

List referred to in Article 24 of the Act of Accession: Czech Republic

1. FREEDOM OF MOVEMENT FOR PERSONS

Treaty establishing the European Community;

31968 L 0360: 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 (OJ L 257, 19.10.1968, p. 13), as last 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 C 241, 29.8.1994, p. 21);

31968 R 1612: Council Regulation (EEC) No 1612/68 of 15 October 1968 on freedom of movement for workers within the Community (OJ L 257, 19.10.1968, p. 2), as last amended by:

- 31992 R 2434: Council Regulation (EEC) No 2434/92 of 27.7.1992 (OJ L 245, 26.8.1992, p. 1);

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).

1. Article 39 and the first paragraph of Article 49 of the EC Treaty 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 the Czech Republic on the one hand, and Belgium, Denmark, Germany, Estonia, Greece, Spain, France, Ireland, Italy, Latvia, Lithuania, Luxembourg, Hungary, the Netherlands, Austria, Poland, Portugal, Slovenia, Slovakia, Finland, Sweden and the United Kingdom on the other hand, subject to the transitional provisions laid down in paragraphs 2 to 14.

2. By way of derogation from Articles 1 to 6 of Regulation (EEC) No 1612/68 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 Czech nationals. The present Member States may continue to apply such measures until the end of the five year period following the date of accession.

Czech 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.

Czech 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 Czech nationals mentioned in the second and third subparagraphs above shall cease to enjoy the rights contained in those subparagraphs if they voluntarily leave the labour market of the present Member State in question.

Czech 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 these rights.

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 applying national measures or measures resulting from bilateral agreements, or whether they will apply Articles 1 to 6 of Regulation (EEC) No 1612/68 henceforth. In the absence of such notification, Articles 1 to 6 of Regulation (EEC) No 1612/68 shall apply.

4. Upon the request of the Czech Republic, 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 the request from the Czech Republic.

5. A Member State maintaining national measures or measures resulting from bilateral agreements at the end of the five year period indicated 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 (EEC) No 1612/68 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 (EEC) No 1612/68 apply as regards Czech nationals, and which are issuing work permits to nationals of the Czech Republic 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 (EEC) No 1612/68 apply as regards Czech nationals, may resort to the procedures set out in the subparagraphs below 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 (EEC) No 1612/68 be 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 not later than two weeks after receiving such a request and shall notify the Council of such a decision. Any Member State may, within two weeks from the date of the Commission's Decision, request the Council to annul or amend the 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 (EEC) No 1612/68, followed by a reasoned ex-post notification to the Commission.

8. As long as the application of Articles 1 to 6 of Regulation (EEC) No 1612/68 is suspended by virtue of paragraphs 2 to 5 and 7 above, Article 11 of the Regulation shall apply in the Czech Republic with regard to nationals of the present Member States, and in the present Member States with regard to Czech nationals under the following conditions:

- the members of a worker's family referred to in Article 10(1)(a) of the Regulation, 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 members of a worker's family referred to in Article 10(1)(a) of the Regulation, 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 eighteen months or from the third year following the date of accession, whichever is the earlier.

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

9. Insofar as certain provisions of Directive 68/360/EEC may not be dissociated from those of Regulation (EEC) No 1612/68 whose application is deferred pursuant to paragraphs 2 to 5 and 7 and 8, the Czech Republic 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, the Czech Republic may maintain in force equivalent measures with regard to the nationals of the Member State or States in question.

11. If the application of Articles 1 to 6 of Regulation (EEC) No 1612/68 is suspended by any of the present Member States, the Czech Republic may resort to the procedures laid down in paragraph 7 with respect to Estonia, Latvia, Lithuania, Hungary, Poland, Slovenia or Slovakia. During any such period work permits issued by the Czech Republic for monitoring purposes to nationals of Estonia, Latvia, Lithuania, Hungary, Poland, Slovenia or Slovakia shall be issued automatically.

12. 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 (EEC) No 1612/68 instead. The Commission shall be informed of any such decision.

