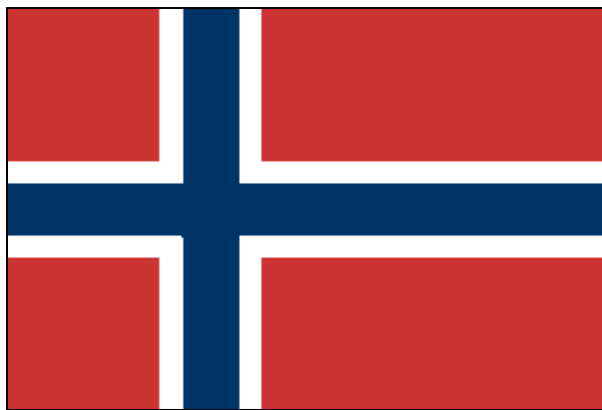


# NORWAY



Decision of 13.3.1997  
[OJ L 105/13 of 23.4.1997](#)

Agreement  
[OJ L 105/17](#)

Protocol No 11  
[OJ L 1/171 of 3.1.1994](#)

## II

*(Acts whose publication is not obligatory)*

## COUNCIL

## COUNCIL DECISION

of 13 March 1997

concerning the conclusion of the Agreement on customs cooperation in the form of an Exchange of Letters between the European Community and the Kingdom of Norway

(97/269/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113 thereof, in conjunction with the first sentence of Article 228 (2) and the first subparagraph of Article 228 (3),

Having regard to the proposal from the Commission,

Whereas the national arrangements on customs cooperation concluded between the Kingdom of Norway and the Republic of Finland, on the one hand, and between the Kingdom of Norway and the Kingdom of Sweden, on the other hand, should, for the matters falling within the Community's jurisdiction, be replaced by a Community system;

Whereas the frontier cooperation agreements help to facilitate trade and the efficient allocation of resources over a limited number of frontier posts situated in outermost regions, in particular for the Republic of Finland and the Kingdom of Sweden; whereas such regions have a number of peculiarities relating to their geography (extremely harsh climatic conditions, extremely long borders, long internal distances, great difficulty in gaining access to certain areas) and to their very low density of population and traffic and these peculiarities are new in the Community context and require special attention if the regions and economic operators concerned are not to be penalized;

Whereas on 25 October 1996 the Council authorized the Commission to negotiate, on behalf of the Community, an agreement on customs cooperation in the form of an

Exchange of Letters between the European Community and the Kingdom of Norway;

Whereas the Republic of Finland and the Kingdom of Sweden should assume full responsibility, including financial liability, towards the Community for all acts performed or to be performed on their behalf by the Norwegian customs authorities;

Whereas the Finnish and Swedish customs authorities respectively should conclude with the Norwegian customs authorities an administrative arrangement for the implementation of the Agreement; whereas such arrangements should be notified to the Commission; whereas the Finnish and Swedish customs authorities should be accountable to the Commission for the implementation of the Agreement;

Whereas the Agreement on customs cooperation in the form of an Exchange of Letters negotiated between the European Community and the Kingdom of Norway should be approved,

HAS DECIDED AS FOLLOWS:

*Article 1*

The Agreement on customs cooperation in the form of an Exchange of Letters between the European Community and the Kingdom of Norway is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

*Article 2*

The Republic of Finland and the Kingdom of Sweden shall assume full responsibility, including financial liability, towards the Community for all acts performed or to be performed on their behalf by the Norwegian customs authorities.

*Article 3*

1. The Finnish and the Swedish customs authorities respectively shall conclude with the Norwegian customs authorities an administrative arrangement for the implementation of the Agreement. These arrangements shall be notified to the Commission of the European Communities.

2. The Finnish and the Swedish customs authorities respectively shall be accountable to the Commission for the implementation of the Agreement. To this end, they shall present a yearly report to the Commission, unless special circumstances were to require additional reports.

*Article 4*

The Community shall be represented on the Joint Committee set up under Article 7 of the Agreement by

the Commission assisted by the representatives of the Member States.

*Article 5*

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement in order to bind the Community and to give the notification provided for in Article 11 of the Agreement<sup>(1)</sup>.

*Article 6*

This Decision shall be published in the *Official Journal of the European Communities*.

Done at Brussels, 13 March 1997.

