

COUNCIL

COUNCIL DECISION

of 28 February 2005

on the signing and provisional application of an additional protocol to the Agreement on Trade, Development and Cooperation between the European Community and its Member States, of the one part, and the Republic of South Africa, of the other part, to take account of 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 European Union

(2005/206/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 310, in conjunction with Article 300(2), first subparagraph, second sentence, thereof,

Having regard to the 2003 Act of Accession, and in particular Article 6(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) On 26 April 2004 the Council authorised the Commission, on behalf of the European Community and its Member States, to negotiate with the Republic of South Africa an Additional Protocol to the Agreement on Trade, Development and Cooperation between the European Community and its Member States, of the one part, and the Republic of South Africa, of the other part⁽¹⁾, to take account of the accession of the ten new Member States to the European Union.
- (2) These negotiations have been concluded to the satisfaction of the Commission.
- (3) The Additional Protocol negotiated with the Republic of South Africa provides, in Article 10(2), for the provisional application of the Additional Protocol before its entry into force.

- (4) Subject to its conclusion, the Additional Protocol should be signed on behalf of the Community and apply on a provisional basis,

HAS DECIDED AS FOLLOWS:

Article 1

The President of the Council is hereby authorised to designate the person(s) empowered to sign, on behalf of the Community and its Member States, the Additional Protocol to the Agreement on Trade, Development and Cooperation between the European Community and its Member States, of the one part, and the Republic of South Africa, of the other part, to take account of 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 European Union.

The text of the Additional Protocol is attached to this Decision.

Article 2

The Additional Protocol shall be applied provisionally subject to its conclusion.

Done at Brussels, 28 February 2005.

For the Council

The President

F. BODEN

⁽¹⁾ OJ L 127, 29.4.2004, p. 109.