

List referred to in Article 21 of the Act of Accession

1. FREEDOM OF MOVEMENT FOR PERSONS

MUTUAL RECOGNITION OF PROFESSIONAL QUALIFICATIONS

31992 L 0051: Council Directive 92/51/EEC of 18 June 1992 on a second general system for the recognition of professional education and training to supplement Directive 89/48/EEC (OJ L 209, 24.7.1992, p. 25), as amended by:

- 31994 L 0038: Commission Directive 94/38/EC of 26.7.1994 (OJ L 217, 23.8.1994, p. 8),
- 11994 N: Act concerning the conditions of accession and the adjustments to the Treaties – Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden (OJ C 241, 29.8.1994, p. 21),
- 31995 L 0043: Commission Directive 95/43/EC of 20.7.1995 (OJ L 184, 3.8.1995, p. 21),
- 31997 L 0038: Commission Directive 97/38/EC of 20.6.1997 (OJ L 184, 12.7.1997, p. 31),

- 32000 L 0005: Commission Directive 2000/5/EC of 25.2.2000 (OJ L 54, 26.2.2000, p. 42),
- 32001 L 0019: Directive 2001/19/EC of the European Parliament and of the Council of 14.5.2001 (OJ L 206, 31.7.2001, p. 1).

Where appropriate, the Commission shall adapt Directive 92/51/EEC prior to the date of accession using the procedure laid down in Article 15 of that Directive to take account of the accession of the new Member States, with a view to:

- (a) inserting into Annex C with effect from the date of accession the following paramedical and childcare training courses:
 - Czech Republic: physiotherapist ("Fyzioterapeut"), public health protection assistant ("Asistent ochrany veřejného zdraví"), medical laboratory technician ("Zdravotní laborant"), radiology assistant ("Radiologický asistent"), dental technician ("Zubní technik"), pharmacy laboratory technician ("Farmaceutický asistent"), orthotic and prosthetic technician ("Ortoticko— protetický technik"), paediatric nurse ("Dětská sestra"), nutritional therapist ("Nutriční terapeut");

- Slovakia: dance teacher at basic schools of art ("učiteľ tanca na základných umeleckých školách"), hygiene and epidemiology assistant ("asistent hygienickej služby/asistent hygieny a epidemiológie"), rehabilitation worker/assistant ("rehabilitačný pracovník"/"rehabilitačný asistent"), orthopaedic technician ("ortopedický technik"), dental technician ("zubný laborant"/"zubný technik"), nutritional assistant ("diétna sestra"/"asistent výživy"), health care assistant ("zdravotnícky asistent"), masseur ("masér"), medical laboratory technician ("zdravotnícky laborant"), pharmacy laboratory technician ("farmaceutický laborant");

(b) inserting into Annex D with effect from the date of accession the following courses having a special structure:

- Lithuania: regulated courses leading to Level 3 and 4 qualifications accredited as national vocational qualifications in the Republic of Lithuania. These levels are defined as follows:
 - = Level 3: Competence in complicated work activities performed in spheres that require sufficiently responsible and independent decisions. Ability to organise and manage the activity of a group has been acquired. The "Qualified workers diploma" ("Profesinio mokymo diplomas") is awarded on completion of education and training of three years' duration;

- = Level 4: Competence in complicated work activities performed in spheres that require responsibility, independence, profound knowledge and specific skills. Ability to organise and manage the activity of a group has been acquired. The "Advanced education diploma" ("Aukštesniojo mokslo diplomas") is awarded on completion of education and training of three – four years' duration."

2. AGRICULTURE

A. AGRICULTURAL LEGISLATION

32000 R 1622: Commission Regulation (EC) No 1622/2000 of 24 July 2000 laying down certain detailed rules for implementing Regulation (EC) No 1493/1999 on the common organisation of the market in wine and establishing a Community code of oenological practices and processes (OJ L 194, 31.7.2000, p. 1), as amended by:

- 32000 R 2451: Commission Regulation (EC) No 2451/2000 of 7.11.2000 (OJ L 282, 8.11.2000, p. 7),

- 32001 R 0885: Commission Regulation (EC) No 885/2001 of 24.4.2001 (OJ L 128, 10.5.2001, p. 54),
- 32001 R 1609: Commission Regulation (EC) No 1609/2001 of 6.8.2001 (OJ L 212, 7.8.2001, p. 9),
- 32001 R 1655: Commission Regulation (EC) No 1655/2001 of 14.8.2001 (OJ L 220, 15.8.2001, p. 17),
- 32001 R 2066: Commission Regulation (EC) No 2066/2001 of 22.10.2001 (OJ L 278, 23.10.2001, p. 9),
- 32002 R 2244: Commission Regulation (EC) No 2244/2002 of 16.12.2002 (OJ L 341, 17.12.2002, p. 27).