13. In order to address serious disturbances or the threat thereof in specific sensitive service sectors on their labour markets, 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 to the free movement of Czech workers, Germany and Austria may, after notifying the Commission, derogate from the first paragraph of Article 49 of the EC Treaty with a view to limit in the context of the provision of services by companies established in the Czech Republic, the temporary movement of workers whose right to take up work in Germany and Austria is subject to national measures.

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

– in Germany:

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

– in Austria:

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

(*) NACE: see 31990 R 3037: Council Regulation (EEC) No 3037/90 of 9 October 1990 on the statistical classification of economic activities in the European Community (OJ L 293, 24.10.1990, p. 1), as last amended by 32002 R 0029: Commission Regulation (EC) No 29/2002 of 19.12.2001 (OJ L 6, 10.1.2002, p. 3)

To the extent that Germany or Austria derogate from the first paragraph of Article 49 of the EC Treaty in accordance with the preceding subparagraphs, the Czech Republic may, after notifying the Commission, take equivalent measures.

The effect of the application of this 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 the Czech Republic which are more restrictive than those prevailing on the date of signature of the Treaty of Accession.

14. The effect of the application of paragraphs 2 to 5 and 7 to 12 shall not result in conditions for access of Czech 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 13, 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.

Czech 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 the Czech Republic shall not be treated in a more restrictive way than those from third countries resident and working in that Member State or the Czech Republic respectively. Furthermore, in application of the principle of Community preference, migrant workers from third countries resident and working in the Czech Republic shall not be treated more favourably than nationals of the Czech Republic.

2. FREE MOVEMENT OF CAPITAL

Treaty on European Union;

Treaty establishing the European Community.

1. Notwithstanding the obligations under the Treaties on which the European Union is founded, the Czech Republic may maintain in force for five years from the date of accession the rules laid down in the Foreign Exchange Act No. 219/1995 Sb., as amended, on the acquisition of secondary residences by nationals of the Member States non-resident in the Czech Republic and by companies formed in accordance with the laws of another Member State and being neither established nor having a branch or a representative agency in the territory of the Czech Republic.

2. Notwithstanding the obligations under the Treaties on which the European Union is founded, the Czech Republic may maintain in force for seven years from the date of accession the rules laid down in the Foreign Exchange Act No. 219/1995 Sb. as amended, Act No. 229/1991 Sb. on the arrangement of ownership relations towards land and other agricultural property, and the Act No. 95/1999 Sb. on conditions relating to the transfer of agricultural land and forests from the state ownership to ownership of other entities regarding the acquisition of agricultural land and forests by nationals of the Member States and by companies formed in accordance with the laws of another Member State which are neither established nor registered in the Czech Republic. In no instance may a national of a Member State be treated less favourably in respect of the acquisition of agricultural land and forests than at the date of signature of the Accession Treaty or be treated in a more restrictive way than a national of a third country.

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

A general review of these transitional measures shall be held in 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 subparagraph.

If there is sufficient evidence that, upon expiry of the transitional period, there will be serious disturbances or a threat of serious disturbances on the agricultural land market of the Czech Republic, the Commission, at the request of the Czech Republic, shall decide upon the extension of the transitional period for up to a maximum of three years.

3. AGRICULTURE

A. VETERINARY LEGISLATION

1. 31964 L 0433: Council Directive 64/433/EEC on health conditions for the production and marketing of fresh meat (OJ P 121, 29.7.1964, p. 2012 and later amended and consolidated in OJ L 268, 29.6.1991, p. 71), as last amended by:

– 31995 L 0023: Council Directive 95/23/EC of 22.6.1995 (OJ L 243, 11.10.1995, p. 7);

31971 L 0118: Council Directive 71/118/EEC of 15 February 1971 on health problems affecting the production and placing on the market of fresh poultry meat (OJ L 55, 8.3.1971, p. 23 and later amended and updated in OJ L 62, 15.3.1993, p. 6), as last amended by:

- 31997 L 0079: Council Directive 97/79/EC of 18.12.1997 (OJ L 24, 30.1.1998, p. 31);

31977 L 0099: Council Directive 77/99/EEC of 21 December 1976 on health problems affecting the production and marketing of meat products and certain other products of animal origin (OJ L 26, 31.1.1977, p. 85 and later amended and updated in OJ L 57, 2.3.1992, p. 4), as last amended by:

- 31997 L 0076: Council Directive 97/76/EC of 16.12.1997 (OJ L 10, 16.1.1998, p. 25);

31989 L 0437: Council Directive 89/437/EEC of 20 June 1989 on hygiene and health problems affecting the production and the placing on the market of egg products (OJ L 212, 22. 7.1989, p. 87), as last amended by:

- 31996 L 0023: Council Directive 96/23/EC of 29.4.1996 (OJ L 125, 23.5.1996, p. 10);

31992 L 0046: Council Directive 92/46/EEC of 16 June 1992 laying down the health rules for the production and placing on the market of raw milk, heat-treated milk and milk-based products (OJ L 268, 14.9.1992, p. 1), as last amended by:

- 31996 L 0023: Council Directive 96/23/EC of 29.4.1996 (OJ L 125, 23.5.1996, p. 10).

- (a) The structural requirements laid down in Annexes I and II to Directive 64/433/EEC, in Annexes I and II to Directive 71/118/EEC, in Annexes A and B to Directive 77/99/EEC, in the Annex to Directive 89/437/EEC and in Annex B to Directive 92/46/EEC shall not apply to establishments in the Czech Republic listed in Appendix A to this Annex until 31 December 2006, subject to the conditions laid down below.
- (b) As long as the establishments referred to in paragraph (a) above benefit from the provisions of that paragraph, products originating from those establishments shall only be placed on the domestic market or used for further processing in domestic establishments also covered by the provisions of paragraph (a), irrespective of the date of marketing. These products must bear a special health mark.

The previous subparagraph also applies to all products originating from integrated meat establishments, where a part of the establishment is subject to the provisions of paragraph (a).

- (c) The Czech Republic shall ensure gradual compliance with the structural requirements referred to in paragraph (a) in accordance with the deadlines for correcting existing shortcomings set out in Appendix A to this Annex. The Czech Republic shall ensure that only those establishments which fully comply with these requirements by 31 December 2006 may continue to operate. The Czech Republic shall submit annual reports to the Commission on progress made in each of the establishments listed in Appendix A, including a list of the establishments which have corrected the existing shortcomings during the year in question.

- (d) The Commission may update Appendix A referred to in paragraph (a) before accession and until 31 December 2006, and in this context may add to a limited extent or delete individual establishments, in the light of progress made in the correction of existing shortcomings and the outcome of the monitoring process.

Detailed implementing rules to ensure the smooth operation of the above transitional regime shall be adopted in accordance with Article 16 of Directive 64/433/EEC, Article 21 of Directive 71/118/EEC, Article 20 of Directive 77/99/EEC, Article 14 of Directive 89/437/EEC and Article 31 of Directive 92/46/EEC.

2. 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).

Until 31 December 2009, establishments in the Czech Republic listed in Appendix B to this Annex may maintain in service cages not meeting the minimum height requirements laid down in Article 5(1)(4) of Directive 1999/74/EC, provided they are not older than 16 years and provided they are at least 36 cm high over at least 65 % of the cage area and not less than 33 cm high at any point.

B. PHYTOSANITARY LEGISLATION

31982 L 0471: Council Directive 82/471/EEC of 30 June 1982 concerning certain products used in animal nutrition (OJ L 213 , 21.7.1982, p. 8), as last amended by:

- 31999 L 0020: Council Directive 1999/20/EC of 22.3.1999 (OJ L 80, 25.3.1999, p. 20).

Notwithstanding Article 3(1) of Directive 82/471/EEC, the Czech Republic may continue to permit the marketing on its territory of feedingstuffs based on the yeast species *Candida utilis* cultivated on vegetable fibres until such time as a decision has been taken in accordance with Article 6 of the Directive or until two years after the date of accession, whichever is the earlier, provided that the Czech Republic submits the dossier referred to in Article 7 to the Commission no later than 31 December 2003.