*For the Council*

*The President*

M. PATIJN

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<sup>(1)</sup> The date of entry into force of the Agreement will be published in the *Official Journal of the European Communities* by the General Secretariat of the Council.

**AGREEMENT****on customs cooperation in the form of an Exchange of Letters between the European Community and the Kingdom of Norway***A. Letter from the European Community*

Gentlemen,

Please find attached the text of the Agreement on customs cooperation between the European Community and the Kingdom of Norway. We have the honour to confirm that the European Community accepts the Agreement.

We should be grateful if you would kindly confirm that the Kingdom of Norway accepts the Agreement. The Agreement between the European Community and the Kingdom of Norway shall thereby be concluded, as set out in the attached text.

Please accept, Gentlemen, the assurance of our highest consideration.

*On behalf of  
the European Community*

*B. Letter from the Kingdom of Norway*

Gentlemen,

We acknowledge receipt of your letter accepting the Agreement on customs cooperation between the European Community and the Kingdom of Norway. Your letter reads as follows:

'Please find attached the text of the Agreement on customs cooperation between the European Community and the Kingdom of Norway. We have the honour to confirm that the European Community accepts the Agreement.

We should be grateful if you would kindly confirm that the Kingdom of Norway accepts the Agreement. The Agreement between the European Community and the Kingdom of Norway shall thereby be concluded, as set out in the attached text.'

We have the honour to confirm that the Kingdom of Norway accepts the Agreement.

Please accept, Gentlemen, the assurance of our highest consideration.

*On behalf of  
the Kingdom of Norway*

Hecho en Bruselas, el diez de abril de mil novecientos noventa y siete.

Udfærdiget i Bruxelles den tiende april nitten hundrede og syv og halvfems.

Geschehen zu Brüssel am zehnten April neunzehnhundertsiebenundneunzig.

Έγινε στις Βρυξέλλες, στις δέκα Απριλίου χίλια εννιακόσια ενενήντα επτά.

Done at Brussels on the tenth day of April in the year one thousand nine hundred and ninety-seven.

Fait à Bruxelles, le dix avril mil neuf cent quatre-vingt-dix-sept.

Fatto a Bruxelles, addì dieci aprile millenovecentonovantasette.

Gedaan te Brussel, de tiende april negentienhonderd zevenennegentig.

Feito em Bruxelas, em dez de Abril de mil novecentos e noventa e sete.

Tehty Brysselissä kymmenentenä päivänä huhtikuuta vuonna tuhatyhdeksänsataayhdeksänkymmentäseitsemän.

Som skedde i Bryssel den tionde april nittonhundra nittiosju.

Utfærdiget i Brussel den tiende april nittenhundreogtissyv.

En nombre de la Comunidad Europea

På vegne af Det Europæiske Fællesskab

Im Namen der Europäischen Gemeinschaft

Εξ ονόματος της Ευρωπαϊκής Κοινότητας.

On behalf of the European Community

Au nom de la Communauté européenne


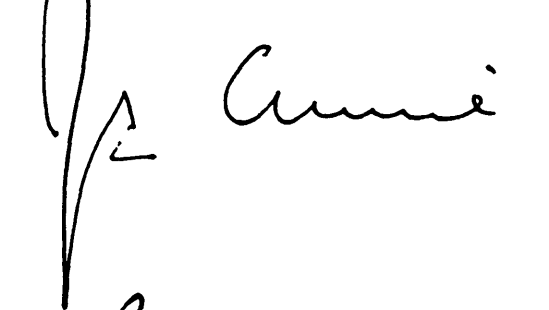
A nome della Comunità europea

Namens de Europese Gemeenschap

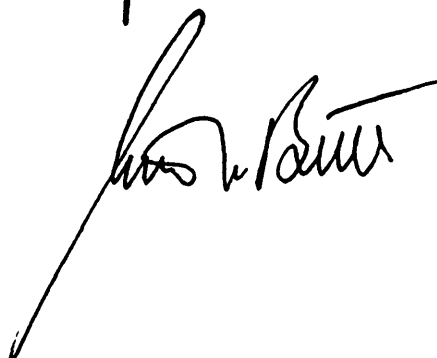
Em nome da Comunidade Europeia

Euroopan yhteisön puolesta

På Europeiska gemenskapens vägnar

På vegne av Kongeriket Norge



## AGREEMENT

### on customs cooperation between the European Community and the Kingdom of Norway

THE EUROPEAN COMMUNITY,

and

THE KINGDOM OF NORWAY,

DESIROUS of facilitating traffic between the Community and Norway,

CONSIDERING that more economical use of resources in controlling traffic of mostly a low volume of goods and in supervising the common border could be made,