Where appropriate and using the procedure referred to in Article 75 of Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine, the Commission shall adopt a decision by the date of accession with a view to modifying Annex XIII in order to set the maximum volatile acid content of the Hungarian quality wines "Késői szüretelésű bor" and "Válogatott szüretelésű bor" at 25 milliequivalents per litre.

B. VETERINARY AND PHYTOSANITARY LEGISLATION

I. VETERINARY LEGISLATION

1. 31964 L 0432: Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine (OJ P 121, 29.7.1964, p. 1977), as amended and updated by:

– 31997 L 0012: Council Directive 97/12/EC of 17.3.1997 (OJ L 109, 25.4.1997, p. 1),

and subsequently amended by:

– 31998 L 0046: Council Directive 98/46/EC of 24.6.1998 (OJ L 198, 15.7.1998, p. 22),

– 32000 D 0504: Commission Decision 2000/504/EC of 25.7.2000 (OJ L 201, 9.8.2000, p. 6),

– 32000 L 0015: Directive 2000/15/EC of the European Parliament and the Council of 10.4.2000 (OJ L 105, 3.5.2000, p. 34),

– 32000 L 0020: Directive 2000/20/EC of the European Parliament and of the Council of 16.5.2000 (OJ L 163, 4.7.2000, p. 35),

- 32001 D 0298: Commission Decision 2001/298/EC of 30.3.2001 (OJ L 102, 12.4.2001, p. 63),
- 32002 R 0535: Commission Regulation (EC) No 535/2002 of 21.3.2002 (OJ L 80, 23.3.2002, p. 22),
- 32002 R 1226: Commission Regulation (EC) No 1226/2002 of 8.7.2002 (OJ L 179, 9.7.2002, p. 13).

Where appropriate and using the procedure laid down in Article 17 of Council Directive 64/432/EEC, the Commission shall adopt by the date of accession decisions to recognise the status of the new Member States in respect of bovine tuberculosis, bovine brucellosis, Aujeszky's disease, enzootic bovine leukosis, transmissible gastroenteritis and brucella suis.

2. 31991 L 0068: Council Directive 91/68/EEC of 28 January 1991 on animal health conditions governing intra-Community trade in ovine and caprine animals (OJ L 46, 19.2.1991, p. 19), as amended by :

- 11994 N: Act concerning the conditions of accession and the adjustments to the Treaties – Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden (OJ L 241, 29.8.1994, p. 21),
- 31994 D 0164: Commission Decision 94/164/EC of 18.2.1994 (OJ L 74, 17.3.1994, p. 42),
- 31994 D 0953: Commission Decision 94/953/EC of 20.12.1994 (OJ L 371, 31.12.1994, p. 14),
- 32001 D 0298: Commission Decision 2001/298/EC of 30.3.2001 (OJ L 102, 12.4.2001, p. 63),
- 32001 L 0010 : Directive 2001/10/EC of the European Parliament and of the Council of 22.5.2001 (OJ L 147, 31.5.2001, p. 41),
- 32002 D 0261: Commission Decision 2002/261/EC of 25.3.2002 (OJ L 91, 6.4.2002, p. 31).

Where appropriate and using the procedure laid down in Article 15 of Council Directive 91/68/EEC, the Commission shall adopt by the date of accession decisions to recognise the status of the new Member States in respect of Brucellosis (*melitensis*) and contagious agalactia.

II. PHYTOSANITARY LEGISLATION

1. 31968 L 0193: Council Directive 68/193/EEC of 9 April 1968 on the marketing of material for the vegetative propagation of the vine (OJ L 93, 17.4.1968, p 15), as amended by:
 - 31971 L 0140: Council Directive 71/140/EEC of 22.3.1971 (OJ L 71, 25.3.1971, p. 16),
 - 11972 B: Act concerning the conditions of accession and the adjustments to the Treaties – Accession of the Kingdom of Denmark, Ireland and the United Kingdom (OJ L 73, 27.3.1972, p. 14),
 - 31974 L 0648: Council Directive 74/648/EEC of 9.12.1974 (OJ L 352, 28.12.1974, p. 43),
 - 31977 L 0629: First Commission Directive 77/629/EEC of 28.9.1977 (OJ L 257, 8.10.1977, p. 27),
 - 31978 L 0692: Council Directive 78/692/EEC of 25.7.1978 (OJ L 236, 26.8.1978, p. 13),