4. TRANSPORT POLICY

31993 R 3118: Council Regulation (EEC) No 3118/93 of 25 October 1993 laying down the conditions under which non-resident carriers may operate national road haulage services within a Member State (OJ L 279, 12.11.1993, p. 1), as last amended by:

- 32002 R 0484: Regulation (EC) No 484/2002 of the European Parliament and of the Council of 1.3.2002 (OJ L 76, 19.3.2002, p. 1).

- (a) By way of derogation from Article 1 of Regulation (EEC) No 3118/93 and until the end of the second year following the date of accession, carriers established in the Czech Republic shall be excluded from the operation of national road haulage services in the other Member States, and carriers established in the other Member States shall be excluded from the operation of national road haulage services in the Czech Republic.
- (b) Before the end of the second year following the date of accession, Member States shall notify the Commission whether they will prolong this period for a maximum of two years or whether they will fully apply Article 1 of the Regulation henceforth. In the absence of such notification, Article 1 of the Regulation shall apply. Only carriers established in those Member States in which Article 1 of the Regulation applies may perform national road haulage services in those other Member States in which Article 1 also applies.
- (c) Before the end of the fourth year following the date of accession, in case of serious disturbances, or threat thereof, in the national road haulage market, Member States in which Article 1 of the Regulation does not apply by virtue of paragraph (b) above shall notify the Commission whether they will prolong this period for a maximum of one year or whether they will fully apply Article 1 of the Regulation henceforth. In the absence of such notification, Article 1 of the Regulation shall apply. Only carriers established in those Member States in which Article 1 of the Regulation applies may perform national road haulage services in those other Member States in which Article 1 also applies.

- (d) As long as Article 1 of the Regulation does not fully apply in all Member States, those Member States in which Article 1 of the Regulation applies by virtue of paragraph (b) or (c) above may resort to the procedure set out below.

When a Member State referred to in the preceding subparagraph undergoes a 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, 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 suspend, in whole or in part, the application of Article 1 of the Regulation, in order to restore to normal the situation.

The Commission shall examine the situation on the basis of data provided by the Member State concerned and shall decide within one month of receipt of the request on the need for the adoption of safeguard measures. The procedure laid down in the second, third and fourth subparagraphs of paragraph 3, as well as paragraphs 4, 5 and 6 of Article 7 of the Regulation shall apply.

A Member State referred to in the first subparagraph above may, in urgent and exceptional cases, suspend the application of Article 1 of the Regulation, followed by a reasoned ex-post notification to the Commission.

- (e) As long as Article 1 of the Regulation is not applied by virtue of paragraphs (a) to (c) above, Member States may regulate access to their national road haulage services by progressively exchanging cabotage authorisations on the basis of bilateral agreements. This may include the possibility of full liberalisation.
- (f) The effect of the application of paragraphs (a) to (d) shall not lead to more restrictive access to national road haulage services than that prevailing on the date of signature of the Treaty of Accession.

5. TAXATION

- 1. 31977 L 0388: Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonisation of the laws of the Member States relating to turnover taxes – Common system of value added tax: uniform basis of assessment (OJ L 145, 13.6.1977, p. 1), as last amended by:
 - 32002 L 0038: Council Directive 2002/38/EC of 7.5.2002 (OJ L 128, 15.5.2002, p. 41).

- (a) By way of derogation from Article 12(3)(a) of Directive 77/388/EEC, the Czech Republic may maintain a reduced rate of value added tax of not less than 5% until 31 December 2007 on a) the supply of heat energy used by households and small entrepreneurs who are not registered for VAT for heating and the production of hot water, excluding raw materials used to generate heat energy, and b) on the supply of construction work for residential housing not provided as part of a social policy, and excluding building materials.
- (b) For the purposes of applying Article 28(3)(b) of Directive 77/388/EEC, the Czech Republic may maintain an exemption from value added tax on international transport of passengers, referred to in point 17 of Annex F to the Directive, until the condition set out in Article 28(4) of the Directive is fulfilled or for as long as the same exemption is applied by any of the present Member States, whichever is the earlier.