CONSIDERING that this can be achieved by introducing, in respect of their trade relations, arrangements on customs cooperation to take the place of national arrangements concluded between the Kingdom of Norway and the Republic of Finland, on the one hand, and between the Kingdom of Norway and the Kingdom of Sweden, on the other hand,

CONSIDERING that, owing to geographical, historical, social and economic factors, Norway's exceptional situation justifies special arrangements in the field of customs cooperation,

HAVE AGREED AS FOLLOWS:

#### *Article 1*

A customs cooperation between the European Community and the Kingdom of Norway shall be set up in accordance with the provisions set out below.

#### *Article 2*

1. The customs cooperation as provided for by Article 1 shall apply at the customs posts listed in the Appendix.
2. The Appendix to this Agreement shall form an integral part thereof.

#### *Article 3*

1. At the customs posts referred to in Article 2, and under the conditions set out in this Agreement, the Norwegian customs authorities shall be authorized to perform, for and on behalf of the Finnish or Swedish customs authorities, all customs checks and formalities for goods under the Community customs rules applicable to import, export, transit and the placing under any customs procedure of goods between the Community and Norway.
2. The rules referred to in paragraph 1 shall be those applicable in the Community at any moment.
3. The checks and formalities referred to in paragraph 1 do not include the payment of refunds or other amounts provided for under the common agricultural policy.

#### *Article 4*

The Norwegian customs authorities shall conclude, with respectively the Finnish and the Swedish customs authorities, an administrative arrangement for the implementa-

tion of this Agreement. These arrangements shall be notified to the Commission of the European Communities.

#### *Article 5*

The Community agents may carry out any necessary control in accordance with the following provisions:

- (a) Article 18 of Council Regulation (EEC, Euratom) No 1552/89 of 29 May 1989 implementing Decision 88/376/EEC, Euratom on the system of the Communities' own resources<sup>(1)</sup>;
- (b) Articles 8 and 9 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy<sup>(2)</sup>;
- (c) Article 6 of Council Regulation (EEC) No 595/91 of 4 March 1991 concerning irregularities and the recovery of sums wrongly paid in connection with the financing of the common agricultural policy and the organization of an information system in this field and repealing Regulation (EEC) No 283/72<sup>(3)</sup>;
- (d) Article 188c of the Treaty establishing the European Community.

#### *Article 6*

The Kingdom of Norway shall accept the same obligations as the customs authorities of the Community Member States in the exercise of this authorization and in

<sup>(1)</sup> OJ No L 155, 7. 6. 1989, p. 1. Regulation as last amended by Regulation (EC, Euratom) No 2729/94 (OJ No L 293, 12. 11. 1994, p. 5).

<sup>(2)</sup> OJ No L 94, 28. 4. 1970, p. 13. Regulation as last amended by Regulation (EC) No 1287/95 (OJ No L 125, 8. 6. 1995, p. 1).

<sup>(3)</sup> OJ No L 67, 14. 3. 1991, p. 11.

particular the provisions of Council Regulation (EEC) No 1468/81 of 19 May 1981 on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of the law on customs or agricultural matters<sup>(1)</sup>.

#### *Article 7*

1. A Joint Committee is hereby established which shall be responsible for the administration of this Agreement and shall ensure its proper implementation. For this purpose it shall make recommendations.
2. For the purpose of the proper implementation of this Agreement the Contracting Parties shall exchange information and, at the request of either Party, shall hold consultations within the Joint Committee.
3. The Joint Committee shall adopt its own rules of procedure.

#### *Article 8*

1. The Joint Committee shall consist of representatives of the Contracting Parties.
2. The Joint Committee shall act by mutual agreement.

#### *Article 9*

1. Either Contracting Party may denounce this Agreement by notifying the other Contracting Party. This Agreement shall cease to be in force twelve months after the date of such notification.

2. In case the denunciation results from a substantial fraud involving responsibility on the part of the authorities, and provided that such is mentioned in the notification, the period of twelve months, referred to in paragraph 1, shall be reduced to three months.

#### *Article 10*

This Agreement shall apply, on the one hand, to the territories to which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty and, on the other, to the territory of the Kingdom of Norway.