- 11979 H: Act concerning the conditions of accession and the adjustments to the Treaties – Accession of the Hellenic Republic (OJ L 291, 19.11.1979, p. 17),
- 31982 L 0331: Commission Directive 82/331/EEC of 6.5.1982 (OJ L 148, 27.5.1982, p. 47),
- 31985 R 3768: Council Regulation (EEC) No 3768/85 of 20.12.1985 (OJ L 362, 31.12.1985, p. 8),
- 31986 L 0155: Council Directive 86/155/EEC of 22.4.1986 (OJ L 118, 7.5.1986, p. 23),
- 31988 L 0332: Council Directive 88/332/EEC of 13.6.1988 (OJ L 151, 17.6.1988, p. 82),
- 31990 L 0654: Council Directive 90/654/EEC of 4.12.1990 (OJ L 353, 17.12.1990, p. 48),
- 11994 N: Act concerning the conditions of accession and the adjustments to the Treaties – Accession of the Republic of Austria, Republic of Finland and the Kingdom of Sweden (OJ C 241, 29.8.1994, p. 21),
- 32002 L 0011: Council Directive 2002/11/EC of 14.02.2002 (OJ L 53, 23.2.2002, p. 20).

Where appropriate and using the procedure laid down in Article 17 of Council Directive 68/193/EEC, the Commission shall adopt a decision by the date of accession with a view to wholly or partially releasing Poland from the obligation to apply this Directive under the conditions set out in Article 18a.

2. 32000 L 0029: Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community (OJ L 169, 10.7.2000,p. 1), as amended by:

- 32001 L 0033: Commission Directive 2001/33/EC of 8.5.2001 (OJ L 127, 9.5.2001, p. 42),
- 32002 L 0028: Commission Directive 2002/28/EC of 19.3.2002 (OJ L 77, 20.3.2002, p. 23),
- 32002 L 0036: Commission Directive 2002/36/EC of 29.4.2002 (OJ L 116, 3.5.2002, p. 16).

The Commission shall adapt Directive 2000/29/EC as necessary prior to the date of accession using the procedure laid down in Article 18 of that Directive to take account of the accession of the new Member States, in particular with a view to inserting:

- *Dendrolimus sibiricus* (Tschetverikov) to point 10 in Part A, Section I(a) of Annex I;
- a list of plants (*Ambrosia*-spp.) as point (e) in Section II, Part A of Annex I.

3. FISHERIES

1. 31994 R 1626: Council Regulation (EC) No 1626/94 of 27 June 1994 laying down certain technical measures for the conservation of fishery resources in the Mediterranean (OJ L 171, 6.7.1994, p. 1), as amended by:

- 31996 R 1075: Council Regulation (EC) No 1075/96 of 10. 6. 1996 (OJ L 142, 15.6.1996, p. 1),
- 31998 R 0782: Council Regulation (EC) No 782/98 of 7. 4. 1998 (OJ L 113, 15.4.1998, p. 6),
- 31999 R 1448: Council Regulation (EC) No 1448/1999 of 24. 6. 1999 (OJ L 167, 2.7.1999, p. 7),
- 32000 R 0812: Council Regulation (EC) No 812/2000 of 17. 4. 2000 (OJ L 100, 20.4.2000, p. 3),
- 32000 R 2550: Council Regulation (EC) No 2550/2000 of 17. 11. 2000 (OJ L 292, 21.11.2000, p. 7),
- 32001 R 0973: Council Regulation (EC) No 973/2001 of 14. 5. 2001 (OJ L 137, 19.5.2001, p. 1).

The Council shall amend Regulation (EC) No 1626/94 before the date of accession of Malta with a view to adopting the necessary conservation measures relating to Malta according to the following guidelines:

- fishing in the 25-mile management zone should be limited to small scale coastal fishing, meaning fishing vessels of an overall length of less than 12 metres and not using gears towed with the power of the engine, with the exceptions set out below. The total effort exerted by vessels under 12 metres shall not exceed the level of recent years;
- however, trawlers not exceeding an overall length of 24 metres shall be authorised to fish in the 25-mile management zone within certain trawlable areas. The overall fishing capacity of trawlers, measured in engine power (kW), shall not exceed that observed in the years 2000-2001 in the area of the 25-mile management zone, and the engine power of each individual trawler fishing in waters of less than 200 metres depth shall not exceed 185 kW (250 HP). These limits may be revised in the light of new qualified scientific evidence as recommended by relevant scientific bodies.
- the number of vessels that can participate in the *lampuki* (*Coryphaena hippurus* – dolphin-fish) fishery shall be limited to a maximum of 130. The allocation and laying down of FADs (fish aggregating device) in the fishing season, which usually extends from August to December, shall be open for all Community fishermen on a non-discriminatory basis, but only starting from outside 12 miles for non-Maltese fishermen;

- all vessels exceeding an overall length of 12 metres which are authorised to fish in the 25-mile management zone and which comprise bottom trawlers, vessels fishing with "lampara" purse seines, vessels fishing for *lampuki* with FADs and vessels fishing with large pelagic purse seines and industrial longlines for tuna and other highly migratory species will be included on a list. Any possible increase in fishing effort has to ensure the sustainable conservation of the zone.

The detailed rules for establishing the above-mentioned list, for a fishing effort monitoring system and if necessary for the *lampuki* fishery in the 25-mile management zone shall be adopted in accordance with the procedure laid down in Article 18 of Regulation (EEC) No 3760/92¹ establishing a Community system for fisheries and aquaculture. Effective monitoring methods shall be decided upon in accordance with the *acquis*.

The conditions of this fishing effort management scheme shall be re-evaluated, on the basis of new qualified scientific evidence as recommended by relevant scientific bodies, upon accession of Malta, in order to evaluate their effects on conservation of stocks.

Upon accession of Malta, the problem of possible conflicts among different fishing gear, and possible measures to reduce them, shall be addressed at Community level.

¹ OJ L 389, 31.12.1992, p. 1.

In conformity with Regulation (EC) No 1239/98¹ amending Regulation (EC) No 894/97 laying down certain technical measures for the conservation of fishery resources, it is prohibited to use drift nets in the 25-mile management zone.

These conservation measures will be non-discriminatory and will be applied in the entire 25-mile management zone.

The above solution is without prejudice to the evolution of secondary law in this field.

2. 31998 R 0088 : Council Regulation (EC) No 88/98 of 18 December 1997 laying down certain technical measures for the conservation of fishery resources in the waters of the Baltic Sea, the Belts and the Sound (OJ L 9, 15.1.1998, p. 1), as amended by:

- 31998 R 1520: Council Regulation (EC) No 1520/98 of 13. 7. 1998 (OJ L 201, 17.7.1998, p. 1).

The Council shall amend Regulation (EC) No 88/98 before the date of accession with a view to adopting the necessary conservation measures according to the following guidelines:

¹ OJ L 171, 17.6.1998, p. 1.

- the engine power of the vessels authorised to fish in the Gulf of Riga must not exceed 221 kW;
- the vessels authorised to fish in the Gulf of Riga will be included on a list; the list shall be established in order to ensure that the overall fishing capacity, measured in engine power (kW), shall not exceed that observed in the years 2000-2001 in the Gulf of Riga.

The detailed rules for establishing the list and a fishing effort monitoring system for the Gulf of Riga will be adopted in accordance with the procedure laid down in Article 18 of Regulation (EEC) No 3760/92¹ establishing a Community system for fisheries and aquaculture.

These technical measures for conservation will be non-discriminatory and will be applied in the entire Gulf of Riga.

The above solution is without prejudice to the evolution of secondary law in this field.

¹ OJ L 389, 31.12.1992, p. 1.

4. STATISTICS

1. 31977 D 0144: Commission Decision 77/144/EEC of 22 December 1976 laying down the standard code and rules governing the transcription into a machine-readable form of the data of the surveys of plantations of certain species of fruit trees, and laying down the boundaries of the production areas for these surveys (OJ L 47, 18.2.1977, p. 52), as amended by:

- 31981 D 0433: Commission Decision 81/433/EEC of 7.5.1981 (OJ L 167, 24.6.1981, p. 12),
- 31985 D 0608: Commission Decision 85/608/EEC of 13.12.1985 (OJ L 373, 31.12.1985, p. 59),
- 31987 D 0228: Commission Decision 87/228/EEC of 16.3.1987 (OJ L 94, 8.4.1987, p. 32),
- 31991 D 0618: Commission Decision 91/618/EEC of 18.11.1991 (OJ L 333, 4.12.1991, p. 23),
- 31995 D 0531: Commission Decision 95/531/EC of 29.11.1995 (OJ L 302, 15.12.1995, p. 37),
- 31996 D 0689: Commission Decision 96/689/EC of 25.11.1996 (OJ L 318, 7.12.1996, p. 14).

