | 372 459,3 | | | |
|Republic | | | | +-----+-----+-----+-----+ |Denmark | | 372 | | | | 383,0 | | |
+-----+-----+-----+-----+ |Germany | 2 898 | 56 638,2 | | | | 255,7 | | | | +-----+-----+
+-----+-----+-----+ |Ireland | 0 | | | | +-----+-----+-----+-----+ |Greece | 158
702,0 | 0 | | | +-----+-----+-----+-----+ |Spain | 498 480,2 | 53 810,2 | | +-----+-----+
+-----+-----+-----+ |France | 3 004 | | 0 | | |(metropolitan)| 811,15 | | | | +-----+-----+
+-----+-----+-----+ |French | 432 220,05 | | | | |overseas | | | | |departments | | | | |
+-----+-----+-----+-----+ |Croatia | 192 877,0 | | | | +-----+-----+-----+-----+
+-----+ |Italy | 508 379,0 | 32 492,5 | | | +-----+-----+-----+-----+ |Latvia | 0 | | | |
+-----+-----+-----+-----+ |Lithuania | 90 252,0 | | | | +-----+-----+-----+-----+
+-----+ |Hungary | 105 420,0 | 220 | | | | | 265,8 | | | +-----+-----+-----+-----+
|Netherlands | 804 888,0 | 0 | 0 | | +-----+-----+-----+-----+ |Austria | 351 027,4 | | | |
+-----+-----+-----+-----+ |Poland | 1 405 | 42 861,4 | | | | 608,1 | | | | +-----+-----+
+-----+-----+-----+ |Portugal | 0 | 12 500,0 | | | | |(mainland) | | | | | +-----+-----+
+-----+-----+ |Autonomous | 9 953,0 | | | | |Region of | | | | |the Azores | | | | | +-----+-----+
+-----+-----+ |Romania | 104 688,8 | 0 | | | +-----+-----+-----+-----+
|Slovenia | 0 | | | | +-----+-----+-----+-----+ |Slovakia | 112 319,5 | 68 094,5 | | |
+-----+-----+-----+-----+ |Finland | 80 999,0 | 0 | | | +-----+-----+-----+-----+
+-----+ |Sweden | 293 186,0 | | | | +-----+-----+-----+-----+ |United | 1 056 | 0 | | |
|Kingdom | 474,0 | | | | +-----+-----+-----+-----+ |TOTAL | 13 529 | 690 | 0 | | |
618,20 | 440,8 | | | +-----+-----+-----+-----+ ","

(e) In Annex IX, point 1, the following is inserted after the entry for France:

text="" Member 2008/09 2009/10 2010/11 2011/12 2012/13 2013/14 2014/15 State
----- Croatia 765 000 765 000 ","

(f) In Annex IX, point 2, the table is replaced by the following:

text="" +-----+-----+-----+ | Member State | Tonnes |
+-----+-----+-----+ |Bulgaria | 39 180 | +-----+-----+-----+
+-----+-----+ |Croatia | 15 000 | +-----+-----+-----+
+ |Romania | 188 400 | +-----+-----+-----+ ","

(g) In Annex X, the following is inserted after the entry for France:

text="" +-----+-----+-----+ |Croatia | 40,70 |
+-----+-----+-----+ ","

4. 32009 R 0073: Council Regulation (EC) No 73/2009 of 19 January 2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers, amending Regulations (EC) No 1290/2005, (EC) No 247/2006, (EC) No 378/2007 and repealing Regulation (EC) No 1782/2003 (OJ L 30, 31. 1. 2009, p. 16).

(a) Article 2(g) is replaced by the following:

"(g) "new Member States" means Bulgaria, the Czech Republic, Estonia, Croatia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Romania, Slovenia and Slovakia;"

(b) In Article 6(2), the first subparagraph is replaced by the following:

"2. The Member States other than the new Member States shall ensure that land which was under permanent pasture at the date provided for the area aid applications for 2003 is maintained under permanent pasture. The new Member States other than Bulgaria, Croatia and Romania shall ensure that land which was under permanent pasture on 1 May 2004 is maintained under permanent pasture. Bulgaria and Romania shall ensure that land which was under permanent pasture on 1 January 2007 is maintained under permanent pasture. Croatia shall ensure that land which was under permanent pasture on 1 July 2013 is maintained under permanent pasture.";

(c) Article 33(1)(b)(iv) is replaced by the following:

"(iv) pursuant to Article 47(2), Articles 57a and 59, the third subparagraph of Article 64(2), Article 65 and Article 68(4)(c).";

(d) In Article 51(1), the following subparagraph is added:

"Croatia may decide to make use of the options provided for in Article 52 and Article 53(1) of this Regulation. That decision shall be notified to the Commission by 15 July 2013.";

(e) In Article 51(2), the following subparagraph is added:

"By way of derogation from the second subparagraph, in the case of Croatia, this ceiling is determined on the basis of the national ceilings set out in Articles 104(4) and 112(5) as regards respectively sheepmeat and goatmeat payments and beef and veal payments referred to in Articles 52 and 53, taking into account the schedule of introduction of direct payments laid down in Article 121.";

(f) In Article 52, the following paragraph is inserted after the first paragraph:

"By way of derogation from the first paragraph, Croatia may retain up to 50 % of the amount resulting from the ceiling referred to in the third subparagraph of Article 51(2) of this Regulation in order to make, on a yearly basis, an additional payment to farmers.";

(g) In Article 53(1), the following subparagraph is inserted after the first subparagraph:

"By way of derogation from the first subparagraph, Croatia may retain all or part of the amount resulting from the ceiling referred to in the third subparagraph of Article 51(2) of this Regulation in order to make, on a yearly basis, an additional payment to farmers.";

(h) The title of Chapter 3 of Title III is replaced by the following:

"4. The following national ceilings shall apply:

```
text="+-----+-----+ | Member States | National ceiling | +-----+
+-----+ |Bulgaria | 2 058 483 | +-----+-----+ |Czech Republic |
66 733 | +-----+-----+ |Denmark | 104 000 | +-----+
+-----+ |Estonia | 48 000 | +-----+-----+ |Spain | 19 580 000 |
+-----+-----+ |France | 7 842 000 | +-----+-----+
|Croatia | 542 651 | +-----+-----+ |Cyprus | 472 401 | +-----+
+-----+ |Latvia | 18 437 | +-----+-----+ |Lithuania | 17 304 |
+-----+-----+ |Hungary | 1 146 000 | +-----+-----+
|Poland | 335 880 | +-----+-----+ |Portugal | 2 690 000 | +-----+
+-----+ |Romania | 5 880 620 | +-----+-----+ |Slovenia | 84 909 |
+-----+-----+ |Slovakia | 305 756 | +-----+-----+
|Finland | 80 000 | +-----+-----+ |Total | 41 273 174 | +-----+
+-----+ &quot;";
```

(s) In Article 112(5), the following is inserted after the entry for France:

```
text="&quot; +-----+-----+ |Croatia |105 270 | +-----+
+-----+ &quot;";
```

(t) Article 121 is replaced by the following:

"Article 121

Introduction of direct payments

In the new Member States other than Bulgaria, Croatia and Romania, direct payments shall be introduced in accordance with the following schedule of increments expressed as a percentage of the then applicable level of such payments in the Member States other than the new Member States:

- 60 % in 2009,
- 70 % in 2010,
- 80 % in 2011,
- 90 % in 2012,
- 100 % as of 2013.

In Bulgaria and Romania, direct payments shall be introduced in accordance with the following schedule of increments expressed as a percentage of the then applicable level of such payments in the Member States other than the new Member States:

- 35 % in 2009,
- 40 % in 2010,
- 50 % in 2011,
- 60 % in 2012,
- 70 % in 2013,
- 80 % in 2014,

- 90 % in 2015,
- 100 % as of 2016.

In Croatia, direct payments shall be introduced in accordance with the following schedule of increments expressed as a percentage of the then applicable level of such payments in the Member States other than the new Member States:

- 25 % in 2013,
- 30 % in 2014,
- 35 % in 2015,
- 40 % in 2016,
- 50 % in 2017,
- 60 % in 2018,
- 70 % in 2019,
- 80 % in 2020,
- 90 % in 2021,
- 100 % as of 2022.";

(u) In Article 132(2), the following subparagraph is inserted after the second subparagraph:

"By way of derogation from points (a) and (b) of the first subparagraph, Croatia shall have the possibility to complement direct payments up to 100 % of the level applicable in Member States other than the new Member States.";

(v) In Annex VII, the following is inserted after the entry for France:

text="" +-----+-----+-----+ |Croatia |100 |1 | +-----+-----
+-----+ "";

(w) In Annex VIII, the following table is added:

"Table 3(*)

Member	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	State
Croatia	93	111	130	149	186	223	261	298	335	373	250
	550	200	500	800	100	400	700	000			

(*) Ceilings calculated taking into account the schedule of increments provided for in Article 121."

5. FISHERIES

1. 32002 R 2371: Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy (OJ L 358, 31. 12. 2002, p. 59).

In Annex I, the following parts are added:

"11. COASTAL WATERS OF CROATIA*

text="+-----+-----+-----+-----+ | Geographical | Member | Species | Importance or | | area | State | | particular | | | | characteristics | +-----+-----+-----+ |12 miles limited |Slovenia |Demersal and |100 tonnes for a | |to the sea area | |small pelagic |maximum number of | |under the | |species |25 fishing vessels| |sovereignty of | |including |which includes 5 | |Croatia situated | |sardine and |fishing vessels | |to the north of | |anchovy |equipped with | |the 45 degrees | | |trawl nets | |and 10 minutes | | | |parallel north | | | |latitude along | | | |the west Istrian | | | |coast, from the | | | |outer limit of | | | |the territorial | | | |sea of Croatia, | | | |where this | | | |parallel touches | | | |the land of the | | | |west Istrian | | | |coast (the cape | | | |Grgatov rt | | | |Funtana) | | | | +-----+-----+-----+"

* The above mentioned regime shall apply from the full implementation of the arbitration award resulting from the Arbitration Agreement between the Government of the Republic of Slovenia and the Government of the Republic of Croatia, signed in Stockholm on 4 November 2009.

12. COASTAL WATERS OF SLOVENIA*

text="+-----+-----+-----+-----+ | Geographical | Member | Species | Importance or | | area | State | | particular | | | | characteristics | +-----+-----+-----+ |12 miles limited |Croatia |Demersal and |100 tonnes for a | |to the sea area | |small pelagic |maximum number of | |under the | |species |25 fishing vessels| |sovereignty of | |including |which includes 5 | |Slovenia | |sardine and |fishing vessels | |situated to the | |anchovy |equipped with | |north of the 45 | | |trawl nets | |degrees and 10 | | | |minutes parallel | | | |north latitude | | | |along the west | | | |Istrian coast, | | | |from the outer | | | |limit of the | | | |territorial sea | | | |of Croatia, | | | |where this | | | |parallel touches | | | |the land of the | | | |west Istrian | | | |coast (the cape | | | |Grgatov rt | | | |Funtana) | | | | +-----+-----+-----+"

* The above mentioned regime shall apply from the full implementation of the arbitration award resulting from the Arbitration Agreement between the Government of the Republic of Slovenia and the Government of the Republic of Croatia, signed in Stockholm on 4 November 2009."

2. 32006 R 1198: Council Regulation (EC) No 1198/2006 of 27 July 2006 on the European Fisheries Fund (OJ L 223, 15. 8. 2006, p. 1).

(a) In Article 27, the following paragraph is added:

"5. The EFF may contribute to the financing of a scheme of individual premiums for fishers who will benefit from the access regime laid down in Part 11 of Annex I to Regulation (EC) No 2371/2002 as amended by the Act of Accession of Croatia. The scheme may only apply during the period 2014 to 2015 or, if this occurs earlier, up until the date of the full implementation of the arbitration award resulting from the Arbitration Agreement between the Government of the Republic of Slovenia and the Government of the Republic of Croatia, signed in Stockholm on 4 November 2009.";

(b) Article 29(3) is replaced by the following:

"3. By way of derogation from paragraph 2, in the outermost regions and the outlying Greek islands as well as in the Croatian islands Dugi otok, Vis, Mljet and Lastovo, aid may be granted to all enterprises.";

(c) Article 35(4) is replaced by the following:

"4. By way of derogation from paragraph 3, in the outermost regions and the outlying Greek islands as well as in the Croatian islands Dugi otok, Vis, Mljet and Lastovo, aid may be granted to all enterprises.";

(d) In Article 53(9), the first subparagraph is replaced by the following:

"9. When operations are financed by the EFF in the outlying Greek islands which are under a handicap due to their distant location and in the outermost regions as well as in the Croatian islands Dugi otok, Vis, Mljet and Lastovo, the ceiling for the contribution from the EFF for each priority axis shall be increased by up to 10 percentage points in the regions eligible under the Convergence objective and by up to 35 percentage points for the regions not eligible under the Convergence objective.";

(e) In Annex II, point (a), the table is replaced by the following:

"

```
text="+-----+-----+-----+-----+-----+ | Group 1 | Group 2 | Group 3
| Group 4 | +-----+-----+-----+-----+-----+ | Regions | A < / = 100 % | A <
/ = 40 % | A < / = 80 % | A < / = 60 % | | covered by | B > / = 0 % | B > / = 60 % | B > / = 20 % | B > / =
40 % | | the | | (*) | (**) | | (***) | | Convergence | | | | | objective and | | | | | | outlying | | | | | | Greek
islands | | | | | | and the | | | | | | Croatian | | | | | | islands Dugi | | | | | | otok, Vis, | | | | | | Mljet and | | | | |
| Lastovo | | | | | | +-----+-----+-----+-----+-----+ | Regions not | A < / =
100 % | A < / = 40 % | A < / = 60 % | A < / = 40 % | | covered by | B > / = 0 % | B > / = 60 % | B > / = 40
% | B > / = 60 % | | the | | (*) | (**) | | (***) | | Convergence | | | | | | objective | | | | | | +-----
+-----+-----+-----+-----+ | Outermost | A < / = 100 % | A < / = 50 % | A < / = 80
% | A < / = 75 % | | regions | B > / = 0 % | B > / = 50 % | B > / = 20 % | B > / = 25 % | | | (*) | (**) | | |
+-----+-----+-----+-----+-----+ "
```

(*) In the case of operations referred to in Article 25(3), the (B) rates for Group 2 are increased by 20 percentage points. The (A) rates are reduced accordingly.

(**) In the case of operations referred to in Article 26(2) (investment on board within the meaning of Article 25 in small scale coastal fishing vessels), the (B) rates for Group 2 may be reduced by 20 percentage points. The (A) rates are increased accordingly.

(***) In case of operations referred to in Articles 29 and 35 when undertaken by enterprises not covered by the definition in Article 3(f) with less than 750 employees or with a turnover of less than EUR 200 million, the (B) rates are increased in the regions covered by the Convergence objective, with the exception of the outlying Greek islands and the Croatian islands Dugi otok, Vis, Mljet and Lastovo, by 30 percentage points and in the regions not covered by the Convergence objective by 20 percentage points. The (A) rates are reduced accordingly."

(f) In Annex II, point (a), the second paragraph of sub-title "Group 2" is replaced by the following:

"Following the application of (*) and (**) where the EFF finances operations referred to in Article 25(3) in favour of small scale coastal fishing vessels, the (B) rates for Group 2 will be:

- for the regions covered by the Convergence objective, the outlying Greek islands and the Croatian islands Dugi otok, Vis, Mljet and Lastovo and the regions not covered by the Convergence objective, equal to or more than 60 percentage points ($B \geq 60\%$),

and

– for the outermost regions, equal to or more than 50 percentage points ($B \geq 50 \%$).".