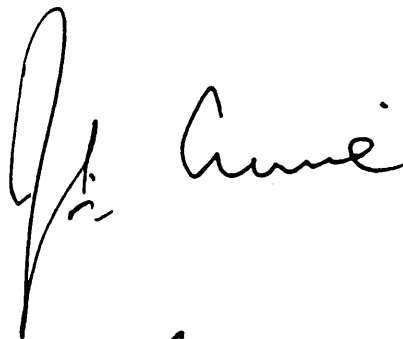
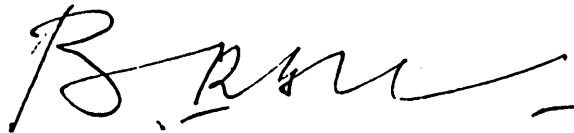
#### *Article 11*

1. This Agreement is drawn up in duplicate in the Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish, Swedish and Norwegian languages, each of these texts being equally authentic.
2. It will be approved by the Contracting Parties in accordance with their own procedures.
3. It shall enter into force on 1 March 1997, provided that the Contracting Parties have notified each other before that date that the procedures necessary to this end have been completed. After this date, this Agreement shall enter into force on the first day of the third month following such notification.
4. The provisions of the bilateral agreements on customs cooperation concluded between the Kingdom of Norway and the Republic of Finland, on the one hand, and between the Kingdom of Norway and the Kingdom of Sweden, on the other hand, shall, for the matters falling within the Community's jurisdiction, cease to have effect on the entry into force of this Agreement.

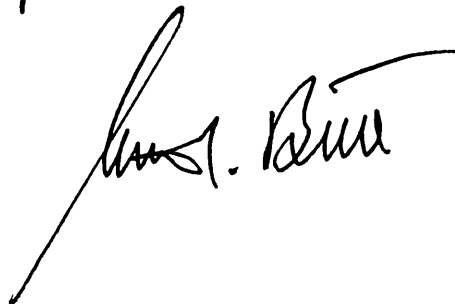
<sup>(1)</sup> OJ No L 144, 2. 6. 1981, p. 1. Regulation as amended by Regulation (EEC) No 945/87 (OJ No L 90, 2. 4. 1987, p. 3).

Hecho en Bruselas, el diez de abril de mil novecientos noventa y siete.  
Udfærdiget i Bruxelles den tiende april nitten hundrede og syv og halvfems.  
Geschehen zu Brüssel am zehnten April neunzehnhundertsiebenundneunzig.  
Έγινε στις Βρυξέλλες, στις δέκα Απριλίου χίλια εννιακόσια ενενήντα επτά.  
Done at Brussels on the tenth day of April in the year one thousand nine hundred and ninety-seven.  
Fait à Bruxelles, le dix avril mil neuf cent quatre-vingt-dix-sept.  
Fatto a Bruxelles, addì dieci aprile millenovecentonovantasette.  
Gedaan te Brussel, de tiende april negentienhonderd zevenennegentig.  
Feito em Buxelas, em dez de Abril de mil novecientos e noventa e sete.  
Tehty Brysselissä kymmenentenä päivänä huhtikuuta vuonna tuhatyhdeksänsataayhdeksänkymmentäseitsemän.  
Som skedde i Bryssel den tionde april nittonhundra nittiosju.  
Utfærdiget i Brussel den tiende april nittenhundreog nittisyv.

Por la Comunidad Europea  
For Det Europæiske Fællesskab  
Für die Europäische Gemeinschaft  
Για την Ευρωπαϊκή Κοινότητα.  
For the European Community  
Pour la Communauté européenne  
Per la Comunità europea  
Voor de Europese Gemeenschap  
Pela Comunidade Europeia  
Euroopan yhteisön puolesta  
För Europeiska gemenskapen



For Kongeriket Norge





*APPENDIX***CUSTOMS POSTS REFERRED TO IN ARTICLE 2****1. Customs posts between Norway and Sweden****1.1. Posts located on Norwegian territory**

- Junkerdal
- Ørje
- Østby
- Svinesund
- Vauldalen

**1.2. Posts located on Swedish territory**

- Åsnes
- Bjørnfjell/Narvik (\*)

**2. Customs posts between Norway and Finland****2.1. Posts located on Norwegian territory**

- Neiden
- Polmak

**2.2. Posts located on Finnish territory**

- Kilpisjärvi
- Kivilompolo
- Karigasniemi
- Utsjoki

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(\*) Located on Norwegian territory.