2. 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), as last amended by:

- 32002 L 0010: Council Directive 2002/10/EC of 12.2.2002 (OJ L 46, 16.2.2002, p. 26).

By way of derogation from Article 2(1) of Directive 92/79/EEC, the Czech Republic may postpone the application of the overall minimum excise duty equivalent to 57% of the retail selling price (inclusive of all taxes) and a minimum of EUR 60 per 1000 cigarettes for cigarettes of the price category most in demand until 31 December 2006, provided that during this period the Czech Republic gradually adjusts its excise duty rates towards the overall minimum excise duty provided for in the Directive. The Czech Republic may also postpone the application of the overall minimum excise duty of EUR 64 on the retail selling price (inclusive of all taxes) for cigarettes of the price category most in demand until 31 December 2007, provided that during this period the Czech Republic gradually adjusts its excise duty rates towards the overall minimum excise duty provided for in the Directive.

Without prejudice to Article 8 of Council Directive 92/12/EEC on the general arrangements for products subject to excise duty and on the holding, movement and monitoring of such products ¹, and having informed the Commission, Member States may, as long as either of the above derogations applies, maintain the same quantitative limits for cigarettes which may be brought into their territories from the Czech Republic without further excise duty payment as those applied to imports from third countries. Member States making use of this possibility may carry out the necessary checks provided that these checks do not affect the proper functioning of the internal market.

¹ OJ L 76, 23.3.1992, p. 1. Directive as last amended by Directive 2000/47/EC (OJ L 193, 29.7.2000, p. 73).

3. 31992 L 0080: Council Directive 92/80/EEC of 19 October 1992 on the approximation of taxes on manufactured tobacco other than cigarettes (OJ L 316, 31.10.1992, p. 10), as last amended by:

– 32002 L 0010: Council Directive 2002/10/EC of 12.2.2002 (OJ L 46, 16.2.2002, p. 26).

By way of derogation from Article 3(1) of Directive 92/80/EEC, the Czech Republic may postpone the application of the overall minimum excise duties levied on tobacco products other than cigarettes until 31 December 2006.

Without prejudice to Article 8 of Council Directive 92/12/EEC on the general arrangements for products subject to excise duty and on the holding, movement and monitoring of such products ¹, and having informed the Commission, Member States may, as long as the above derogation applies, maintain the same quantitative limits for tobacco products other than cigarettes which may be brought into their territories from the Czech Republic without further excise duty payment as those applied to imports from third countries. Member States making use of this possibility may carry out the necessary checks provided that these checks do not affect the proper functioning of the internal market.

¹ OJ L 76, 23.3. 1992, p. 1. Directive as last amended by Directive 2000/47/EC (OJ L 193, 29.7.2000, p. 73).

6. ENERGY

1. 31968 L 0414: Council Directive 68/414/EEC of 20 December 1968 imposing an obligation on Member States of the EEC to maintain minimum stocks of crude oil and/or petroleum products (OJ L 308, 23.12.1968, p. 14), as last amended by:

– 31998 L 0093: Council Directive 98/93/EC of 14.12.98 (OJ L 358, 31.12.1998, p. 100).

By way of derogation from Article 1(1) of Directive 68/414/EEC, the minimum level of stocks of petroleum products shall not apply in the Czech Republic until 31 December 2005. The Czech Republic shall ensure that its minimum level of stocks of petroleum products corresponds, for each of the categories of petroleum products listed in Article 2, to at least the following number of days' average daily internal consumption as defined in Article 1(1):

- 80 days by the date of accession;
- 85 days by 31 December 2004;
- 90 days by 31 December 2005.

2. 31998 L 0030: Directive 98/30/EC of the European Parliament and of the Council of 22 June 1998 concerning common rules for the internal market in natural gas (OJ L 204, 21.7.1998, p. 1).