6. TAXATION

1. 32006 L 0112: Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax (OJ L 347, 11. 12. 2006, p. 1).

In Article 287, the following point is added:

"(19) Croatia: EUR 35 000.".

2. 32008 L 0118: Council Directive 2008/118/EC of 16 December 2008 concerning the general arrangements for excise duty and repealing Directive 92/12/EEC (OJ L 9, 14. 1. 2009, p. 12).

Article 46(3) is replaced by the following:

"3. Without prejudice to Article 32, Member States not referred to in the third and fourth subparagraphs of Article 2(2) of Directive 92/79/EEC may, as regards cigarettes which may be brought into their territory without further payment of excise duties, apply from 1 January 2014 a quantitative limit of not less than 300 items with respect to cigarettes brought in from a Member State which applies, in accordance with the third and fourth subparagraphs of Article 2(2) of that Directive, lower excise duties than those resulting from the first subparagraph of Article 2(2) thereof.

Member States referred to in the third and fourth subparagraphs of Article 2(2) of Directive 92/79/EEC which levy an excise duty of at least EUR 77 per 1 000 cigarettes irrespective of the weighted average retail selling price, may, from 1 January 2014, apply a quantitative limit of not less than 300 items as regards cigarettes brought into their territory without further payment of excise duties from a Member State which applies a lower excise duty in accordance with the third subparagraph of Article 2(2) of that Directive.

Member States which apply a quantitative limit in accordance with the first and the second subparagraphs of this paragraph shall inform the Commission thereof. They may carry out the necessary checks provided that these checks do not affect the proper functioning of the internal market.".

7. REGIONAL POLICY AND COORDINATION OF STRUCTURAL INSTRUMENTS

1. 32006 R 1083: Council Regulation (EC) No 1083/2006 of 11 July 2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No 1260/1999 (OJ L 210, 31. 7. 2006, p. 25).

(a) In Article 15(4), the following sentence is added to the second subparagraph:

"With regard to Croatia, the date for this verification shall be 31 December 2017.";

(b) In Article 18(1), the first subparagraph is replaced by the following:

"1. The resources available for commitment from the Funds for the period 2007 to 2013 shall be EUR 308 417 037 817 at 2004 prices in accordance with the annual breakdown shown in Annex I.";

(c) Article 19 is replaced by the following:

"Article 19

Resources for the Convergence objective

Overall resources for the Convergence objective shall amount to 81,56 % of the resources referred to in Article 18(1) (i.e. a total of EUR 251 529 800 379) and shall be distributed between the different components as follows:

(a) 70,50 % (i.e. a total of EUR 177 324 921 223) for the financing referred to in Article 5(1), using eligible population, regional prosperity, national prosperity and unemployment rate as the criteria for calculating the indicative breakdowns by Member State;

(b) 4,98 % (i.e. a total of EUR 12 521 289 405) for the transitional and specific support referred to in Article 8(1), using eligible population, regional prosperity, national prosperity and unemployment rate as the criteria for calculating the indicative breakdowns by Member State;

(c) 23,23 % (i.e. a total of EUR 58 433 589 750) for the financing referred to in Article 5(2), using population, national prosperity, and surface area as the criteria for calculating the indicative breakdowns by Member State;

(d) 1,29 % (i.e. a total of EUR 3 250 000 000) for the transitional and specific support referred to in Article 8(3).";

(d) In Article 20, the introductory part is replaced by the following:

"Overall resources for the Regional competitiveness and employment objective shall amount to 15,93 % of the resources referred to in Article 18(1) (i.e. a total of EUR 49 127 784 318) and shall be distributed between the different components as follows:";

(e) In Article 21, paragraphs 1 and 2 are replaced by the following:

"1. Overall resources for the European territorial cooperation objective shall amount to 2,52 % of the resources referred to in Article 18(1) (i.e. a total of EUR 7 759 453 120) and, excluding the amount referred to in paragraph 22 of Annex II, shall be distributed between the different components as follows:

(a) 73,86 % (i.e. a total of EUR 5 583 386 893) for the financing of cross-border cooperation referred to in Article 7(1), using eligible population as the criterion for calculating the indicative breakdowns by Member State;

(b) 20,95 % (i.e. a total of EUR 1 583 594 654) for the financing of transnational cooperation referred to in Article 7(2), using eligible population as the criterion for calculating the indicative breakdowns by Member State;

(c) 5,19 % (i.e. a total of EUR 392 471 574) for the financing of interregional cooperation, cooperation networks and exchange of experience referred to in Article 7(3).

2. The contribution from the ERDF to the cross-border and sea-basin programmes under the European Neighbourhood and Partnership Instrument and to the cross-border programmes under the Instrument for Pre-Accession Assistance pursuant to Regulation (EC) No 1085/2006 shall be EUR 817 691 234, as a result of the indication of each Member State concerned, deducted from their allocations under paragraph 1(a). These ERDF contributions shall not be subject to reallocation between the Member States concerned.";

(f) In Article 22, the following paragraph is added:

"By way of derogation from the first paragraph, Croatia may distribute its financial allocation under the European territorial cooperation objective among the three components referred to in Article 21(1)(a) to (c) with a view to achieving a high level of efficiency and simplification.";

(g) Article 23 is replaced by the following:

"Article 23

Resources for the performance reserve

Three per cent of the resources referred to in Article 19(a) and (b) and Article 20 may be allocated by the Member States, with the exception of Croatia, in accordance with Article 50.";

(h) Article 28 is amended as follows:

(i) In paragraph 1, the following subparagraph is inserted after the first subparagraph:

"With regard to Croatia, the national strategic reference framework shall cover the period from the date of accession to 31 December 2013.";

(ii) In paragraph 2, the following subparagraph is inserted after the first subparagraph:

"Croatia shall transmit its national strategic reference framework to the Commission within three months from the date of accession.";

(i) In Article 29, the following paragraph is added:

"5. Paragraphs 1 to 4 shall not apply to Croatia.";

(j) In Article 32(3), the following subparagraph is added:

"With regard to Croatia, the Commission shall adopt the decision approving an operational programme to be financed under the programming period 2007-2013 no later than 31 December 2013. Croatia shall in this operational programme take into account any observations made by the Commission and submit it to the Commission no later than three months from the date of accession.";

(k) In Article 33(1), the following subparagraph is added:

"With regard to Croatia, operational programmes adopted before the date of accession may be revised for the sole purpose of a better alignment with this Regulation.";

(l) In Article 49(3), the following subparagraph is added:

"With regard to Croatia's operational programmes the ex post evaluation shall be completed by 31 December 2016.";

(m) The following Article is inserted:

"Article 51a

Articles 50 and 51 shall not apply to Croatia.";

(n) Article 53(3) is replaced by the following:

"3. For operational programmes under the European territorial cooperation objective in which at least one participant belongs to a Member State whose average GDP per capita for the period 2001 to 2003 was below 85 % of the EU-25 average during the same period, or for such programmes where Croatia is a participating country, the contribution from the ERDF shall not be higher than 85 % of the eligible expenditure. For all other operational programmes, the contribution from the ERDF shall not be higher than 75 % of the eligible expenditure co-financed by the ERDF.";

(o) In Article 56(1), the following subparagraph is added:

"With regard to Croatia, expenditure shall be eligible for a contribution from the Funds between the starting date of eligibility of expenditure as fixed in accordance with the instruments adopted under Regulation (EC) No 1085/2006 and 31 December 2016. However, for operational programmes adopted after accession, expenditure for a contribution from the Funds shall be eligible from the date of accession, unless a later date is specified in the decision on the operational programme concerned.";

(p) In Article 56(3), the following subparagraph is added:

"Notwithstanding specific provisions on eligibility as laid down in Article 105a, the criteria fixed by the monitoring committee of operational programmes for Croatia shall not apply to operations for which the approval decision has been adopted before the date of accession and which have been part of the instruments adopted under Regulation (EC) No 1085/2006.";

(q) Article 62(1) is amended as follows:

(i) In point (c), the following subparagraph is inserted after the first subparagraph:

"With regard to Croatia, the audit authority of an operational programme shall submit to the Commission an update of the annual audit work plan as referred to in Article 29(2)(a) 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)(*) within three months from the date of accession.

(*) OJ L 170, 29. 6. 2007, p. 1.";

(ii) In point (d)(i), the following subparagraph is added:

"With regard to Croatia, the first annual control report shall be submitted by 31 December 2013 covering the period from 1 October 2012 until 30 June 2013. The following reports covering the periods from 1 July 2013 to 30 June 2014, from 1 July 2014 to 30 June 2015 and from 1 July 2015 to 30 June 2016 shall be submitted to the Commission by 31 December 2014, 31 December 2015 and 31 December 2016, respectively. The information concerning the audits carried out after 1 July 2016 shall be included in the final control report supporting the closure declaration referred to in point (e)";

(iii) In point (e), the following subparagraph is added:

"With regard to Croatia, a closure declaration supported by the final control report, shall be submitted to the Commission by 31 March 2018.";

(r) In Article 67(1), the following subparagraph is added:

"With regard to Croatia, the managing authority shall send a final report on the implementation of the operational programme by 31 March 2018.";

(s) Article 71 is amended as follows:

(i) The following paragraph is inserted:

"1a. Notwithstanding paragraph 1, as soon as possible following the date of its accession or, at the latest, before any payment by the Commission is made, Croatia shall submit to the Commission a description of the systems, covering the elements set out in points (a) and (b) of that paragraph.";

(ii) The following paragraph is inserted:

"2a. Paragraph 2 shall apply mutatis mutandis to Croatia. The report referred to in the first subparagraph of paragraph 2 shall be deemed to be accepted under the same conditions as those set out in the second subparagraph of paragraph 2. However, such acceptance shall be a pre-requisite for the pre-financing amount referred to in Article 82.";

(t) In Article 75, the following paragraph is inserted:

"1a. With regard to Croatia, the respective budget commitments from the ERDF, the Cohesion Fund and the ESF for 2013 shall be made based on the decision referred to in Article 28(3) before the Commission takes any decision on the revision of an adopted operational programme. The decision referred to in Article 28(3) shall constitute a financing decision within the meaning of Article 75 of Regulation (EC, Euratom) No 1605/2002 for any budget commitment in favour of Croatia.";

(u) In Article 78(2)(c), the following sentence is added:

"With regard to Croatia, they shall be covered by expenditure paid by beneficiaries in implementing the project and supported by receipted invoices or accounting documents of equivalent probative value at the latest three years after the year of the payment of the advance or on 31 December 2016, whichever is the earlier; if they are not, the next statement of expenditure shall be corrected accordingly.";

(v) In Article 82, the following paragraph is inserted:

"1a. With regard to Croatia, following the acceptance of the report as referred to in Article 71(2a) and following the respective budget commitments as referred to in Article 75(1a), a single pre-financing amount for the rest of the 2007 to 2013 period shall be paid in a single instalment and will represent 30 % of the contribution from the Structural Funds and 40 % of the contribution from the Cohesion Fund to the operational programme.";

(w) In Article 89(1), the following subparagraph is added:

"With regard to Croatia, an application for payment comprising the documents listed in point (a) (i) to (iii) shall be sent by 31 March 2018.";

(x) In Article 93, the following paragraph is inserted:

"3a. By way of derogation from paragraphs 1 to 3, with regard to Croatia the Commission shall apply the de-commitment mechanism set out in paragraph 1 in the following way:

(i) the deadline for any open part of the 2010 commitment shall be 31 December 2013;

(ii) the deadline for any open part of the 2011 commitment shall be 31 December 2014;

(iii) the deadline for any open part of the 2012 commitment shall be 31 December 2015;

(iv) any part of 2013 commitments still open on 31 December 2016 shall be automatically de-committed if the Commission has not received an acceptable application for payment for it by 31 March 2018.";

(y) In Article 95, the following paragraph is inserted after the second paragraph:

"By way of derogation from the first and second paragraphs, with regard to Croatia the deadlines referred to in Article 93(3a) shall be interrupted under the conditions set out in the first paragraph of this Article in respect of the amount relating to the operations concerned.";

(z) In Article 98(2), the following subparagraph is added:

"With regard to Croatia, the resources from the Funds released in this way may be reused by Croatia until 31 December 2016.";

(za) The following Article is inserted:

"Article 105a

Specific provisions following the accession of Croatia

1. Programmes and major projects which, on the date of accession of Croatia, have been approved under Regulation (EC) No 1085/2006 and the implementation of which has not been completed by that date, shall be considered to have been approved by the Commission under this Regulation, with the exception of programmes approved under the components referred to in points (a) and (e) of Article 3(1) of Regulation (EC) No 1085/2006.

In addition, the following programmes falling under the component referred to in point (b) of Article 3(1) of Regulation (EC) No 1085/2006 shall also be excluded:

- a) the "IPA Adriatic cross-border co-operation programme";
- b) the "Croatia – Bosnia and Herzegovina" cross-border programme;
- c) the "Croatia – Montenegro" cross-border programme;
- d) the "Croatia – Serbia" cross-border programme.

Without prejudice to paragraphs 2 to 7, the provisions governing the implementation of operations and major projects approved pursuant to this Regulation shall apply to those operations and major projects.

2. Any procurement procedure relating to operations within the programmes or relating to major projects referred to in paragraph 1 which, on the date of accession, has already been the subject of an invitation to tender published in the Official Journal of the European Union shall be implemented in accordance with the rules laid down in that invitation to tender. Article 165 of Regulation (EC, Euratom) No 1605/2002 shall not apply.

Any procurement procedure relating to operations within the programmes or relating to major projects referred to in paragraph 1 which, on the date of accession, has not yet been the subject of an invitation to tender published in the Official Journal of the European Union shall be implemented in compliance with the Treaties or the acts adopted under the Treaties as well as with Article 9 of this Regulation.

Other operations than those referred to in the first and second subparagraphs and for which calls for proposals were launched in accordance with Article 158 of Commission Regulation (EC) No 718/2007 or for which applications had been submitted to the competent authorities before the date of accession, and for which the contracting could only be finalised after that date, shall be implemented in accordance with the conditions and eligibility rules published in the relevant call for proposals or those communicated in advance to potential beneficiaries.

3. Payments made by the Commission under programmes referred to in paragraph 1 shall be considered as a contribution from the Funds under this Regulation and shall be posted to the earliest open commitment including IPA commitments.

Any part of commitments made by the Commission under programmes referred to in paragraph 1 still open on the date of accession shall be governed by this Regulation from the date of accession.

4. For operations approved under Regulation (EC) No 1085/2006 for which approval was given or for which the respective grant agreements with final beneficiaries were signed before the date of accession, the rules governing the eligibility of expenditure in accordance with, or based on, Commission Regulation (EC) No 718/2007 shall remain applicable, except in duly justified cases to be decided on by the Commission at Croatia's request.

The eligibility rule established in the first subparagraph applies also to major projects referred to in paragraph 1 for which bilateral project agreements were signed before the date of accession.

5. With regard to Croatia, any reference to the Funds as defined in the second paragraph of Article 1 shall be construed as also including the Instrument for Pre-Accession Assistance established by Regulation (EC) No 1085/2006.
6. Specific deadlines applicable to Croatia shall also apply to the following cross-border programmes falling under the component referred to in Article 3(1)(b) of Regulation (EC) No 1085/2006, where Croatia is a participating country:

- (a) the "Hungary – Croatia" cross-border programme, and
- (b) the "Slovenia – Croatia" cross-border programme.

Specific deadlines applicable to Croatia under this Regulation do not apply to operational programmes under the transnational and interregional components under the European territorial cooperation objective, where Croatia is a participating country.