## II

*(Acts whose publication is not obligatory)*

## COUNCIL AND COMMISSION

## DECISION OF THE COUNCIL AND THE COMMISSION

of 13 December 1993

on the conclusion of the Agreement on the European Economic Area between the European Communities, their Member States and the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Principality of Liechtenstein, the Kingdom of Norway, the Kingdom of Sweden and the Swiss Confederation

(94/1/ECSC, EC)

THE COUNCIL OF THE EUROPEAN UNION,

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to the Treaty establishing the European Community, and in particular Article 238 in conjunction with Article 228 (3), second subparagraph thereof,

Having regard to the assent of the European Parliament <sup>(1)</sup>,

Whereas the Agreement on the European Economic Area between the European Communities, their Member States and the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Principality of Liechtenstein, the Kingdom of Norway, the Kingdom of Sweden and the Swiss Confederation, signed in Oporto on 2 May 1992 should be approved,

HAVE DECIDED AS FOLLOWS:

*Article 1*

The Agreement on the European Economic Area between the European Communities, their Member States and the Republic of Austria, the Republic of

Finland, the Republic of Iceland, the Principality of Liechtenstein, the Kingdom of Norway, the Kingdom of Sweden and the Swiss Confederation, the Protocols, the Annexes annexed thereto and the Declarations, the Agreed Minutes and exchanges of letters attached to the Final Act are hereby approved on behalf of the European Community and the European Coal and Steel Community.

The texts of the acts referred to in the first paragraph are attached to this Decision.

*Article 2*

The act of approval provided for in Article 129 of the Agreement shall be deposited by the President of the Council on behalf of the European Community and by the President of the Commission on behalf of the European Coal and Steel Community <sup>(2)</sup>.

Done at Brussels, 13 December 1993.

*For the Council**The President*

Ph. MAYSTADT

*For the Commission**The President*

J. DELORS

<sup>(1)</sup> OJ No C 305, 23. 11. 1992, p. 66.<sup>(2)</sup> See page 606 of this Official Journal.

*Article 13***Administrative assistance**

In order to ensure the smooth functioning of trade between the Contracting Parties and to facilitate the detection of any irregularity or infringement, the competent authorities of the Contracting Parties shall cooperate with each other *mutatis mutandis* in accordance with the provisions of Protocol 11.

*Article 14***Consultation groups**

1. The competent authorities of the Contracting Parties concerned may set up any consultation group responsible for dealing with questions of a practical, technical or organizational nature at regional or local level.

2. Such consultation groups shall meet whenever necessary at the request of the competent authorities of a Contracting Party. The EEA Joint Committee shall be kept regularly informed of their deliberations by the Contracting Parties responsible for them.

## CHAPTER IV

## FINAL PROVISIONS

*Article 15***Payment facilities**

The Contracting Parties shall see to it that any sums payable in respect of the inspections and formalities applied to trade can also be paid by means of guaranteed or certified international cheques, expressed in the currency of the country in which such sums are payable.

*Article 16***Relationship to other agreements and national legislation**

This Protocol shall not prevent the application of greater facilities which two or more Contracting Parties grant to each other, nor the right of the Contracting Parties to apply their own legislation to controls and formalities at their frontiers, on condition that this does not reduce in any way the facilities deriving from this Protocol.

## PROTOCOL 11

**on mutual assistance in Customs Matters***Article 1***Definitions**

For the purposes of this Protocol:

(a) 'customs legislation' shall mean provisions applicable in the territories of the Contracting Parties governing the import, export, transit of goods and their placing under any other customs procedure, including measures of prohibition, restriction and control adopted by the said Parties;

(b) 'customs duties' shall mean all duties, taxes, fees or other charges which are levied and collected in the territories of the Contracting Parties, in application of customs legislation, but not including fees and charges which are limited in amount to the approximate costs of services rendered;

(c) 'applicant authority' shall mean a competent administrative authority which has been appointed by a Contracting Party for this purpose and which makes a request for assistance in customs matters;

(d) 'requested authority' shall mean a competent administrative authority which has been appointed by a Contracting Party for this purpose and which receives a request for assistance in customs matters;

(e) 'contravention' shall mean any violation of the customs legislation as well as any attempted violation of such legislation.