In the Czech Republic, Article 18 of Directive 98/30/EC shall not apply until 31 December 2004.

7. ENVIRONMENT

A. WASTE MANAGEMENT

31994 L 0062: European Parliament and Council Directive 94/62/EC of 20 December 1994 on packaging and packaging waste (OJ L 365, 31.12.1994, p. 10).

By way of derogation from Article 6(1)(a) and (b) of Directive 94/62/EC, the Czech Republic shall attain the recovery and recycling targets for the following packaging materials by 31 December 2005 in accordance with the following intermediate targets:

- recycling of plastics: 10 % by weight by the date of accession and 12% for 2004;
- overall recovery rate: 39% by weight by the date of accession and 45% for 2004.

B. WATER QUALITY

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), as amended by:

- 31998 L 0015: Commission Directive 98/15/EC of 27.2.1998 (OJ L 67, 7.3.1998, p. 29).

By way of derogation from Articles 3, 4 and 5(2) of Directive 91/271/EEC, the requirements for collecting systems and treatment of urban waste water shall not apply in the Czech Republic until 31 December 2010 in accordance with the following intermediate target: as regards agglomerations with a population equivalent of more than 10 000, the Czech Republic shall ensure compliance with the provisions of the Directive for 18 agglomerations by the date of accession at the latest and for 36 further agglomerations with the same population equivalent by 31 December 2006.

C. INDUSTRIAL POLLUTION CONTROL AND RISK MANAGEMENT

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 part A of Annex III of Directive 2001/80/EC, the emission limit values for sulphur dioxide shall not apply in the Czech Republic until 31 December 2007 to boiler K4 of the heating plant Přerov and to boiler K11 of the plant Nová Huť.

Appendix A

referred to in Chapter 3, Section A, point 1 of Annex V

List of establishments, including shortcomings and deadlines for
the correction of these shortcomings

Slaughterhouses

No	Vet. No	Name of establishment	Shortcomings	Date of full compliance
1		BEKKVA s.r.o.	Council Directive 64/433/EEC: Annex I, Chapter I, point 1(a) and (b) Annex I, Chapter I, point 2(a) Annex I, Chapter I, point 11	31.12.2004
2		Družstevní jatka Sádek, družstvo	Council Directive 64/433/EEC: Annex I, Chapter I, point 1(a), (b), (e) and (f) Annex I, Chapter I, point 4(c) Annex I, Chapter I, points 5 and 11 Annex I, Chapter II, point 14(a), (b) and (h) Annex I, Chapter III, point 15	31.12.2005
3		JABOR, s.r.o.	Council Directive 64/433/EEC: Annex II, Chapter I, point 9 Annex II, Chapter II, point 10(b), (c) and (e)	31.12.2004
4		Jiří Papst, Játka Oudoleň	Council Directive 64/433/EEC Annex I, Chapter I, point 1(a), (b), (c), (d), and (g) Annex I, Chapter I, points 5, 6 and 11 Annex I, Chapter II, point 14(b), (f) and (j) Annex I, Chapter IV, point 16(a) and (b)	31.12.2006