7. If any measures are necessary to facilitate Croatia's transition from the pre-accession regime to that resulting from the application of this Article, the Commission shall adopt the required measures.";

- (zb) Annex I is replaced by the following:

"ANNEX I

Annual breakdown of commitment appropriations for 2007 to 2013 (referred to in Article 18)

	2007	2008	2009	2010	2011	2012	2013
(EUR, 2004 prices)	42 863	43 318	43 862	43 860	44 073	44 723	45 718
	000 000	000 000	000 000	000 000	000 000	000 000	000 000
	000 000	000 000	037 817				

(zc) Annex II is amended as follows:

(i) In paragraph 5, the following points are added:

"(c) for Croatia, the resources for the financing of cross-border cooperation will be EUR 7 028 744 at 2004 prices;

(d) for Croatia, the resources for the financing of transnational cooperation will be EUR 1 874 332 at 2004 prices.";

(ii) The following paragraph is inserted:

"7a. For Croatia, the maximum level of transfer from the Funds will be 3,5240 % of its GDP.";

(iii) The following paragraph is inserted:

"9a. For Croatia, calculations of the GDP by the Commission will be based on statistics and projections published in May 2011.";

(zd) Annex III is replaced by the following:

"ANNEX III Ceilings applicable to co-financing rates (referred to in Article 53)

Criteria	Member States	ERDF and ESF	Cohesion	Percentage of Fund eligible	Percentage expenditure of eligible expenditure
1. Member States whose average GDP per capita for the period 2001 to 2003 was below 85 % of the average during the same period	Bulgaria, Czech Republic, Estonia, Greece, Latvia, Lithuania, Hungary, Malta, Poland, Portugal, Romania, Slovenia, Slovakia	85 %	85 %	85 %	85 %
2. Member States other than those under (1)	Spain	80 %	85 %	85 %	85 %
3. Member States other than those referred to in (1) and (2)	Belgium, Denmark, France, Ireland, Italy, Luxembourg, the Netherlands, Austria, Finland, Sweden and the United Kingdom	75 %	85 %	85 %	85 %
4. Member States other than those referred to in (1) and (2)	Belgium, Denmark, France, Ireland, Italy, Luxembourg, the Netherlands, Austria, Finland, Sweden and the United Kingdom	50 %	85 %	85 %	85 %
5. Outermost regions	Spain, France	50 %	85 %	85 %	85 %
6. Outermost regions	Spain, France	85 %	85 %	85 %	85 %

Portugal |Convergence and | |referred to in| |Regional | | |Article 349 of| |competitiveness | |
|the TFEU | |and employment | | | |objectives | | +-----+-----+-----
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2. 32006 R 1084: Council Regulation (EC) No 1084/2006 of 11 July 2006 establishing a Cohesion Fund and repealing Regulation (EC) No 1164/94 (OJ L 210, 31. 7. 2006, p. 79).

The following Article is inserted:

"Article 5a

Specific provisions following the accession of Croatia

1. Measures which, on the date of accession of Croatia, have been the subject of Commission decisions on assistance under Council Regulation (EC) No 1267/1999 of 21 June 1999 establishing an Instrument for Structural Policies for Pre-accession(*) and the implementation of which has not been completed by that date shall be considered to have been approved by the Commission under this Regulation.

Without prejudice to paragraphs 2 to 5, the provisions governing the implementation of actions approved pursuant to this Regulation and to Regulation (EC) No 1083/2006 shall apply to the measures referred to in the first subparagraph of this paragraph.

2. Any procurement procedure relating to measures referred to in paragraph 1 which, on the date of accession, has already been the subject of an invitation to tender published in the Official Journal of the European Union shall be implemented in accordance with the rules laid down in that invitation to tender. Article 165 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(**) shall not apply.

Any procurement procedure relating to a measure referred to in paragraph 1 which, on the date of accession, has not yet been the subject of an invitation to tender published in the Official Journal of the European Union shall be implemented in compliance with the Treaties or the acts adopted under the Treaties as well as with Article 9 of Regulation (EC) No 1083/2006.

3. Payments made by the Commission under a measure referred to in paragraph 1 shall be considered as a contribution from the Fund under this Regulation.

Payments made by the Commission under a measure referred to in paragraph 1 shall be posted to the earliest open commitment made in the first instance pursuant to Regulation (EC) No 1267/1999, and then pursuant to this Regulation and to Regulation (EC) No 1083/2006.

The conditions for interim payments or for the final balance are those set out in paragraph 2 (b) to (d) and paragraphs 3 to 5 of Article D in Annex II to Regulation (EC) No 1164/94.

4. For the measures referred to in paragraph 1, the rules governing the eligibility of expenditure pursuant to Regulation (EC) No 1267/1999 or specifically established in the relevant financing agreements shall remain applicable, except in duly justified cases to be decided on by the Commission at the request of Croatia.

5. If any measures are necessary to facilitate the transition of Croatia from the pre-accession regime to that resulting from the application of this Article, the Commission shall adopt the required measures.

(*) OJ L 161, 26. 6. 1999, p. 73.

(**) OJ L 248, 16. 9. 2002, p. 1."

8. ENVIRONMENT

1. 32003 L 0087: Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (OJ L 275, 25. 10. 2003, p. 32).

(a) In Article 9, the following sentence is added to the first paragraph:

"The Community-wide quantity of allowances will be increased as a result of Croatia's accession only by the quantity of allowances that Croatia shall auction pursuant to Article 10(1).";

(b) In Annex IIa, the following is inserted after the entry for Spain:

"Croatia 26 %".

2. 32009 D 0406: Decision No 406/2009/EC of the European Parliament and of the Council of 23 April 2009 on the effort of Member States to reduce their greenhouse gas emissions to meet the Community's greenhouse gas emission reduction commitments up to 2020 (OJ L 140, 5. 6. 2009, p. 136).

In Annex II, the following is inserted after the entry for France:

"Croatia 11 %".

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(19) (now Article 108 of the TFEU).

If such a decision is taken before the date of accession, the decision shall only come into effect upon the date of accession.

3. AGRICULTURE

(a) Treaty on the Functioning of the European Union, Part Three, Title III, Agriculture and Fisheries

1. Public stocks held at the date of accession by Croatia and resulting from its market-support policy shall be taken over by the Union at the value resulting from the application of Article 4(1)(d) and Annex VIII of Commission Regulation (EC) No 884/2006 of 21 June 2006 laying down detailed rules for the application of Council Regulation (EC) No 1290/2005 as regards the financing by the European Agricultural Guarantee Fund (EAGF) of intervention measures in the form of public storage operations and the accounting of public storage operations by the paying agencies of the Member States⁽²⁰⁾. The said stocks shall be taken over only on condition that public intervention for the products in question is operated in the Union and that the stocks meet the Union intervention requirements.
2. For any stocks, whether private or public, in free circulation at the date of accession in Croatia and which exceed the level of what can be considered as normal carry-over of stock, Croatia shall be charged with a payment to the general budget of the European Union.

The amount of the payment shall be fixed at a level which reflects the cost related to the effects of the surplus stock on the markets of agricultural products.

The level of the surplus stock shall be determined for each product taking into account the characteristics of each product and the relevant markets as well as Union legislation applicable to it.

3. The stocks referred to in paragraph 1 shall be deducted from the quantity exceeding the normal carry-over of stocks.
4. The Commission shall implement and apply the arrangements outlined in paragraphs 1 to 3 in accordance with the procedure laid down in Article 41(2) of Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy⁽²¹⁾ or, as appropriate, in accordance with the procedure referred to in Article 195(2) of Council Regulation (EC) No 1234/2007 or the relevant committee procedure as determined in the applicable legislation.

(b) Treaty on the Functioning of the European Union, Part Three, Title VII, Chapter 1, Rules on competition

Without prejudice to the procedures concerning existing aid provided for in Article 108 of the TFEU, aid schemes and individual aid granted to activities linked to the production of, and trade in, products listed in Annex I to the TEU and the TFEU, with the exception of fisheries products and products derived therefrom, put into effect in Croatia before the date of accession and still applicable after that date, shall be regarded as existing aid within the meaning of Article 108(1) of the TFEU subject to the following conditions:

- the aid measures shall be communicated to the Commission within a period of four months from the date of accession. This communication shall include information on the legal basis for each measure. Existing aid measures and plans to grant or alter aid communicated to the Commission prior to the date of accession shall be deemed to have been communicated on the date of accession. The Commission shall publish a list of such aid.

Those aid measures shall be regarded as "existing" aid within the meaning of Article 108(1) of the TFEU for a period of three years from the date of accession.

Within a period of three years from the date of accession Croatia shall, where necessary, amend those aid measures in order to comply with the guidelines applied by the Commission. After that period, any aid found to be incompatible with those guidelines shall be considered as new aid.

4. FISHERIES

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

Without prejudice to the procedures concerning existing aid provided for in Article 108 of the TFEU, aid schemes and individual aid granted to activities linked to the production of, and trade in, fisheries products and products derived therefrom listed in Annex I to the TEU and the TFEU, put into effect in Croatia before the date of accession and still applicable after that date, shall be regarded as existing aid within the meaning of Article 108(1) of the TFEU subject to the following conditions:

- the aid measures shall be communicated to the Commission within a period of four months from the date of accession. This communication shall include information on the legal basis for each measure. Existing aid measures and plans to grant or alter aid communicated to the Commission prior to the date of accession shall be deemed to have been communicated on the date of accession. The Commission shall publish a list of such aid.

Those aid measures shall be regarded as "existing" aid within the meaning of Article 108(1) of the TFEU for a period of three years from the date of accession.

Within a period of three years from the date of accession Croatia shall, where necessary, amend those aid measures in order to comply with the guidelines applied by the Commission. After that period, any aid found to be incompatible with those guidelines shall be considered as new aid.

5. CUSTOMS UNION

Treaty on the Functioning of the European Union, Part Three, Title II, Free Movement of Goods, Chapter 1, The Customs union

31992 R 2913: Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code (OJ L 302, 19. 10. 1992, p. 1).

31993 R 2454: Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code (OJ L 253, 11. 10. 1993, p. 1).

Council Regulation (EEC) No 2913/92 and Commission Regulation (EEC) No 2454/93 shall apply to Croatia subject to the following specific provisions.

PROOF OF UNION STATUS (TRADE WITHIN THE ENLARGED UNION)

1. Notwithstanding Article 20 of Council Regulation (EEC) No 2913/92, goods which on the date of accession are in temporary storage or under one of the customs treatments and procedures referred to in Article 4(15)(b) and (16)(b) to (h) of that Regulation in the enlarged Union, or which are in transport after having been the subject of export formalities within the enlarged Union, shall be free of customs duties and other customs measures when declared for release for free circulation within the enlarged Union on condition that one of the following is presented:

(a) proof of preferential origin properly issued or made out prior to the date of accession under the SAA;

(b) any of the means of proof of Union status referred to in Article 314c of Commission Regulation (EEC) No 2454/93;

(c) an ATA carnet issued before the date of accession in a present Member State or in Croatia.

2. For the purpose of issuing the proof referred to in paragraph 1(b), with reference to the situation at the date of accession and in addition to the provisions of Article 4(7) of Council Regulation (EEC) No 2913/92, "Community goods" shall mean goods:

– wholly obtained in the territory of Croatia under conditions identical to those of Article 23 of Council Regulation (EEC) No 2913/92 and not incorporating goods imported from other countries or territories;

– imported from countries or territories other than Croatia, and released for free circulation in Croatia; or

– obtained or produced in Croatia, either from goods referred to in the second indent alone or from goods referred to in the first and second indent.

3. For the purpose of verifying the proof referred to in paragraph 1(a), the provisions concerning the definition of "originating products" and the methods of administrative cooperation under the SAA shall apply. Requests for subsequent verification of such proof shall be accepted by the competent customs authorities of the present Member States and of Croatia for a period of three years from the issue or making out of the proof of origin concerned and may be made by those authorities for a period of three years after acceptance of the proof of origin in support of a declaration of free circulation.

PROOF OF PREFERENTIAL ORIGIN (TRADE WITH THIRD COUNTRIES, INCLUDING TURKEY, IN THE FRAMEWORK OF THE PREFERENTIAL AGREEMENTS ON AGRICULTURE, COAL AND STEEL PRODUCTS)

4. Without prejudice to the application of any measure deriving from the common commercial policy, proof of origin properly issued by third countries or made out in the framework of preferential agreements concluded by Croatia with those third countries shall be accepted in Croatia, provided that:

(a) the acquisition of such origin confers preferential tariff treatment on the basis of the preferential tariff measures contained in agreements or arrangements which the Union has concluded with, or adopted in respect of, those third countries or groups of third countries, as referred to in Article 20(3)(d) and (e) of Council Regulation (EEC) No 2913/92;

(b) the proof of origin and the transport documents were issued or made out no later than the day before the date of accession; and

(c) the proof of origin is submitted to the customs authorities within a period of four months from the date of accession.

Where goods were declared for release for free circulation in Croatia prior to the date of accession, proof of origin issued or made out retrospectively under preferential agreements in force in Croatia at the date of the release for free circulation may also be accepted in Croatia, provided that such proof of origin is submitted to the customs authorities within a period of four months from the date of accession.

5. Croatia is authorised to retain the authorisations with which the status of "approved exporters" has been granted in the framework of agreements concluded with third countries, provided that:

(a) such a provision is also provided for in the agreements or arrangements which the Union has concluded with, or adopted in respect of, those third countries or groups of third countries prior to the date of accession; and

(b) the approved exporters apply the rules of origin provided for in those agreements or arrangements.

These authorisations shall be replaced by Croatia, no later than one year from the date of accession, by new authorisations issued under the conditions of Union legislation.

6. For the purpose of verifying the proof referred to in paragraph 4, the provisions concerning the definition of "originating products" and the methods of administrative cooperation of the relevant agreements or arrangements shall apply. Requests for subsequent verification of such proof shall be accepted by the competent customs authorities of the present Member States and of Croatia for a period of three years after the issue or making out of the proof of origin concerned and may be made by those authorities for a period of three years after acceptance of the proof of origin in support of a declaration of free circulation.

7. Without prejudice to the application of any measure deriving from the common commercial policy, proof of origin issued or made out retrospectively by third countries in the framework of preferential agreements or arrangements which the Union has concluded with, or adopted in respect of, these third countries shall be accepted in Croatia for the release for free circulation of goods which on the date of accession are either in transport or in temporary storage, in a customs warehouse or in a free zone in one of these third countries or in Croatia, provided that Croatia had no free trade agreement in force with the third country, for the products concerned, at the moment when the transport documents were issued, and provided that:

(a) the acquisition of such origin confers preferential tariff treatment on the basis of the preferential tariff measures contained in agreements or arrangements which the Union has concluded with, or adopted in respect of, third countries or groups of third countries, as referred to in Article 20(3)(d) and (e) of Council Regulation (EEC) No 2913/92;

(b) the transport documents were issued no later than the day before the date of accession; and

(c) the proof of origin issued or made out retrospectively is submitted to the customs authorities within a period of four months from the date of accession.

8. For the purpose of verifying the proofs referred to in paragraph 7, the provisions concerning the definition of "originating products" and the methods of administrative cooperation of the relevant agreements or arrangements shall apply.

PROOF OF STATUS UNDER THE PROVISIONS ON FREE CIRCULATION FOR INDUSTRIAL PRODUCTS WITHIN THE EU-TURKEY CUSTOMS UNION

9. Proof of origin properly issued by either Turkey or Croatia or made out in the framework of preferential trade agreements applied between them and providing for a prohibition of drawback of, or exemption from, customs duties on the goods concerned shall be accepted in the respective countries as proof of status under the provisions on free

circulation for industrial products, laid down in Decision No 1/95 of the EC-Turkey Association Council of 22 December 1995 on implementing the final phase of the Customs Union(22) (hereinafter referred to as "Decision No 1/95"), provided that:

(a) the proof of origin and the transport documents were issued or made out no later than the day before the date of accession; and

(b) the proof of origin is submitted to the customs authorities within a period of four months from the date of accession.