Where appropriate Annex I, "Detailed provisions", points (1) "Country" and (2) "Production area", and Annex III will need to be adapted taking into account the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia, and Slovakia.

2. 31979 D 0491: Commission Decision 79/491/EEC of 17 May 1979 laying down a code and standard rules for the transcription into a machine-readable form of the data of the basic surveys of areas under vines (OJ L 129, 28.5.1979, p. 9), as amended by:

- 31985 D 0620: Commission Decision 85/620/EEC of 13.12.1985 (OJ L 379, 31.12.1985, p. 1),
- 31996 D 0020: Commission Decision 96/20/EC of 19.12.1995 (OJ L 7, 10.1.1996, p. 6),
- 31999 D 0661: Commission Decision 99/661/EC of 9.9.1999 (OJ L 261, 7.10.1999, p. 42).

The list of wine-growing regions and codes of the new Member States, to be added to Annex II, shall be approved by the Standing Committee for Agricultural Statistics on the basis of a proposal from the Commission as soon as possible after accession.

3. 31980 D 0765: Commission Decision 80/765/EEC of 8 July 1980 laying down a code and standard rules for the transcription into a machine-readable form of the data relating to intermediate statistical surveys of areas under vines (OJ L 213, 16.8.1980, p. 34), as amended by:

- 31985 D 0621: Commission Decision 85/621/EEC of 13.12.1985 (OJ L 379, 31.12.1985, p. 12),
- 31996 D 0020: Commission Decision 96/20/EC of 19.12.1995 (OJ L 7, 10.1.1996, p. 6),
- 31999 D 0661: Commission Decision 99/661/EC of 9.9.1999 (OJ L 261, 7.10.1999, p. 42).

The list of wine-growing regions and codes of the new Member States, to be added to Annex II, shall be approved by the Standing Committee for Agricultural Statistics on the basis of a proposal from the Commission as soon as possible after accession.

4. 31994 D 0432: Commission Decision 94/432/EC of 30 May 1994 laying down detailed rules for the application of Council Directive 93/23/EEC as regards the statistical surveys on pig population and production (OJ L 179, 13.7.1994, p. 22), as amended by:

- 31995 D 0380: Commission Decision 95/380/EC of 18.9.1995 (OJ L 228, 23.9.1995, p. 25),
- 31999 D 0047: Commission Decision 1999/47/EC of 8.1.1999 (OJ L 15, 20.1.1999, p. 10),
- 31999 D 0547: Commission Decision 1999/547/EC of 14.7.1999 (OJ L 209, 7.8.1999, p. 33).

Where appropriate Annex IV points (a)-(e) will need to be adapted taking into account the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia, and Slovakia.

5. 31994 D 0433: Commission Decision 94/433/EC of 30 May 1994 laying down detailed rules for the application of Council Directive 93/24/EEC as regards the statistical surveys on cattle population and production, and amending the said Directive (OJ L 179, 13.7.1994, p. 27), as amended by:

- 31995 D 0380: Commission Decision 95/380/EC of 18.9.1995 (OJ L 228, 23.9.1995, p. 25),
- 31999 D 0047: Commission Decision 1999/47/EC of 8.1.1999 (OJ L 15, 20.1.1999, p. 10),
- 31999 D 0547: Commission Decision 1999/547/EC of 14.7.1999 (OJ L 209, 7.8.1999, p. 33).

Where appropriate Annex V points (a)-(e) will need to be adapted taking into account the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia, and Slovakia.

5. REGIONAL POLICY AND COORDINATION OF STRUCTURAL INSTRUMENTS

31999 R 1260: Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds (OJ L 161, 26.6.1999, p. 1), as amended by:

- 32001 R 1447: Council Regulation (EC) No 1447/2001 of 28.6.2001 (OJ L 198, 21.7.2001, p. 1).

Pursuant to Article 4(4), first subparagraph, of Council Regulation (EC) No 1260/1999 the Commission, where appropriate and in close concertation with the Member State concerned, shall adopt Decisions as soon as possible after accession drawing up lists of those areas of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia eligible under Objective 2 of the Structural Funds for the period from the date of accession to 2006. These Decisions shall respect the population ceilings for each of these Member States laid down in Commission Decision 1999/503/EC, as amended by the present Act.