*Article 2***Scope**

1. The Contracting Parties shall assist each other, in the manner and under the conditions laid down in this Protocol, in ensuring that customs legislation is correctly

applied, in particular by the prevention, detection and investigation of contraventions of this legislation.

2. Assistance in customs matters, as provided for in this Protocol, applies to any administrative authority of the Contracting Parties which is competent for the application of this Protocol. It shall not prejudice the rules governing mutual assistance in criminal matters.

#### *Article 3*

##### **Assistance on request**

1. At the request of the applicant authority, the requested authority shall furnish it with all relevant information to enable it to ensure that customs legislation is correctly applied, including information regarding operations noted or planned which contravene or would contravene such legislation.

2. At the request of the applicant authority, the requested authority shall inform it whether goods exported from the territory of one of the Contracting Parties have been properly imported into the territory of the other Party, specifying, where appropriate, the customs procedure applied to the goods.

3. At the request of the applicant authority, the requested authority shall take the necessary steps to ensure that a surveillance is kept on:

- (a) natural or legal persons of whom there are reasonable grounds for believing that they are contravening or have contravened customs legislation;
- (b) movement of goods notified as possibly giving rise to substantial contraventions of customs legislation;
- (c) means of transport for which there are reasonable grounds for believing that they have been, are or may be used in the contravening of customs legislation.

#### *Article 4*

##### **Spontaneous assistance**

The Contracting Parties shall within their competences provide each other with assistance if they consider that to be necessary for the correct application of customs legislation, particularly when they obtain information pertaining to:

- operations which have contravened, contravene or would contravene such legislation and which may be of interest to other Contracting Parties;
- new means or methods employed in realizing such operations;

- goods known to be subject to substantial contravention of customs legislation on import, export, transit or any other customs procedure.

#### *Article 5*

##### **Delivery/Notification**

At the request of the applicant authority, the requested authority shall in accordance with its legislation take all necessary measures in order to:

- deliver all documents;
- notify all decisions;

falling within the scope of this Protocol to an addressee, residing or established in its territory.

#### *Article 6*

##### **Form and substance of requests for assistance**

1. Requests pursuant to the present Protocol shall be made in writing. Documents necessary for the execution of such requests shall accompany the request. When required because of the urgency of the situation, oral requests may be accepted, but must be confirmed in writing immediately.

2. Requests pursuant to paragraph 1 shall include the following information:

- (a) the applicant authority;
- (b) the measure requested;
- (c) the object of and the reason for the request;
- (d) laws, rules and other legal instruments involved;
- (e) indications as exact and comprehensive as possible on the natural or legal persons being the target of the investigations;
- (f) a summary of the relevant facts, except in cases provided for in Article 5.

3. Requests shall be submitted in an official language of the requested authority or in a language acceptable to such authority.

4. If a request does not meet the formal requirements, its correction or completion may be demanded; the ordering of precautionary measures may, however, take place.

*Article 7***Execution of requests**

1. In order to comply with a request for assistance, the requested authority or, when the latter cannot act on its own, the administrative department to which the request has been addressed by this authority, shall proceed, within its competence and resources available, as though it were acting on its own account or at the request of other authorities of that same Contracting Party, by supplying information already possessed, by carrying out appropriate enquiries or by arranging for them to be carried out.
2. Requests for assistance will be executed in accordance with the laws, rules and other legal instruments of the requested Contracting Party.
3. Duly authorized officials of a Contracting Party may, with the agreement of the other Contracting Party involved and within the conditions laid down by the latter, obtain from the offices of the requested authority or other authority for which the requested authority is responsible, information relating to the contravention of customs legislation which the applicant authority needs for the purposes of this Protocol.
4. Officials of a Contracting Party may, with the agreement of the other Contracting Party, be present at enquiries carried out in the latter's territory.

*Article 8***Form in which information is to be communicated**

1. The requested authority shall communicate results of enquiries to the applicant authority in the form of documents, certified copies of documents, reports and the like.
2. The documents provided for in paragraph 1 may be replaced by computerized information produced in any form for the same purpose.

*Article 9***Exceptions to the obligation to provide assistance**

1. The Contracting Parties may refuse to give assistance as provided for in this Protocol, where to do so would:
  - (a) be likely to prejudice sovereignty, public policy (*l'ordre publique*), security or other essential interests; or
  - (b) involve currency or tax regulations other than regulations concerning customs duties; or
  - (c) violate an industrial, commercial or professional secret.