Where goods were declared for release for free circulation in either Turkey or Croatia, prior to the date of accession, in the framework of preferential trade agreements referred to in the first subparagraph, proof of origin issued or made out retrospectively under those agreements may also be accepted provided that it is submitted to the customs authorities within a period of four months from the date of accession.

10. For the purpose of verifying the proof referred to in paragraph 9, the provisions concerning the definition of "originating products" and the methods of administrative cooperation of the relevant preferential agreements shall apply. Requests for subsequent verification of such proof shall be accepted by the competent customs authorities of the present Member States and of Croatia for a period of three years after the issue or making out of the proof of origin concerned and may be made by those authorities for a period of three years after acceptance of the proof of origin in support of a declaration of free circulation.

11. Without prejudice to the application of any measure deriving from the common commercial policy, an A.TR movement certificate issued under the provisions on free circulation for industrial products, laid down in Decision No 1/95, shall be accepted in Croatia for the release for free circulation of goods which on the date of accession are either in transport after having been the subject of export formalities within the Union or Turkey or are in temporary storage or under a customs procedure referred to in Article 4(16)(b) to (h) of Council Regulation (EEC) No 2913/92 in Turkey or in Croatia, provided that:

(a) no proof of origin as referred to in paragraph 9 is submitted for the goods concerned;

(b) the goods comply with the conditions for the implementation of the provisions on free circulation for industrial products;

(c) the transport documents were issued no later than the day before the date of accession; and

(d) the A.TR movement certificate is submitted to the customs authorities within four months from the date of accession.

12. For the purpose of verifying the A.TR movement certificates referred to in paragraph 11, the provisions concerning the issue of A.TR movement certificates and the methods of administrative cooperation under Decision No 1/2006 of the EC-Turkey Customs Cooperation Committee of 26 July 2006 laying down detailed rules for the application of Decision No 1/95 of the EC-Turkey Association Council(23) shall apply.

CUSTOMS PROCEDURES

13. Temporary storage and customs procedures referred to in Article 4(16)(b) to (h) of Council Regulation (EEC) No 2913/92 which have begun before accession shall be ended or discharged under the conditions of Union legislation.

Where the end or discharge gives rise to a customs debt, the amount of import duty to be paid shall be that in force at the time when the customs debt is incurred in accordance with the Common Customs Tariff and the amount paid shall be considered as own resources of the Union.

14. The procedures governing customs warehousing laid down in Articles 84 to 90 and 98 to 113 of Council Regulation (EEC) No 2913/92 and Articles 496 to 535 of Commission Regulation (EEC) No 2454/93 shall apply to Croatia subject to the following specific provisions:

- where the amount of a customs debt is determined on the basis of the nature of the import goods and where the declaration placing the goods under the procedure was accepted prior to the date of accession, the tariff classification, quantity, value for customs purposes and origin of the import goods at the time they were placed under the procedure shall result from the legislation applicable in Croatia at the date of acceptance of the declaration by the customs authorities.

15. The procedures governing inward processing laid down in Articles 84 to 90 and 114 to 129 of Council Regulation (EEC) No 2913/92 and Articles 496 to 523 and 536 to 550 of Commission Regulation (EEC) No 2454/93 shall apply to Croatia subject to the following specific provisions:

- where the amount of a customs debt is determined on the basis of the nature of the import goods and where the declaration placing the goods under the procedure was accepted prior to the date of accession, the tariff classification, quantity, value for customs purposes and origin of the import goods at the time they were placed under the procedure shall result from the legislation applicable in Croatia at the date of acceptance of the declaration by the customs authorities;

- where the discharge gives rise to a customs debt, in order to maintain equity between the holders of authorisations established in the present Member States and those in Croatia, compensatory interest shall be paid on the import duties due under the conditions of Union legislation from the date of accession;

- if the declaration for inward processing was accepted under a drawback system, the drawback shall be effected under the conditions of Union legislation, by and at the expense of Croatia, where the customs debt in respect of which the drawback is requested was incurred before the date of accession.

16. The procedures governing temporary importation laid down in Articles 84 to 90 and 137 to 144 of Council Regulation (EEC) No 2913/92 and Articles 496 to 523 and 553 to 584 of Commission Regulation (EEC) No 2454/93 shall apply to Croatia subject to the following specific provisions:

- where the amount of a customs debt is determined on the basis of the nature of the import goods and where the declaration placing the goods under the procedure was accepted prior to the date of accession, the tariff classification, quantity, value for customs purposes and origin of the import goods at the time they were placed under the procedure shall result from the legislation applicable in Croatia at the date of acceptance of the declaration by the customs authorities;

- where the discharge gives rise to a customs debt, in order to maintain equity between the holders of authorisations established in the present Member States and those in Croatia, compensatory interest shall be paid on the import duties due under the conditions of Union legislation from the date of accession.

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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(24) 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.

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⁽²⁵⁾ 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.
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:

text=" – in Germany: Sector NACE (*) code, unless otherwise specified Construction, 45.1 to 4; including related Activities listed branches in the Annex to Directive 96/71/EC Industrial cleaning 74.70 Industrial cleaning Other Services 74.87 Only activities of interior decorators (*) N ACE: 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 01.41 service activities Cutting, shaping and26.7 finishing of stone Manufacture of metal28.11 structures and parts of structures Construction, 45.1 to 4; including related Activities listed branches in the Annex to Directive 96/71/EC Security activities 74.60 Industrial cleaning 74.70 Home nursing 85.14 Social work and 85.32 activities without accommodation (*) 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.";

(b) In Article 118s, the following paragraph is added:

"5. For Croatia, the wine names published in OJ C 116 of 14 April 2011 shall be protected under this Regulation, subject to a favourable outcome of the objection procedure. The Commission shall list them in the register provided for in Article 118n.

Paragraphs 2 to 4 of this Article shall apply, subject to the following: the deadline referred to in paragraph 3 shall be one year from the date of accession of Croatia. The deadline referred to in paragraph 4 shall be four years from the date of accession of Croatia.".

4. 32009 R 0073: Council Regulation (EC) No 73/2009 of 19 January 2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers, amending Regulations (EC) No 1290 /2005, (EC) No 247/2006, (EC) No 378/2007 and repealing Regulation (EC) No 1782/2003 (OJ L 30, 31. 1. 2009, p. 16).

(a) By way of derogation from the obligation laid down in Article 4(1) of Regulation (EC) No 73/2009 to respect the statutory management requirements listed in Annex II of that Regulation, farmers in Croatia receiving direct payments shall include into the scope of cross compliance the statutory management requirements laid down in Points A, B and C of Annex II in accordance with the following timetable: as of 1 January 2014 for Point A, as of 1 January 2016 for Point B and as of 1 January 2018 for Point C.

(b) The following Chapter heading and Article are inserted after Chapter 1 in title V of Regulation (EC) No 73/2009:

"CHAPTER 1a

Single payment scheme

Article 121a

Single payment scheme in Croatia

For Croatia, the application of Articles 4, 5, 23, 24 and 25 shall be optional until 31 December 2013 insofar as those provisions relate to statutory management requirements. As of 1 January 2014, a farmer receiving payments under the single payment scheme in Croatia shall fulfil the statutory management requirements referred to in Annex II in accordance with the following timetable:

(a) requirements referred to in Point A of Annex II shall apply from 1 January 2014;

(b) requirements referred to in Point B of Annex II shall apply from 1 January 2016;

(c) requirements referred to in Point C of Annex II shall apply from 1 January 2018."

II. TRANSITIONAL TARIFF QUOTA FOR RAW CANE SUGAR FOR REFINING

An annual autonomous erga omnes import quota of 40 000 tonnes of raw cane sugar for refining shall be reserved for Croatia for a period of up to three marketing years following its accession at an import duty of EUR 98,00 per tonne. Should negotiations with other Members of the World Trade Organisation according to Article XXIV.6 of the General Agreement on Tariffs and Trade on compensatory adjustment following the accession of Croatia result in the opening of compensatory sugar quotas before the end of the transitional period, the quota of 40 000 tonnes allocated to Croatia shall be terminated, wholly or partially, upon the opening of the compensatory sugar quotas. The Commission shall adopt necessary implementing measures in accordance with the procedure referred to in Article 195(2) of Council Regulation (EC) No 1234/2007 in conjunction with Article 13(1)(b) of European Parliament and Council Regulation (EU) No 182/2011.

III. TEMPORARY DIRECT PAYMENTS MEASURES FOR CROATIA

The reimbursement of direct payments granted to farmers for the year 2013 shall be conditional on the application by Croatia, before accession, of rules identical to those set out for such direct payments in Council Regulation (EC) 73/2009 and in Commission Regulation (EC) No 1120/2009 of 29 October 2009 laying down detailed rules for the implementation of the single payment scheme provided for in Title III of Council Regulation (EC) No 73/2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers(26), Commission Regulation (EC) No 1121/2009 of 29 October 2009 laying down detailed rules for the application of Council Regulation (EC) No 73/2009 as regards the support schemes for farmers provided for in Titles IV and V thereof(27) and Commission Regulation (EC) No 1122/2009 of 30 November 2009 laying down detailed rules for the implementation of Council Regulation (EC) No 73/2009 as regards cross-compliance, modulation and the integrated administration and control system, under the direct support schemes for farmers provided for that Regulation, as well as for the implementation of Council Regulation (EC) No 1234/2007 as regards cross-compliance under the support scheme provided for the wine sector(28).

5. FOOD SAFETY, VETERINARY AND PHYTOSANITARY POLICY

I. LAYING HENS

31999 L 0074: Council Directive 1999/74/EC of 19 July 1999 laying down minimum standards for the protection of laying hens (OJ L 203, 3. 8. 1999, p. 53).

By way of derogation from Article 6 of Council Directive 1999/74/EC, with regard to Croatia, laying hens in lay at the date of accession may be kept in cages which are not in conformity with the structural requirements laid down in that Article. Croatia shall ensure that the use of such cages stops at the latest 12 months after accession.

Eggs from those un-enriched cages shall only be placed on the national market of Croatia. Such eggs and their packs shall be clearly identified with a special mark, which allows for the necessary controls. A clear description of this special mark shall be communicated to the Commission no later than one year before the date of accession.

II. ESTABLISHMENTS (MEAT, MILK, FISH AND ANIMAL BY-PRODUCTS)

32004 R 0852: Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs (OJ L 139, 30. 4. 2004, p. 1).

32004 R 0853: Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin (OJ L 139, 30. 4. 2004, p. 55).

32009 R 1069: Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774 /2002 (Animal by-products Regulation) (OJ L 300, 14. 11. 2009, p. 1).

1. The structural requirements laid down in:

(a) European Parliament and Council Regulation (EC) No 852/2004:

– Annex II, Chapter II;

(b) European Parliament and Council Regulation (EC) No 853/2004:

– Annex III, Section I, Chapters II and III,

– Annex III, Section II, Chapters II and III,

– Annex III, Section V, Chapter I;

(c) Commission Regulation (EU) No 142/2011 of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive(29):

– Annex IV, Chapter I,

– Annex IX, Chapters I, II and III,

– Annex X, Chapters I and II, and

– Annex XIII;

shall not apply to certain establishments in the meat, milk, fish and animal by-products sectors in Croatia until 31 December 2015, subject to the conditions laid down below.

2. As long as the establishments referred to in paragraph 1 benefit from that paragraph, products originating from those establishments shall only be placed on the national market of Croatia or on markets of third countries in accordance with relevant Union legislation, or used for further processing in establishments in Croatia also covered by paragraph 1, irrespective of the date of marketing.
3. Food from establishments referred to in paragraph 1 shall bear a different health or identification mark to that provided for in Article 5 of Regulation (EC) No 853/2004. A clear description of the different health or identification mark shall be communicated to the Commission no later than one year before the date of accession.
4. Paragraphs 2 and 3 also apply to all products originating from integrated meat, milk or fishery establishments where a part of the establishment is subject to paragraph 1.
5. Croatia shall continuously monitor the implementation of the national programme for upgrading establishments and shall provide the Commission with an annual plan of progress in this respect. Croatia shall ensure that an individual upgrading plan for each of these establishments with deadlines for the correction of the structural requirements is elaborated and made available to the Commission on request.
6. In good time before accession the Commission shall establish a list of the establishments referred to in paragraph 1. That list shall be made public and shall include the name and address of each establishment.
7. Croatia shall ensure that any establishments which by the time of accession fail fully to comply with the food safety acquis of the Union, except where covered by the provisions of this transitional measure, terminate their activities.
8. Implementing rules to ensure the smooth operation of the transitional regime with respect to Regulations (EC) No 852/2004 and No 853/2004, may be adopted in accordance with the second paragraph of Article 12 and the second paragraph of Article 9 respectively thereof.
9. Implementing rules to ensure the smooth operation of the transitional regime with respect to Regulation (EC) No 1069/2009 may be adopted in accordance with Article 52(4) thereof.

III. MARKETING OF SEEDS

32002 L 0053: Council Directive 2002/53/EC of 13 June 2002 on the common catalogue of varieties of agricultural plant species (OJ L 193, 20. 7. 2002, p. 1).

32002 L 0055: Council Directive 2002/55/EC of 13 June 2002 on the marketing of vegetable seed (OJ L 193, 20. 7. 2002, p. 33).

Croatia may postpone until 31 December 2014 the application of Article 4(1) of Directive 2002/53/EC and Article 4(1) of Directive 2002/55/EC with regard to the marketing in its territory of seeds of varieties listed in its respective national catalogues of varieties of agricultural plant species and varieties of vegetable plant species which have not been officially accepted in accordance with those Directives. During that period, such seeds shall not be marketed in the territory of other Member States.

IV. NEUM

31997 L 0078: Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries (OJ L 24, 30. 1. 1998, p. 9).

Article 1 is replaced by the following:

"Article 1

1. Veterinary checks on products from third countries introduced into one of the territories listed in Annex I shall be carried out by Member States in accordance with this Directive and with Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules(*).

(*) OJ L 165, 30. 4. 2004, p. 1."

2. By way of derogation from paragraph 1, consignments of products coming from the territory of Croatia and transiting through the territory of Bosnia and Herzegovina at Neum ("Neum corridor") before re-entering the territory of Croatia via the points of entry at Klek or Zaton Doli, may be exempted from veterinary checks, subject to compliance with the following requirements:

(a) Croatia shall have in place, on or before the date of accession, points of entry to the north and south of the Neum corridor that are equipped, staffed and prepared to ensure compliance with the requirements of this paragraph;

(b) Croatia shall ensure that:

(i) only closed vehicles are used for transporting the consignments;

(ii) vehicles transporting consignments are sealed with uniquely numbered seals before transiting the Neum corridor;

(iii) a register is made, detailing which numbered seals have been attached to which vehicles, which allows for the necessary checks;

(iv) the date and time of leaving and re-entering the territory of Croatia of the vehicles transporting consignments are recorded, so that the total time of transit can be calculated.

(c) Croatia shall ensure that consignments are not allowed to re-enter Croatia's territory where:

(i) a vehicle's seal has been broken or replaced during transit through the Neum corridor; and/or

(ii) the total time of transit considerably exceeds the acceptable total time of transit, given the total distance of transit unless the competent authority has carried out an assessment of the risks to animal and public health and has adopted effective, proportionate and targeted measures based on that assessment.

(d) Croatia shall regularly and as necessary inform the Commission of any non-compliance with the requirements of point (b) and of the measures it has taken under point (c).

(e) Where necessary, a decision to suspend or withdraw the derogation from paragraph 1 shall be adopted in accordance with the procedure laid down in Article 29.

(f) Where necessary, detailed rules for the application of this paragraph may be adopted in accordance with the procedure laid down in Article 29.

6. FISHERIES

32006 R 1967: Council Regulation (EC) No 1967/2006 of 21 December 2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea, amending Regulation (EEC) No 2847/93 and repealing Regulation (EC) No 1626/94 (OJ L 409, 30. 12. 2006, p. 11. Corrected version in OJ L 36, 8. 2. 2007, p. 6).

(a) By way of derogation from Article 13(1) and (2), at depths of less than 50 metres, vessels registered and operating only in the Western Istria region shall be temporarily allowed, until 30 June 2014, to use bottom trawls at a minimum distance of 1,5 nautical miles from the coast.

This derogation shall apply in the area designated as Western Istria, defined from the point with geographic coordinates $\phi=44.52135$ and $\lambda=14.29244$ with a line due north and a line due west.

For vessels the overall length of which is less than 15 metres, at depths of over 50 metres Croatia shall be temporarily allowed, until 30 June 2014, to use bottom trawls at a minimum distance of 1 nautical mile from the coast, maintaining all other spatial and temporal restrictions applied on the date of accession.

(b) By way of derogation from Article 17(1), a limited number of vessels included in the specific category of non-commercial fisheries "small scale artisanal fishing for personal needs", which shall not exceed 2 000 vessels, shall be allowed to use maximum 200 metres of gillnets until 31 December 2014, provided that all other restrictions in place on the date of accession continue to apply. Croatia shall submit to the Commission on the date of accession, at the latest, the list of vessels covered by this transitional period, including their characteristics and capacity, expressed in terms of GT and kW.

7. TRANSPORT POLICY

1. 31992 R 3577: Council Regulation (EEC) No 3577/92 of 7 December 1992 applying the principle of freedom to provide services to maritime transport within Member States (maritime cabotage) (OJ L 364, 12. 12. 1992, p. 7).

In Article 6, the following paragraphs are added:

"4. By way of derogation from the second subparagraph of Article 4(1), public service contracts concluded before the date of Croatia's accession may continue to be applied until 31 December 2016.

5. By way of derogation from Article 1(1), until 31 December 2014, cruise services carried out between Croatian ports by ships smaller than 650 gross tonnes shall be reserved to ships registered in, and flying the flag of, Croatia, which are operated by shipping companies, established in accordance with Croatian law, and whose principal place of business is situated, and effective control exercised, in Croatia.

6. By way of derogation from Article 1(1), and for the transitional period until 31 December 2014, the Commission may, upon a substantiated request by a Member State, decide, within 30 working days of receipt of the relevant request, that ships benefiting from the derogation set out in paragraph 5 of this Article shall not carry out cruise services between ports of certain areas of a Member State other than Croatia where it is demonstrated that

the operation of these services seriously disturbs or threatens to seriously disturb the internal transport market in the areas concerned. If after the period of 30 working days the Commission has taken no decision, the Member State concerned shall be entitled to apply safeguard measures until the Commission has taken its decision. In the event of an emergency, the Member State may unilaterally adopt appropriate provisional measures which may remain in force for no more than three months. That Member State shall immediately inform the Commission thereof. The Commission may abrogate the measures or confirm them until it takes its final decision. Member States shall be kept informed."

2. 32009 R 1072: Regulation (EC) No 1072/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international road haulage market (recast) (OJ L 300, 14. 11. 2009, p. 72).

By way of derogation from Article 8 of Regulation (EC) No 1072/2009, the following shall apply:

- for a period of two years from the date of Croatia's accession, undertakings established in Croatia shall be excluded from cabotage in the other Member States;
- for a period of two years from the date of Croatia's accession, other Member States may notify the Commission whether they intend to prolong the transitional period referred to in the first indent for a maximum of two years or whether they intend to apply Article 8 in relation to undertakings established in Croatia. In the absence of such notification, Article 8 shall apply;
- any of the present Member States may at any time during a period of two years from the date of Croatia's accession notify the Commission of its intention to apply Article 8 in relation to undertakings established in Croatia;
- only carriers established in Member States where Article 8 applies in relation to undertakings established in Croatia may perform cabotage in Croatia;
- for a period of four years from the date of Croatia's accession, any Member State applying Article 8 may, in case of serious disturbance of its national market or parts thereof due to or aggravated by cabotage, such as serious excess of supply over demand or a threat to the financial stability or survival of a significant number of road haulage undertakings, request the Commission to suspend in whole or in part the application of Article 8 in relation to undertakings established in Croatia. In this case, Article 10 shall apply.

Member States that apply the transitional measure referred to in the first and second indents of the first paragraph may progressively exchange cabotage authorisations on the basis of bilateral agreements with Croatia.

The transitional arrangements referred to in the first and second paragraphs shall not lead to more restrictive access for Croatian carriers to cabotage in any Member State than that prevailing at the time of the signature of the Treaty of Accession.

8. TAXATION

1. 31992 L 0079: Council Directive 92/79/EEC of 19 October 1992 on the approximation of taxes on cigarettes (OJ L 316, 31. 10. 1992, p. 8).

In Article 2(2), the following subparagraph is added:

"Croatia shall be allowed a transitional period until 31 December 2017 in order to reach the requirements laid down in the first and second subparagraphs. However, as of 1 January 2014 the excise duty shall not be less than EUR 77 per 1 000 cigarettes irrespective of the weighted average retail selling price."

2. 32006 L 0112: Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax (OJ L 347, 11. 12. 2006, p. 1).

(a) Article 13(2) is replaced by the following:

"2. Member States may regard activities, exempt under Articles 132, 135, 136 and 371, Articles 374 to 377, Article 378(2), Article 379(2) or Articles 380 to 390c, engaged in by bodies governed by public law as activities in which those bodies engage as public authorities.";

(b) Article 80(1)(b) is replaced by the following:

"(b) where the consideration is lower than the open market value and the supplier does not have a full right of deduction under Articles 167 to 171 and Articles 173 to 177 and the supply is subject to an exemption under Articles 132, 135, 136, 371, 375, 376, 377, 378(2), 379(2) or Articles 380 to 390c;"

(c) Article 136, point (a), is replaced by the following:

"(a) the supply of goods used solely for an activity exempted under Articles 132, 135, 371, 375, 376 and 377, Article 378(2), Article 379(2) and Articles 380 to 390c, if those goods have not given rise to deductibility;"

(d) Article 221(3) is replaced by the following:

"3. Member States may release taxable persons from the obligation laid down in Article 220(1) or in Article 220a to issue an invoice in respect of supplies of goods or services which they have made in their territory and which are exempt, with or without deductibility of the VAT paid in the preceding stage, pursuant to Articles 110 and 111, Article 125(1), Article 127, Article 128(1), Article 132, points (h) to (l) of Article 135(1), Articles 136, 371, 375, 376 and 377, Articles 378(2) and 379(2) and Articles 380 to 390c.";

(e) The following Article is inserted:

"Article 390c

Croatia may, in accordance with the conditions applying in that Member State on the date of its accession, continue to exempt the following transactions:

(a) the supply of building land, with or without buildings built on it, as referred to in point (j) of Article 135(1) and in point (9) of Annex X, Part B, non-renewable, until 31 December 2014;

(b) the international transport of passengers, as referred to in point (10) of Annex X, Part B, for as long as the same exemption is applied in any of the Member States which were members of the Union before the accession of Croatia.";

(f) Article 391 is replaced by the following:

"Article 391

Member States which exempt the transactions referred to in Articles 371, 375, 376 or 377, Article 378(2), Article 379(2) or Articles 380 to 390c may grant taxable persons the right to opt for taxation of those transactions.";

(g) The Title of Annex X (also, correspondingly, in the Table of contents) is replaced by the following:

"LIST OF TRANSACTIONS COVERED BY THE DEROGATIONS REFERRED TO IN ARTICLES 370 AND 371 AND ARTICLES 375 TO 390c".

9. FREEDOM, SECURITY AND JUSTICE

32006 R 0562: Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code) (OJ L 105, 13. 4. 2006, p. 1).

The following Article is inserted:

"Article 19a

By way of derogation from the provisions of this Regulation relating to the establishment of border crossing points, and until the entry into force of a decision by the Council on the full application of the provisions of the Schengen acquis in Croatia pursuant to Article 4(2) of the Act of Accession or until this Regulation is amended to include provisions governing border control at common border crossing points, whichever is the earlier, Croatia may maintain the common border crossing points at its border with Bosnia and Herzegovina. At these common border crossing points, border guards of one party shall carry out entry and exit checks on the territory of the other party. All entry and exit checks by Croatian border guards shall be carried out in compliance with the acquis of the Union, including Member States' obligations as regards international protection and non-refoulement. The relevant bilateral agreements establishing the common border crossing points in question shall, if necessary, be amended to that end."

10. ENVIRONMENT

I. HORIZONTAL LEGISLATION

1. 32003 L 0087: Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (OJ L 275, 25. 10. 2003, p. 32).

(a) With regard to the inclusion of all flights between two aerodromes situated in the Croatian territory, and all flights between an aerodrome situated in the Croatian territory and an aerodrome situated in a country outside the EEA area (hereinafter referred to as "additional aviation activities"), the following shall apply:

(i) By way of derogation from Article 3c(2), the period referred to in Article 13(1) and beginning on 1 January 2013 shall start on 1 January 2014 for the additional aviation activities.

(ii) By way of derogation from Article 3c(4), the Commission shall decide, following the procedure referred to in that same provision, on the historical aviation emissions for the additional aviation activities within a period of six months from the date of accession.

(iii) By way of derogation from Article 3d(2), from 1 January 2014, the percentage of allowances to be auctioned for the additional aviation activities shall be the proportion of the

allowances remaining after having calculated the number of allowances to be allocated free of charge under point (d) of Article 3e(3) and the number of allowances to be set aside in a special reserve under Article 3f.

(iv) By way of derogation from Article 3d(3), the attributed aviation emissions from additional aviation activities shall be decided upon by the Commission for the reference year 2010 on the basis of the best available data. The number of allowances to be auctioned by Member States whose total attributed aviation emissions include those from flights arriving from a Croatian aerodrome, shall be adjusted from 1 July 2013, in order to reallocate auctioning rights related to these emissions, to Croatia.

(v) By way of derogation from Article 3e(1), the monitoring year for the additional aviation activities shall be 2012 and any application for an allocation of allowances shall be made to the Croatian competent authorities by 31 March 2013.

(vi) By way of derogation from Article 3e(2), Croatia shall submit to the Commission applications related to the additional aviation activities by 1 July 2013.

(vii) By way of derogation from Article 3e(3), the Commission shall adopt a decision on the matters referred to in points (a) to (e) thereof, in relation to the additional aviation activities by 30 September 2013.

(viii) By way of derogation from point (d) of Article 3e(3), for the additional aviation activities, the number of allowances to be allocated free of charge shall be calculated by multiplying the benchmark specified in point (e) by the sum of the tonne-kilometre data included in the applications submitted to the Commission in accordance with Article 3e(2) adjusted to account for the average change in aviation tonne-kilometre activity covered by the EU ETS relative to 2010 levels. If necessary, the benchmark may be subject to a uniform correction factor to be applied by the Commission.

(ix) By way of derogation from Article 3e(3), for the additional aviation activities, the benchmark referred to in point (e) thereof shall be the same as that calculated for aviation activities covered by the EU ETS from 1 January 2012.

(x) By way of derogation from Article 3e(5), the date of issue of allowances for the additional aviation activities shall be 28 February 2014.

(xi) By way of derogation from Article 3f, with regard to additional aviation activities, any reference to the second calendar year of the period starting in 2013 shall be read as a reference to 2014 and any references to the third calendar year of that period shall be read as a reference to 2015.

(xii) By way of derogation from Article 14(3), for the additional aviation activities, the date set therein shall be 1 July 2013.

(xiii) By way of derogation from Article 18a(1), the reattribution of administrative responsibilities for aircraft operators to Croatia shall take place during the year 2014, after fulfilment by the operator of its 2013 obligations, unless a different date is agreed between the former administering authority and Croatia following a request by the aircraft operator within six months of publication of the Commission's updated list of operators which takes into account Croatia's accession. In this case, reallocation shall take place no later than the year 2020 with regard to the trading period beginning in 2021.

(xiv) By way of derogation from point 6 of Annex I, additional aviation activities shall be included as of 1 January 2014.

(b) Without prejudice to the above derogations, Croatia shall bring into force the laws, regulations and administrative provisions necessary to ensure that it can comply with the Directive as of accession for the whole year 2013.

2. 32010 R 0920: Commission Regulation (EU) No 920/2010 of 7 October 2010 for a standardised and secured system of registries pursuant to Directive 2003/87/EC of the European Parliament and of the Council and Decision No 280/2004/EC of the European Parliament and of the Council (OJ L 270, 14. 10. 2010, p. 1).

Articles 16, 29, 41, 46 and 54, and Annex VIII, relating to the aviation activities, shall apply in Croatia as of 1 January 2014.

II. AIR QUALITY

32008 L 0050: Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe (OJ L 152, 11. 6. 2008, p.1).

(a) By way of derogation from Annex XIV, the reference year of point A, first paragraph shall be the second year after the end of the year of Croatia's accession. The Average Exposure Indicator for that reference year shall be the mean concentration of the year of accession and the first and second year after the year of accession.

(b) By way of derogation from Annex XIV, point B, the exposure reduction target shall be calculated in relation to the Average Exposure Indicator in the reference year which is the second year after the end of the year of Croatia's accession.

III. WASTE MANAGEMENT

31999 L 0031: Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste (OJ L 182, 16. 7. 1999, p. 1).

(a) By way of derogation from points (a), (b) and (c) of the first subparagraph of Article 5(2), the requirement to reduce the amount of biodegradable municipal waste going to landfills to respectively 75 %, 50 % and 35 % of the total amount (by weight) of biodegradable municipal waste produced in 1997 shall apply in Croatia in accordance with the deadlines specified below.

Croatia shall ensure a gradual decrease in the amount of biodegradable municipal waste going to landfills according to the following scheme:

(i) by 31 December 2013, the share of biodegradable municipal waste deposited on landfills shall be reduced to 75 % of the total amount (by weight) of biodegradable municipal waste produced in 1997;

(ii) by 31 December 2016, the share of biodegradable municipal waste deposited on landfills shall be reduced to 50 % of the total amount (by weight) of biodegradable municipal waste produced in 1997;

(iii) by 31 December 2020, the share of biodegradable municipal waste deposited on landfills shall be reduced to 35 % of the total amount (by weight) of biodegradable municipal waste produced in 1997.

(b) By way of derogation from Article 14(c), all existing landfills in Croatia shall comply with the requirements of the Directive by 31 December 2018 with the exception of the requirements laid down in Annex I, point 1.

Croatia shall ensure a gradual reduction of waste landfilled in existing non-compliant landfills in accordance with the following annual maximum quantities:

- by 31 December 2013: 1 710 000 tonnes,
- by 31 December 2014: 1 410 000 tonnes,
- by 31 December 2015: 1 210 000 tonnes,
- by 31 December 2016: 1 010 000 tonnes,
- by 31 December 2017: 800 000 tonnes.

By 31 December of each year, starting with the year of accession, Croatia shall provide the Commission with a report concerning the gradual implementation of the Directive and compliance with intermediate targets.

IV. WATER QUALITY

1. 31991 L 0271: Council Directive 91/271/EEC of 21 May 1991 concerning urban waste water treatment (OJ L 135, 30. 5. 1991, p. 40).