2. Where the applicant authority asks for assistance which it would itself be unable to provide if so asked, it shall draw attention to that fact in its request. It shall then be left to the requested authority to decide how to respond to such a request.

3. If assistance is withheld or denied, the decision and the reasons therefor must be notified to the applicant authority without delay.

*Article 10***Obligation to observe confidentiality**

Any information communicated in whatever form pursuant to this Protocol shall be of a confidential nature. It shall be covered by the obligation of official secrecy and shall enjoy the protection extended to like information under the relevant laws applicable in the Contracting Party which received it and the corresponding provisions applying to the Community authorities.

*Article 11***Use of information**

1. Information obtained shall be used solely for the purposes of this Protocol and may be used within each Contracting Party for other purposes only with the prior written consent of the administrative authority which furnished the information and shall be subject to any restrictions laid down by that authority. These provisions are not applicable to information concerning offences relating to narcotic drugs and psychotropic substances. Such information may be communicated to other authorities directly involved in the combat of illicit drug traffic.
2. Paragraph 1 shall not impede the use of information in any judicial or administrative proceedings subsequently instituted for failure to comply with customs legislation.
3. The Contracting Parties may, in their records of evidence, reports and testimonies and in proceedings and charges brought before the courts, use as evidence information obtained and documents consulted in accordance with the provisions of this Protocol.

*Article 12***Experts and witnesses**

An official of a requested authority may be authorized to appear, within the limitations of the authorization granted, as expert or witness in judicial or administrative proceedings regarding the matters covered by this Protocol in the jurisdiction of another Contracting Party, and produce such objects, documents or authen-

licated copies thereof, as may be needed for the proceedings. The request for an appearance must indicate specifically on what matter and by virtue of what title or qualification the official will be questioned.

#### *Article 13*

##### **Assistance expenses**

The Contracting Parties shall waive all claims on each other for the reimbursement of expenses incurred pursuant to this Protocol, except, as appropriate, for expenses to experts and witnesses and to interpreters and translators who are not dependent upon public services.

#### *Article 14*

##### **Implementation**

1. The management of this Protocol shall be entrusted to the central customs authorities of the EFTA States, on the one hand, and the competent services of the EC Commission and, where appropriate, the customs authorities of the EC Member States, on the other. They shall decide on all practical measures and arrangements necessary for its application, taking into consideration rules in the field of data protection. They may recommend to the competent bodies amendments which they consider should be made to this Protocol.

2. The Contracting Parties shall transmit to each other lists of the competent authorities appointed to act as correspondents for the purpose of the operational implementation of this Protocol.

As regards cases covered by Community competence, due account shall be taken in this respect of specific situations which, because of the urgency or the fact that only two countries are involved in a request or

communication, may require direct contacts between the competent services of the EFTA States and of the EC Member States for the handling of requests or exchange of information. This information shall be supplemented by lists, to be revised when necessary, of officials of those services responsible for preventing, investigating and combating contravention of customs legislation.

Moreover, in order to ensure the maximum efficiency of operation of this Protocol, the Contracting Parties shall take appropriate measures to ensure that the departments responsible for combating customs fraud establish direct personal contacts, including when applicable at the level of local customs authorities, in order to facilitate exchange of information and handling of requests.

3. The Contracting Parties shall consult each other and subsequently keep each other informed of the detailed rules of implementation which are adopted in accordance with the provisions of this Article.

#### *Article 15*

##### **Complementarity**

1. This Protocol shall complement and not impede application of any agreements on mutual assistance which have been concluded or may be concluded between EC Member States and EFTA States as well as between the EFTA States. Nor shall it preclude more extensive mutual assistance granted under such agreements.

2. Without prejudice to Article 11, these agreements do not prejudice Community provisions governing the communication between the competent services of the EC Commission and the customs authorities of the Member States of any information obtained in customs matters which could be of Community interest.

## **PROTOCOL 12**

### **on conformity assessment agreements with third countries**

Mutual recognition agreements with third countries concerning conformity assessment for products where the use of a mark is provided for in EC legislation will be negotiated on the initiative of the Community. The Community will negotiate on the basis that the third countries concerned will conclude with the EFTA States parallel mutual recognition agreements equivalent to those to be concluded with the Community. The Contracting Parties