By way of derogation from Articles 3, 4, 5, 6 and 7, the requirements for collecting systems and treatment of urban waste water shall apply in Croatia as of 1 January 2024, in accordance with the following intermediate targets:

(a) By 31 December 2018, compliance with the Directive shall be achieved in agglomerations with a population equivalent of more than 15 000, except for the following coastal agglomerations:

Bibinje - Sukošan,

Biograd,

Jelsa - Vrboska,

Makarska,

Mali Lošinj,

Malinska - Njivice,

Nin,

Pirovac - Tisno - Jezera,

Pula - sjever,

Vela Luka,

Vir.

(b) By 31 December 2020, compliance with the Directive shall be achieved in agglomerations with a population equivalent of more than 10 000 whose waste water is discharged into sensitive areas, as well as for treatment plants which are situated in the relevant catchment areas of the Danube and of other sensitive areas and that contribute to the pollution of these areas, and in the 11 coastal agglomerations listed in point (a).

(c) By 31 December 2023, compliance with the Directive shall be achieved in agglomerations with a population equivalent of more than 2 000.

2. 31998 L 0083: Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption (OJ L 330, 5. 12. 1998, p. 32).

By way of derogation, the microbiological parameters and indicator parameters laid down, respectively, in Annex I – Parts A and C shall apply to the following water supply zones in Croatia as of 1 January 2019:

text=" Water Supply Zone Area No. Population Nuts code DA BJELOVAR 107 51 921 HR02 DA DARUVAR 125 25 608 HR02 DA ĐURĐEVAC 204 30 079 HR01 DA GORSKI KOTAR 306 26 430 HR03 DA HRVATSKO ZAGORJE 101 143 093 HR01 DA ISTOČNA SLAVONIJA - 129 124 349 HR02 SLAVONSKI BROD DA ISTRA 301 97 046 HR03 DA JASTREBARSKO-KLINČA SELA 114 23 213 HR01 DA KARLOVAC-DUGA RESA 116 91 511 HR02 DA KNIN 404 17 187 HR03 DA KOPRIVNICA 203 58 050 HR01 DA KRIŽEVCI 103 36 338 HR01 DA LAPAC 311 1 880 HR03 DA LIČKA JESENICA 118 13 893 HR02 DA NAŠICE 210 37 109 HR02 DA NERETVA-PELJEŠAC-KORČULA- 407 58 246 HR03 LASTOVO-MLJET DA OGULIN 117 25 192 HR02 DA OPATIJA-RIJEKA-KRK 304 238 088 HR03 DA OTOČAC 309 15 434 HR03 DA OZALJ 113 11 458 HR02 DA PETRINJA-SISAK 121 84 528 HR02 DA PISAROVINA 115 3 910 HR01 DA PITOMAČA 205 10 465 HR02 DA POŽEŠTINE 128 70 302 HR02 DA SVETI IVAN ZELINA 102 17 790 HR01 DA UDBINA-KORENICA 310 6 747 HR03 DA VARAŽDIN 201 184 769 HR01 DA VELIKA GORICA 503 75 506 HR01 DA ZAGREB 501 831 047 HR01 DA ZAPREŠIĆ 502 50 379 HR01 DA ZRMANJA-ZADAR 401 158 122 HR03 DA ŽRNOVNICA 307 20 160 HR03"

V. INTEGRATED POLLUTION PREVENTION AND CONTROL (IPPC)

1. 31999 L 0013: Council Directive 1999/13/EC of 11 March 1999 on the limitation of emissions of volatile organic compounds due to the use of organic solvents in certain activities and installations (OJ L 85, 29. 3. 1999, p. 1).

(a) By way of derogation from Article 5 and Annexes IIA and IIB, the emission limit values of volatile organic compounds due to the use of organic solvents in certain activities and installations shall apply to the following installations in Croatia as of the dates mentioned below:

(i) As of 1 January 2014:

1. ČATEKS, dioničko društvo za proizvodnju tkanine, umjetne kože, kućanskog rublja i proizvoda za šport i rekreaciju (ČATEKS d.d.), Čakovec, Ulica Zrinsko-Frankopanska 25
2. Drvna industrija KLANA d.d. (DI KLANA d.d.), Klana, Klana 264.

(ii) As of 1 January 2015:

1. HEMPEL društvo s ograničenom odgovornošću Prerađivačka kemijska industrija (HEMPEL d.o.o.), Umag, Novigradska ulica 32
2. ALUFLEXPACK, proizvodno, trgovačko, export-import društvo s ograničenom odgovornošću (ALUFLEXPACK, d.o.o.), Zadar, Murvica bb - pogon Zadar (Zadar facility, location: Zadar, Murvica bb)
3. ALUFLEXPACK, proizvodno, trgovačko, export-import društvo s ograničenom odgovornošću (ALUFLEXPACK, d.o.o.), Zadar, Murvica bb - pogon Umag (Umag facility, location: Umag, Ungarija bb).

(iii) As of 1 January 2016:

1. PALMA društvo s ograničenom odgovornošću za proizvodnju pogrebnih potrepština (PALMA d.o.o.), Jastrebarsko, Donja Reka 24
2. FERRO-PREIS društvo s ograničenom odgovornošću za proizvodnju lijevanih, kovanih i prešanih metalnih proizvoda (FERRO-PREIS d.o.o.), Čakovec, Dr. Tome Bratkovića 2
3. AD PLASTIK dioničko društvo za proizvodnju dijelova i pribora za motorna vozila i proizvoda iz plastičnih masa (AD PLASTIK d.d.), Solin, Matoševa ulica 8 - location: Zagreb, Jankomir 5
4. REMONT ŽELJEZNIČKIH VOZILA BJELOVAR društvo s ograničenom odgovornošću (RŽV d.o.o.), Bjelovar, Trg kralja Tomislava 2
5. FEROKOTAO d.o.o. za proizvodnju transformatorskih kotlova i ostalih metalnih konstrukcija (FEROKOTAO d.o.o.), Kolodvorska bb, Donji Kraljevec
6. SAME DEUTZ-FAHR Žetelice, društvo s ograničenom odgovornošću za proizvodnju i usluge (SAME DEUTZ-FAHR Žetelice d.o.o.), Županja, Industrijska 5
7. CMC Sisak d.o.o. za proizvodnju i usluge (CMC Sisak d.o.o.), Sisak, Braće Kavurića 12
8. METALSKA INDUSTRIJA VARAŽDIN dioničko društvo (MIV d.d.), Varaždin, Fabijanska ulica 33
9. CHROMOS BOJE I LAKOVI, dioničko društvo za proizvodnju boja i lakova (CHROMOS BOJE I LAKOVI, d.d.), Zagreb, Radnička cesta 173/d
10. CHROMOS-SVJETLOST, Tvornica boja i lakova, društvo s ograničenom odgovornošću (CHROMOS-SVJETLOST d.o.o.), Lužani, Mijata Stojanovića 13
11. MURAPLAST društvo s ograničenom odgovornošću za proizvodnju i preradu plastičnih masa (MURAPLAST d.o.o.), Kotoriba, Industrijska zona bb
12. ISTRAPLASTIKA dioničko društvo za proizvodnju ambalaže (ISTRAPLASTIKA d.d.), Pazin, Dubravica 2/a
13. GRUDINA društvo s ograničenom odgovornošću za proizvodnju i usluge (GRUDINA d.o.o.), Županja, Aleja Matice hrvatske 21
14. SLAVICA - KEMIJSKA ČISTIONICA, vlasnik Slavica Hinek, Beli Manastir, J. J. Strossmayera 17
15. MIDA d.o.o. za usluge i ugostiteljstvo (MIDA d.o.o.), Osijek, Ivana Gundulića 206
16. EXPRESS KEMIJSKA ČISTIONA, vlasnik Ivanka Drčec, Križevci, Ulica Petra Preradovića 14
17. Kemijska čistionica "BISER", vlasnik Gojko Miletić, Dubrovnik, Nikole Tesle 20
18. Kemijska čistionica "ELEGANT", vlasnik Frane Miletić, Dubrovnik, Andrije Hebranga 106
19. KOLAR obrt za kemijsko čišćenje odjeće, vlasnik Svjetlana Kolar, Žakanje, Kamanje 70/a
20. MM d.o.o. za trgovinu i usluge (MM d.o.o.), Draganić, Lug 112
21. KEMIJSKA ČISTIONA "AGATA", vlasnik Branko Szabo, Virovitica, S. Radića 66

22. Obrt za kemijsko čišćenje odjeća "KEY", vlasnik Jovita Malek-Milovanović, Pula, Dubrovačke bratovštine 29
23. LORNA d.o.o. za pranje i kemijsko čišćenje tekstila i krznenih proizvoda (LORNA d.o.o.), Pula, Valdebečki put 3
24. KEMIJSKA ČISTIONICA I KOPIRANJE KLJUČEVA "ŠUPER", vlasnik Ivan Šuper, Virovitica, J.J. Strossmayera 5
25. KEMIJSKO ČIŠĆENJE ŠTEFANEC kemijsko čišćenje tekstila i krznenih proizvoda, vlasnik Nadica Štefanec, Koprivnica, Ledinska 1a
26. ARIES društvo s ograničenom odgovornošću za proizvodnju glazbala i usluge (ARIES d.o.o.), Varaždin, Creska 3
27. OBRT ZA PRANJE I ČIŠĆENJE TEKSTILA I ODJEĆE ĐORĐEVIĆ, vlasnik Javorka Đorđević, Makarska, Ante Starčevića 2
28. OBRT ZA USLUGE PRANJA I KEMIJSKOG ČIŠĆENJA "KORDIĆ", vlasnik Pero Kordić, Makarska, Kipara Rendića 2
29. Kemijsko čišćenje tekstila i krznenih proizvoda ČISTIONICA GALEB, vlasnik Stipan Radović, Zadar, Varoška 6
30. KEMIJSKA ČISTIONICA, vlasnik Krešimir Borovec, Varaždin, Juraja Habelića 2
31. KEMIJSKA ČISTIONICA "VBM", vlasnik Biserka Posavec, Maruševac, Biljevec 47
32. OBRT ZA KEMIJSKO ČIŠĆENJE I PRANJE RUBLJA "PLITVICE", vlasnik Momirka Ninić, Pula, Rizzijeva 34
33. "ANA" KEMIJSKA ČISTIONA, vlasnik Saša Dadić, Pula, Zagrebačka 18
34. Kemijska čistionica, vlasnik Gordana Bralić, Trogir, Put Demunta 16
35. "ECONOMATIC" - PRAONICA RUBLJA, vlasnik Marino Bassanese, Umag, Savudrijska cesta 9
36. SERVIS ZA ČIŠĆENJE "SJAJ", vlasnik Danijela Brković, Virovitica, Golo Brdo 2A.

(b) By way of derogation from Article 5(3)(b), the obligation for the operator to demonstrate to the satisfaction of the competent authority that the best available techniques are being used for coating processes in shipbuilding with regard to the following installations in Croatia shall apply as of 1 January 2016:

1. BRODOTROGIR d.d., Trogir, Put brodograditelja 16
2. NCP-NAUTIČKI CENTAR PRGIN-REMONTNO BRODOGRADILIŠTE ŠIBENIK d.o.o. za remont i proizvodnju brodova (NCP - REMONTNO BRODOGRADILIŠTE ŠIBENIK d.o.o.), Šibenik, Obala Jerka Šižgorića 1
3. BRODOGRADILIŠTE VIKTOR LENAC dioničko društvo (BRODOGRADILIŠTE VIKTOR LENAC d.d.), Rijeka, Martinšćica bb
4. 3. MAJ BRODOGRADILIŠTE d.d., Rijeka, Liburnijska 3
5. BRODOSPLIT-BRODOGRADILIŠTE društvo s ograničenom odgovornošću (BRODOSPLIT-BRODOGRADILIŠTE d.o.o.), Split, Put Supavla 21

6. ULJANIK Brodogradilište, d.d., Pula, Flaciusova 1.

2. 32001 L 0080: Directive 2001/80/EC of the European Parliament and of the Council of 23 October 2001 on the limitation of emissions of certain pollutants into the air from large combustion plants (OJ L 309, 27. 11. 2001, p. 1).

By way of derogation from Article 4(1) and (3), the emission limit values for sulphur dioxide, nitrogen oxides and dust shall apply to the following plants in Croatia as of 1 January 2018:

1. BELIŠĆE d.d., Belišće: steam boilers K3+K4 (240 MW)
2. DIOKI d.d., Zagreb: steam boiler SG 6401C (86 MW)
3. HEP-Proizvodnja d.o.o., Zagreb, TE Plomin 1: steam boiler (338 MW)
4. TE PLOMIN d.o.o., Plomin, TE Plomin 2: steam boiler (544 MW)
5. HEP-Proizvodnja d.o.o., Zagreb, TE Rijeka: steam boiler (800 MW)
6. HEP-Proizvodnja d.o.o., Zagreb, TE Sisak - block 1: steam boilers 1A+1B (548 MW)
7. HEP-Proizvodnja d.o.o., Zagreb, TE Sisak - block 2: steam boilers 2A+2B (548 MW)
8. HEP-Proizvodnja d.o.o., Zagreb, TE-TO Zagreb: consisting of block C steam boiler K3, hot water boilers VK 3, VK 4, VK 5, VK 6 and steam boiler PK 3 (total: 828 MW)
9. HEP-Proizvodnja d.o.o., Zagreb, EL-TO Zagreb: consisting of block 30 MW with steam boilers K4 (K8) and K5 (K9), block 12 MW with steam boiler K3 (K6), hot water boilers WK 1 and WK 3, and steam boiler K2 (K7) (total: 510 MW)
10. HEP-Proizvodnja d.o.o., Zagreb, TE-TO Osijek: steam boilers K1+K2 (total: 196 MW).

3. 32008 L 0001: Directive 2008/1/EC of the European Parliament and of the Council of 15 January 2008 concerning integrated pollution prevention and control (Codified version) (OJ L 24, 29. 1. 2008, p. 8).

By way of derogation from Article 5(1), the requirements for the granting of permits for existing installations shall apply to the following installations in Croatia as of the date indicated for each installation, insofar as the obligation to operate these installations in accordance with emission limit values, equivalent parameters or technical measures, based on the best available techniques according to Article 2, point 12, is concerned:

(a) As of 1 January 2014:

1. NAŠICECEMENT Tvornica cementa, dioničko društvo (NAŠICECEMENT d.d. Našice), Našice, Tajnovac 1, IPPC activity 3.1.
2. LIPIK GLAS za proizvodnju stakla društvo s ograničenom odgovornošću (LIPIK GLAS d.o. o.), Lipik, Staklanska b.b., IPPC activity 3.3.
3. KOKA peradarsko prehrambena industrija dioničko društvo (KOKA d.d.), Varaždin, Jalkovečka ulica bb – farma br. 18 (Farm No.18, location: Čakovec, Totovec), IPPC activity 6.6.a.
4. ŽITO d.o.o. za proizvodnju i trgovinu (ŽITO d.o.o.), Osijek, Đakovština 3 - farma Forkuševci (Farm Forkuševci), IPPC activity 6.6.c.

5. ŽITO d.o.o. za proizvodnju i trgovinu (ŽITO d.o.o.), Osijek, Đakovština 3 - farma V. Branjevina (Farm V. Branjevina), IPPC activity 6.6.c.
6. Drvna industrija KLANA d.d. (DI KLANA d.d.), Klana, Klana 264, IPPC activity 6.7.
7. ČATEKS, dioničko društvo za proizvodnju tkanine, umjetne kože, kućanskog rublja i proizvoda za šport i rekreaciju (ČATEKS d.d.), Čakovec, Ulica Zrinsko-Frankopanska 25, IPPC activity 6.7.

(b) As of 1 January 2015:

1. CIMOS LJEVAONICA ROČ d.o.o. proizvodnja aluminijskih odljevaka (CIMOS LJEVAONICA ROČ d.o.o.), Roč, Stanica Roč 21, IPPC activity 2.5.b.
2. P. P. C. BUZET društvo s ograničenom odgovornošću za proizvodnju, trgovinu i usluge (P. P. C. BUZET d.o.o.), Buzet, Most 24, IPPC activity 2.5.b.
3. Vetropack Straža tvornica stakla d.d. Hum na Sutli (Vetropack Straža d.d. Hum na Sutli), Hum na Sutli, Hum na Sutli 203, IPPC activity 3.3.
4. KOKA peradarsko prehrambena industrija dioničko društvo (KOKA d.d.), Varaždin, Jalkovečka ulica bb - pogon mesa (meat facility), IPPC activity 6.4.a.
5. SLADORANA TVORNICA ŠEĆERA dioničko društvo (SLADORANA d.d.), Županja, Šećerana 63, IPPC activity 6.4.b.
6. KOKA peradarsko prehrambena industrija dioničko društvo (KOKA d.d.), Varaždin, Jalkovečka ulica bb – farma br. 19 (Farm No. 19, location: Donji Martijanec, Vrbanovec), IPPC activity 6.6.a.
7. ŽITO d.o.o. za proizvodnju i trgovinu (ŽITO d.o.o.), Osijek, Đakovština 3 - farma Slaščak (Farm Slaščak), IPPC activity 6.6.b.
8. ŽITO d.o.o. za proizvodnju i trgovinu (ŽITO d.o.o.), Osijek, Đakovština 3 - farma Magadenovac (Farm Magadenovac), IPPC activity 6.6.c.
9. ALUFLEXPACK, proizvodno, trgovačko, export-import društvo s ograničenom odgovornošću (ALUFLEXPACK, d.o.o.), Zadar, Murvica bb - pogon Umag (Umag facility, location: Umag, Ungarija bb), IPPC activity 6.7.
10. ALUFLEXPACK, proizvodno, trgovačko, export-import društvo s ograničenom odgovornošću (ALUFLEXPACK, d.o.o.), Zadar, Murvica bb - pogon Zadar (Zadar facility, location: Zadar, Murvica bb), IPPC activity 6.7.
11. HEMPEL društvo s ograničenom odgovornošću Prerađivačka kemijska industrija (HEMPEL d.o.o.), Umag, Novigradska ulica 32, IPPC activity 6.7.
12. BELIŠĆE dioničko društvo za proizvodnju papira, kartonske ambalaže, strojeva, primarnu i finalnu preradu drva i suhu destilaciju drva (BELIŠĆE d.d.), Belišće, Trg Ante Starčevića 1 - except Steam boilers K3 and K4 (transitional period until 31 December 2017, see below), IPPC activity 6.1.b.
13. MAZIVA-ZAGREB d.o.o. za proizvodnju i trgovinu mazivima i srodnim proizvodima (MAZIVA-ZAGREB d.o.o.), Zagreb, Radnička cesta 175, IPPC activity 1.2.

(c) As of 1 July 2015:

GAVRILOVIĆ Prva hrvatska tvornica salame, sušena mesa i masti M. Gavrilovića potomci, d.o.o. (GAVRILOVIĆ d.o.o.), Petrinja, Gavrilovićev trg 1 - pogon klaonice: papkari, rezanje i prerada mesa i proizvodnja prerađevina od peradi i papkara, te skladištenje mesa (facility for animal slaughter: hoof animals, cutting and processing of meat and production of processed products from poultry and hoof animals, and storage of meat), IPPC activity 6.4.a.

(d) As of 1 January 2016:

1. FERRO-PREIS društvo s ograničenom odgovornošću za proizvodnju lijevanih, kovanih i prešanih metalnih proizvoda (FERRO-PREIS d.o.o.), Čakovec, Dr. Tome Bratkovića 2, IPPC activity 2.4.
2. CEMEX Hrvatska dioničko društvo za proizvodnju i prodaju cementa i drugih građevinskih materijala (CEMEX Hrvatska d.d.), Kaštel Sućurac, Cesta dr. Franje Tuđmana bb - pogon Sv. Kajo (Sv. Kajo facility), IPPC activity 3.1.
3. CEMEX Hrvatska dioničko društvo za proizvodnju i prodaju cementa i drugih građevinskih materijala (CEMEX Hrvatska d.d.), Kaštel Sućurac, Cesta dr. Franje Tuđmana bb - pogon Sv. Juraj (Sv. Juraj facility), IPPC activity 3.1.
4. CEMEX Hrvatska dioničko društvo za proizvodnju i prodaju cementa i drugih građevinskih materijala (CEMEX Hrvatska d.d.), Kaštel Sućurac, Cesta dr. Franje Tuđmana bb - pogon 10. kolovoza (10. kolovoza facility), IPPC activity 3.1.
5. KIO KERAMIKA d.o.o. za proizvodnju keramičkih pločica - "u stečaju" (KIO KERAMIKA d.o.o. - "u stečaju"), Orahovica, V. Nazora bb - pogon Orahovica (Orahovica facility, location: Orahovica, V. Nazora bb), IPPC activity 3.5.
6. KIO KERAMIKA d.o.o. za proizvodnju keramičkih pločica - "u stečaju" (KIO KERAMIKA d.o.o. - "u stečaju"), Orahovica, V. Nazora bb - pogon Rujevac (Rujevac facility, location: Dvor, Rujevac bb), IPPC activity 3.5.
7. PLIVA HRVATSKA d.o.o. za razvoj, proizvodnju i prodaju lijekova i farmaceutskih proizvoda (PLIVA HRVATSKA d.o.o.), Zagreb, Prilaz baruna Filipovića 25 - pogon Savski Marof (Savski Marof facility, location: Prigorje Brdovečko, Prudnička 98), IPPC activity 4.5.
8. PURIS, poljoprivredna, prehrambena, trgovačka i ugostiteljska djelatnost, dioničko društvo (PURIS d.d.), Pazin, Hrvatskog narodnog preporoda 2 - mesna industrija (meat industry, location: Sv. Petar u Šumi), IPPC activity 6.4 a and b.
9. KOKA peradarsko prehrambena industrija dioničko društvo (KOKA d.d.), Varaždin, Jalkovečka ulica bb – farma br. 20 (Farm No. 20, location: Petrijanec-Nova Ves), IPPC activity 6.6.a.
10. PURIS, poljoprivredna, prehrambena, trgovačka i ugostiteljska djelatnost, dioničko društvo (PURIS d.d.), Pazin, Hrvatskog narodnog preporoda 2 - farma Sv. Petar u Šumi 8 (Farm Sv. Petar u Šumi 8, location: Sveti Petar u Šumi), IPPC activity 6.6.a.
11. PURIS, poljoprivredna, prehrambena, trgovačka i ugostiteljska djelatnost, dioničko društvo (PURIS d.d.), Pazin, Hrvatskog narodnog preporoda 2 - farma Sv. Petar u Šumi 9 (Farm Sv. Petar u Šumi 9, location: Sveti Petar u Šumi), IPPC activity 6.6.a.
12. PURIS, poljoprivredna, prehrambena, trgovačka i ugostiteljska djelatnost, dioničko društvo (PURIS d.d.), Pazin, Hrvatskog narodnog preporoda 2 - farma Barban (Farm Barban, location: Barban), IPPC activity 6.6.a.

13. PURIS, poljoprivredna, prehrambena, trgovačka i ugostiteljska djelatnost, dioničko društvo (PURIS d.d.), Pazin, Hrvatskog narodnog preporoda 2 - farma Muntrilj (Farm Muntrilj, location: Muntrilj), IPPC activity 6.6.a.
14. PURIS, poljoprivredna, prehrambena, trgovačka i ugostiteljska djelatnost, dioničko društvo (PURIS d.d.), Pazin, Hrvatskog narodnog preporoda 2 - farma Šikuti (Farm Šikuti, location: Svetvinčenat), IPPC activity 6.6.a.
15. PURIS, poljoprivredna, prehrambena, trgovačka i ugostiteljska djelatnost, dioničko društvo (PURIS d.d.), Pazin, Hrvatskog narodnog preporoda 2 - farma Žminj 2 (Farm Žminj 2, location: Žminj), IPPC activity 6.6.a.
16. PURIS, poljoprivredna, prehrambena, trgovačka i ugostiteljska djelatnost, dioničko društvo (PURIS d.d.), Pazin, Hrvatskog narodnog preporoda 2 - farma Surani 2 (Farm Surani 2, location: Tinjani, Surani), IPPC activity 6.6.a.
17. PURIS, poljoprivredna, prehrambena, trgovačka i ugostiteljska djelatnost, dioničko društvo (PURIS d.d.), Pazin, Hrvatskog narodnog preporoda 2 - farma Pilati (Farm Pilati, location: Lovrin, Pilati), IPPC activity 6.6.a.
18. PURIS, poljoprivredna, prehrambena, trgovačka i ugostiteljska djelatnost, dioničko društvo (PURIS d.d.), Pazin, Hrvatskog narodnog preporoda 2 - farma Škropeti 2 (Farm Škropeti 2, location: Škropeti), IPPC activity 6.6.a.
19. PURIS, poljoprivredna, prehrambena, trgovačka i ugostiteljska djelatnost, dioničko društvo (PURIS d.d.), Pazin, Hrvatskog narodnog preporoda 2 - farma Katun 2 (Farm Katun 2, location: Trviz, Katun Trviski), IPPC activity 6.6.a.
20. PURIS, poljoprivredna, prehrambena, trgovačka i ugostiteljska djelatnost, dioničko društvo (PURIS d.d.), Pazin, Hrvatskog narodnog preporoda 2 - farma Srbinjak (Farm Srbinjak, location: Jakovici, Srbinjak), IPPC activity 6.6.a.
21. AD PLASTIK dioničko društvo za proizvodnju dijelova i pribora za motorna vozila i proizvoda iz plastičnih masa (AD PLASTIK d.d.), Solin, Matoševa ulica 8 - location: Zagreb, Jankomir 5, IPPC activity 6.7.
22. BRODOSPLIT-BRODOGRADILIŠTE društvo s ograničenom odgovornošću (BRODOSPLIT-BRODOGRADILIŠTE d.o.o.), Split, Put Supavla 21, IPPC activity 6.7.
23. CHROMOS BOJE I LAKOVI, dioničko društvo za proizvodnju boja i lakova (CHROMOS BOJE I LAKOVI, d.d.), Zagreb, Radnička cesta 173/d, IPPC activity 6.7.
24. MURAPLAST društvo s ograničenom odgovornošću za proizvodnju i preradu plastičnih masa (MURAPLAST d.o.o.), Kotoriba, Industrijska zona bb, IPPC activity 6.7.
25. 3. MAJ BRODOGRADILIŠTE d.d., Rijeka, Liburnijska 3, IPPC activity 6.7.
26. CHROMOS-SVJETLOST, Tvornica boja i lakova, društvo s ograničenom odgovornošću (CHROMOS-SVJETLOST d.o.o.), Lužani, Mijata Stojanovića 13, IPPC activity 6.7.
27. BRODOTROGIR d.d., Trogir, Put brodograditelja 16, IPPC activity 6.7.
28. ULJANIK Brodogradilište, d.d., Pula, Flaciusova 1, IPPC activity 6.7.

(e) As of 1 January 2017:

1. METALSKA INDUSTRIJA VARAŽDIN dioničko društvo (MIV d.d.), Varaždin, Fabijanska ulica 33, IPPC activity 2.4.
2. KANDIT PREMIJER d.o.o. za proizvodnju, promet i usluge (KANDIT PREMIJER d.o.o.), Osijek, Frankopanska 99, IPPC activity 6.4.b.
3. KOKA peradarsko prehrambena industrija dioničko društvo (KOKA d.d.), Varaždin, Jalkovečka ulica bb – farma br. 21 (Farm No. 21, location: Čakovec, Totovec), IPPC activity 6.6.a.
4. ŽITO d.o.o. za proizvodnju i trgovinu (ŽITO d.o.o.), Osijek, Đakovština 3 – farma Lužani (Farm Lužani), IPPC activity 6.6.b.

(f) As of 1 January 2018:

1. BELIŠĆE dioničko društvo za proizvodnju papira, kartonske ambalaže, strojeva, primarnu i finalnu preradu drva i suhu destilaciju drva (BELIŠĆE d.d.), Belišće, Trg Ante Starčevića 1 – parni kotao K3, parni kotao K4 (Steam boiler K3, Steam boiler K4), IPPC activity 1.1 (this only concerns steam boilers K3 and K4).
2. HEP-Proizvodnja d.o.o. za proizvodnju električne i toplinske energije (HEP-Proizvodnja d.o.o.), Zagreb, Ulica grada Vukovara 37 – KTE Jertovec (Jertovec Combined-Cycle Power Plant, location: Konjščina, Jertovec, Jertovec 151), IPPC activity 1.1.
3. HEP-Proizvodnja d.o.o. za proizvodnju električne i toplinske energije (HEP-Proizvodnja d.o.o.), Zagreb, Ulica grada Vukovara 37 - TE Plomin 1 (Thermal Power Plant Plomin 1, location: Plomin, Plomin bb), IPPC activity 1.1.
4. TE PLOMIN društvo s ograničenom odgovornošću za proizvodnju električne energije (TE PLOMIN d.o.o.), Plomin, Plomin bb - TE Plomin 2 (Thermal Power Plant Plomin 2, location: Plomin, Plomin bb), IPPC activity 1.1.
5. HEP-Proizvodnja d.o.o. za proizvodnju električne i toplinske energije (HEP-Proizvodnja d.o.o.), Zagreb, Ulica grada Vukovara 37 - EL-TO Zagreb (Zagreb Power Plant - Heating Station, location: Zagreb, Zagorska 1), IPPC activity 1.1.
6. HEP-Proizvodnja d.o.o. za proizvodnju električne i toplinske energije (HEP-Proizvodnja d.o.o.), Zagreb, Ulica grada Vukovara 37 - TE-TO Zagreb (Zagreb Thermal Power Plant - Heating Station, location: Zagreb, Kuševačka 10 a), IPPC activity 1.1.
7. HEP-Proizvodnja d.o.o. za proizvodnju električne i toplinske energije (HEP-Proizvodnja d.o.o.), Zagreb, Ulica grada Vukovara 37 - TE Sisak (Sisak Thermal Power Plant, location: Sisak, Čret bb), IPPC activity 1.1.
8. HEP-Proizvodnja d.o.o. za proizvodnju električne i toplinske energije (HEP-Proizvodnja d.o.o.), Zagreb, Ulica grada Vukovara 37 - TE-TO Osijek (Osijek Thermal Power Plant - Heating Station, location: Osijek, Martina Divalta 203), IPPC activity 1.1.
9. HEP-Proizvodnja d.o.o. za proizvodnju električne i toplinske energije (HEP-Proizvodnja d.o.o.), Zagreb, Ulica grada Vukovara 37 - TE Rijeka (Rijeka Thermal Power Plant, location: Kostrena, Urinj bb), IPPC activity 1.1.
10. DIOKI Organska petrokemija dioničko društvo (DIOKI d.d.), Zagreb, Čulinečka cesta 252, IPPC activity 1.1.
11. INA-INDUSTRIJA NAFTE, d.d. (INA, d.d.), Zagreb, Avenija V. Holjevca 10 – Rafinerija nafte Rijeka - Urinj (Rijeka Oil Refinery - Urinj, location: Kostrena, Urinj), IPPC activity 1.2.

12. INA-INDUSTRIJA NAFTE, d.d. (INA, d.d.), Zagreb, Avenija V. Holjevca 10 – Rafinerija nafte Sisak (Sisak Oil Refinery, location: Sisak, Ante Kovačića 1), IPPC activity 1.2.
13. ŽELJEZARA SPLIT poduzeće za proizvodnju i preradu čelika d.d. "u stečaju" (ŽELJEZARA SPLIT d.d. "u stečaju"), Kaštel Sućurac, Cesta dr. F. Tuđmana bb, IPPC activity 2.2.
14. PETROKEMIJA, d.d. tvornica gnojiva (PETROKEMIJA, d.d.), Kutina, Aleja Vukovar 4, IPPC activity 4.2.b.

VI. CHEMICALS

32006 R 1907: Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30. 12. 2006, p. 1).

(a) By way of derogation from Article 23(1) and (2) and Article 28 defining the deadline for the registration and pre-registration of the substances mentioned therein, manufacturers, importers and producers of articles established in Croatia shall be granted an adaptation period of six months from the date of accession for pre-registration of phase-in substances. The dates for the first and second registration deadline set out in Article 23(1) and (2) shall be 12 months from the date of accession.

(b) Articles 6, 7, 9, 17, 18 and 33 shall not apply in Croatia for a period of six months from the date of accession.

(c) By way of derogation from the transitional arrangements specified for any substance included in Annex XIV, if the latest application date falls before the date of accession or less than six months after that date, applicants established in Croatia shall be granted an adaptation period of six months from the date of accession by the end of which applications for authorisations must be received.

Appendix to ANNEX V

List (*), as provided by Croatia, of medicinal products for which a marketing authorisation issued under Croatian law prior to the date of accession shall remain valid until it is renewed in compliance with the Union acquis or until 30 June 2017, whichever is earlier.

Inclusion on the list does not of itself indicate whether the medicinal product in question has a marketing authorisation in compliance with the Union acquis.

(*) See OJ C

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)(30) 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.

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⁽³¹⁾, 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.

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)

The shipbuilding companies to be restructured (hereinafter referred to as "the companies") are the following:

- Brodograđevna industrija 3. MAJ dioničko društvo, Rijeka (hereinafter referred to as "3. MAJ")
- BRODOTROGIR d.d., Trogir (hereinafter referred to as "Brodotrogir")
- BRODOGRAĐEVNA INDUSTRIJA SPLIT, dioničko društvo, Split (hereinafter referred to as "Brodosplit")
- BRODOSPLIT-BRODOGRADILIŠTE SPECIJALNIH OBJEKATA društvo s ograničenom odgovornošću, Split (hereinafter referred to as "BSO")
- BRODOGRADILIŠTE KRALJEVICA dioničko društvo za izgradnju i popravak brodova, Kraljevica (hereinafter referred to as "Kraljevica").

Croatia agreed to carry out the restructuring of these companies through their privatisation on the basis of a competitive tendering process. Restructuring plans for these companies have been submitted by the bidders and accepted by the Croatian Competition Agency and the Commission. The restructuring plans will be incorporated in the respective privatisation contracts to be concluded between Croatia and the buyers of the companies.

The restructuring plans submitted for each of these companies specify the following key conditions to be respected in the restructuring process:

- All State aid received by these companies since 1 March 2006 must be counted as restructuring aid. The companies shall provide a contribution to the restructuring plan from their own resources which must be real, free of State aid and which represents at least 40 % of the total restructuring costs.
- The overall production capacity of the companies shall be reduced compared to the levels of 1 June 2011 from 471 324 CGT to 372 346 CGT. The companies shall reduce their production capacity no later than twelve months after the signing of the privatisation contract. Capacity reduction shall be implemented through the permanent closure of slipways, through the designation of slipways for exclusive military production within the meaning of Article 346 of the TFEU and/or through surface area reduction. The CGTs are the units of measurement of output calculated according to the applicable OECD rules.

- The total annual production of the companies shall be limited to 323 600 CGT for a ten year period, starting on 1 January 2011. The companies' output will be limited to the following levels(32):
- 3. MAJ: 109 570 CGT
- Brodotrogir: 54 955 CGT
- Brodosplit and BSO: 132 078 CGT
- Kraljevica: 26 997 CGT

The companies may agree to review their individual production limits. On the basis of binding agreements, they can expressly establish which portion of their individual production quota (expressed in CGTs) they cede to each other. The overall yearly production limit of 323 600 CGT shall be respected.

- The restructuring plans also specify a number of other measures which each company will implement to ensure a return to long term viability.

Any subsequent change to these plans shall comply with the key conditions in the restructuring process listed above and shall be submitted to the Commission for acceptance.

The companies shall not receive any new rescue or restructuring aid until at least ten years have elapsed since the date of signature of the privatisation contract. Upon Croatia's accession, the Commission shall order Croatia to recover any rescue or restructuring aid granted in breach of this provision, with compound interest.

The restructuring plans that have been accepted by the Croatian Competition Agency and by the Commission will be incorporated in the respective privatisation contracts to be concluded between Croatia and buyers of the companies. The privatisation contracts shall be submitted to the Commission for acceptance and shall be signed before Croatia's accession.

The Commission shall closely monitor the implementation of the restructuring plans and compliance with the conditions set out in this Annex regarding the level of State aid, the own contribution, the capacity reductions, the production limitation and the measures taken to ensure a return to viability.

This monitoring shall be carried out each year of the restructuring period. Croatia shall comply fully with all the arrangements for monitoring. In particular:

- Croatia shall supply the Commission with six-monthly reports concerning the restructuring of the benefiting companies, no later than 15 January and 15 July each year until the end of the restructuring period.
- The reports shall contain all the information necessary to monitor the restructuring process, the own contribution, the reduction of capacity, the production limitation and the measures taken to ensure a return to viability.
- Croatia shall submit reports on the annual output of the companies under restructuring no later than 15 July each year, until the end of 2020.
- Croatia shall oblige the companies to disclose all relevant data which might, under other circumstances, be considered as confidential. The Commission shall ensure that the company-specific confidential information is not disclosed.

The Commission may at any time decide to mandate an independent expert to evaluate the monitoring results, undertake any research necessary and report to the Commission. Croatia will provide full cooperation to the independent expert appointed by the Commission and ensure that such expert has full access to all information needed to carry out the tasks entrusted to him by the Commission.

Upon Croatia's accession, the Commission shall order Croatia to recover all rescue or restructuring aid granted since 1 March 2006 to a particular company, with compound interest if:

- the privatisation contract for this company has not yet been signed or does not fully incorporate the conditions set out in the restructuring plan accepted by the Croatian Competition Agency and by the Commission, or
- the company has not provided a real, State aid free contribution from its own resources which represents at least 40 % of the restructuring costs, or
- the reduction of the overall production capacity has not been implemented within twelve months from the signing of the privatisation contract. In that case, the recovery of the aid shall only be required from those companies that have not achieved the following individual reductions of capacity:
 - 3. MAJ: by 46 543 CGT
 - Brodotrogir: by 15 101 CGT
 - Brodosplit and BSO: by 29 611 CGT
 - Kraljevica: by 9 636 CGT, or
- the overall production limitation for the companies (i.e. 323 600 CGT) has been exceeded in any individual calendar year between 2011 and 2020. In that case, the recovery of the aid shall be required from those companies that have exceeded their individual production limits (if applicable, as amended by a legally binding agreement with another shipbuilding company).

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)

By letter dated 23 May 2011, Croatia informed the Commission that it received recognition of debt from the steel producer CMC Sisak d.o.o., corresponding to the restructuring aid, received by that company over the period from 1 March 2002 until 28 February 2007, plus compound interest⁽³³⁾. The State aid received, without compound interest, amounts to HRK 19 117 572,36.

Upon Croatia's accession, in the event that the total amount of this aid plus compound interest has not been reimbursed by CMC Sisak d.o.o., the Commission shall order Croatia to recover any rescue and restructuring aid granted to that company since 1 March 2006, with compound interest.

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**

THE HIGH CONTRACTING PARTIES,

NOTING that in view of the specific historical circumstances that have affected Croatia, it has been agreed to express a readiness to provide assistance to Croatia through a one-off transfer of Assigned Amount Units issued under the Kyoto Protocol to the United Nations Framework Convention on Climate Change (the "Kyoto Protocol"),

NOTING that any such transfer would only be made on a single occasion, would not set a precedent and would reflect the unique and exceptional nature of Croatia's situation,

STRESSING that any such transfer would have to be compensated for by Croatia through an adjustment of its obligations under Decision No 406/2009/EC of the European Parliament and of the Council of 23 April 2009 on the effort of Member States to reduce their greenhouse gas emissions to meet the Community's greenhouse gas emission reduction commitments up to 2020⁽³⁴⁾ so as to ensure environmental integrity by avoiding an increase in the total amount of allowed emissions of the Union and Croatia until 2020,

HAVE AGREED ON THE FOLLOWING PROVISIONS:

PART I TRANSFER

ARTICLE 1

This Part shall apply to measures relating to a possible one-off transfer of a quantity of Assigned Amount Units issued under the Kyoto Protocol (AAUs) to Croatia.

ARTICLE 2

No transfer shall take place unless Croatia has withdrawn its appeal against the decision of the enforcement branch of the Compliance Committee of the Kyoto Protocol in accordance with any relevant rules and time-limits governing the withdrawal of appeals, before the start of the UNFCCC Conference in Durban (28 November - 9 December 2011).

Any transfer shall be conditional upon the determination by the UNFCCC Expert Review Team, after the true-up period, that Croatia has fallen short of its commitments under Article 3 of the Kyoto Protocol.

No transfer shall take place unless Croatia has made all reasonable efforts to comply with its commitments under Article 3 of the Kyoto Protocol, including the full use of removal units from land use, land-use change and forestry.

ARTICLE 3

Any decision on the transfer of AAUs shall be adopted in accordance with the examination procedure referred to in Article 5 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⁽³⁵⁾. The Commission shall be assisted by the Climate Change

Committee established by Article 9 of Decision No 280/2004/EC of the European Parliament and of the Council of 11 February 2004 concerning a mechanism for monitoring Community greenhouse gas emissions and for implementing the Kyoto Protocol(36). That Committee shall be a committee within the meaning of European Parliament and Council Regulation (EU) No 182/2011. No such decision shall be adopted where no opinion is delivered.

The AAUs to be transferred shall be drawn from the quantity of AAUs referred to in Article 2 of Commission Decision 2006/944/EC of 14 December 2006 determining the respective emission levels allocated to the Community and each of its Member States under the Kyoto Protocol pursuant to Council Decision 2002/358/EC(37).

Any transfer shall not exceed a total quantity of 7 000 000 AAUs.

PART II COMPENSATION

ARTICLE 4

This Part shall apply to the compensation to be provided by Croatia in the event of a transfer of AAUs in accordance with the provisions of Part I.

ARTICLE 5

1. Croatia shall compensate for any AAUs transferred to it through an adjustment, pursuant to this Article, of its obligations under European Parliament and Council Decision No 406 /2009/EC.

In particular, the equivalent amount in tonnes of carbon dioxide equivalent of any AAUs transferred shall, pursuant to this Article, be subtracted from Croatia's annual emission allocations once they have been determined pursuant to Article 3(2) of European Parliament and Council Decision No 406/2009/EC.

2. The Commission shall publish the figures for Croatia's annual emission allocations resulting from the subtraction made in accordance with paragraph 1.

FINAL ACT

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:

text=" 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 List referred to in III: 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 Specific commitments VII: undertaken by the Republic of Croatia in the accession negotiations (referred to in Article 36 (1), second subparagraph, of the Act of Accession), Annex Commitments undertaken by VIII: 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.

[Podpisniki \(v angleškem jeziku\)](#)

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.

Letter No 2

Sir,

I have the honour to acknowledge receipt of your letter which reads as follows:

"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."

I have the honour to confirm that my Government is in agreement with the contents of this letter.

Yours faithfully,

(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.

(6) OJ L 79, 22. 3. 2002, p. 42.

(7) OJ L 210, 31. 7. 2006, p. 82.

(8) OJ L 248, 16. 9. 2002, p. 1.

(9) OJ L 170, 29. 6. 2007, p. 1.

(10) OJ L 277, 21. 10. 2005, p. 1 and OJ L 286M, 4. 11. 2010, p. 26.

(11) OJ L 55, 28. 2. 2011, p. 13.

(12) OJ L 26, 28. 1. 2005, p. 3.

(13) OJ L 299, 16. 11. 2007, p. 1.

(14) OJ L 55, 28. 2. 2011, p. 13.

(15) OJ L 56, 4. 3. 1968, p. 1.

(16) OJ L 239, 22. 9. 2000, p. 13.

(17) OJ L 239, 22. 9. 2000, p. 19.

(18) As long as that Agreement is not yet concluded, only insofar as it applies provisionally.

(19) OJ L 83, 27. 3. 1999, p. 1.

(20) OJ L 171, 23. 6. 2006, p. 35 and OJ L 326M, 10. 12. 2010, p. 70.

(21) OJ L 209, 11. 8. 2005, p. 1.

(22) OJ L 35, 13. 2. 1996, p. 1.

(23) OJ L 265, 26. 9. 2006, p. 18.

(24) OJ L 136, 30. 4. 2004, p. 1.

(25) 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).

(26) OJ L 316, 2. 12. 2009, p. 1.

(27) OJ L 316, 2. 12. 2009, p. 27.

(28) OJ L 316, 2. 12. 2009, p. 65.

(29) OJ L 54, 26. 2. 2011, p. 1.

(30) OJ L 170, 29. 6. 2007, p. 1.

(31) OJ L 375, 31. 12. 1991, p. 1.

(32) The annual production of a given company is calculated as follows: The start of production of a ship is the planned date of steel cutting and the end of production is the date of expected delivery of the ship as set out in the contract with the buyer (or the anticipated date of delivery of the incomplete ship when the construction of a ship is shared between two companies). The number of CGTs corresponding to a ship is linearly allocated to the calendar years covering the production period. The total output of a company in a given year is calculated by adding the number of CGTs produced over that year.

(33) To be calculated according to Articles 9 to 11 of Commission Regulation (EC) No 794/2004 of 21 April 2004 implementing Council Regulation (EC) No 659/1999 laying down detailed rules for the application of Article 93 of the EC Treaty (OJ L 140, 30. 4. 2004, p. 1), as last amended by Commission Regulation (EC) No 1125/2009 (OJ L 308, 24. 11. 2009, p. 5).

(34) OJ L 140, 5. 6. 2009, p. 136.

(35) OJ L 55, 28. 2. 2011, p. 13.

(36) OJ L 49, 19. 2. 2004, p. 1.

(37) OJ L 358, 16. 12. 2006, p. 87. Decision as amended by Commission Decision 2010/778/EU (OJ L 332, 16. 12. 2010, p. 41).

3. člen

Za izvajanje pogodbe o pristopu s sklepno listino skrbi Vlada Republike Slovenije.

4. člen

Ta zakon začne veljati petnajsti dan po objavi v Uradnem listu Republike Slovenije – Mednarodne pogodbe.

Št. 007-01/13-5/14

Ljubljana, dne 2. aprila 2013

EPA 1060-VI

Državni zbor Republike Slovenije Janko Veber l.r. Predsednik

(*) Besedili pogodbe o pristopu in sklepne listine v bolgarskem, češkem, danskem, estonskem, finskem, francoskem, grškem, hrvaškem, irskem, italijanskem, latvijskem, litovskem, madžarskem, malteškem, nemškem, nizozemskem, poljskem, portugalskem, romunskem, slovaškem, švedskem in španskem jeziku sta na vpogled v Sektorju za mednarodno pravo Ministrstva za zunanje zadeve.