No	Vet. No	Name of establishment	Shortcomings	Date of full compliance
5		Jatka Svitavy, spol. s r.o.	Council Directive 64/433/EEC: Annex I, Chapter I, point 1(a), (b), (c), and (g) Annex I, Chapter I, point 4(c) Annex I, Chapter II, point 14(e) and (f)	30.6.2006
6		Jaroslav Kouba, Řeznictví – uzenářství	Council Directive 64/433/EEC: Annex I, Chapter I, point 1(b), (c) and (e) Annex I, Chapter I, point 2(b) Annex I, Chapter I, point 4(c) and (d) Annex I, Chapter I, points 5, 11 and 12 Annex I, Chapter II, point 14(b), (e), (h) and (i), Annex I, Chapter III, point 15(b)	31.12.2005
7		Vladimír Zezula, Jatky Rudíkov	Council Directive 64/433/EEC: Annex I, Chapter I, point 1(a), (b), (e) and (f) Annex I, Chapter I, point 2(a) Annex I, Chapter I, point 4(a) Annex I, Chapter I, points 5 and 11 Annex I, Chapter II, point 14(h) Annex I, Chapter IV, point 16(b)	31.12.2006
8		MABROS, s.r.o.	Council Directive 64/433/EEC: Annex I, Chapter I, point 1(b) and (c) Annex I, Chapter I, point 4(c) Annex I, Chapter I, points 11 and 12 Annex I, Chapter II, point 14(h)	31.12.2006
9		Karel Nozar, Jatky Janov	Council Directive 64/433/EEC: Annex I, Chapter I, point 1(a) and (b) Annex I, Chapter I, points 2(a) and 11	31.12.2006
10		Václav Raus,	Council Directive 64/433/EEC: Annex I, Chapter I, point 1(a) and (b) Annex I, Chapter I, point 5 Annex I, Chapter II, point 14(a)	31.12.2005

No	Vet. No	Name of establishment	Shortcomings	Date of full compliance
11		Pavel Hřebejk – firma Slávie	Council Directive 64/433/EEC: Annex I, Chapter I, point 1(a), (b) and (e) Annex I, Chapter I, point 4(c) Annex I, Chapter I, points 11 and 12 Annex I, Chapter II, point 14(a), (b), (c) and (h) Council Directive 77/99/EEC: Annex A, Chapter I, point 2(a), (b) and (e) Annex B, Chapter I, point 1(b), (d), (e) and (f)	31.12.2006
12		VAVRAS, spol. s r.o.	Council Directive 64/433/EEC: Annex II, Chapter I, point 1(b) and (e)	31.12.2004
13		Vlama, spol. s r. o.	Council Directive 64/433/EEC: Annex I, Chapter I, point 1(a) and (b) Annex I, Chapter I, point 4(c) Annex I, Chapter I, point 11 Annex I, Chapter II, point 14(e) and (g)	31.12.2004
14		Zemědělské družstvo Čechtice - Jatka Jeníkov	Council Directive 64/433/EEC: Annex I, Chapter I, point 1(a), (b), (c) and (d) Annex I, Chapter I, point 4(d) Annex I, Chapter I, points 5 and 11	31.12.2006
15		ZDV jatky Charvatce	Council Directive 64/433/EEC: Annex I, Chapter I, point 1(a), (b) and (e) Annex I, Chapter I, points 11 and 12 Annex I, Chapter II, point 14(b) and (c) Council Directive 77/99/EEC: Annex B, Chapter I, point 1(d)	31.12.2006

No	Vet. No	Name of establishment	Shortcomings	Date of full compliance
16		ZD Rosice u Chrásti - masná výroba a jatky	Council Directive 64/433/EEC: Annex I, Chapter I, point 1(a), (b), (c), (e) and (g) Annex I, Chapter I, point 2(a) Annex I, Chapter I, point 4(c) Annex I, Chapter I, points 5 and 11	31.12.2006
17		ZD Vodňany	Council Directive 64/433/EEC: Annex I, Chapter I, point 1(b) Annex I, Chapter I, point 4(c) Annex I, Chapter I, points 11 and 12 Annex I, Chapter II, point 14(a) and (b) Annex I, Chapter IV, point 16(a) and (b)	31.12.2005
18		Jaroslav Zezula - řeznictví, uzenářství Since 1. September 2002 as Jatky Zezula – Jadrný, s.r.o.	Council Directive 64/433/EEC: Annex I, Chapter I, point 1(a), (b), (c), (d), (e), (f) and (g) Annex I, Chapter I, points 5, 11 and 12 Annex I, Chapter II, points 14(b) and (h)	31.12.2004
19		Jatky Chotěboř	Council Directive 64/433/EEC: Annex I, Chapter I, point 1(a), (b), and (e), Annex I, Chapter I, points 5 and 11 Annex I, Chapter II, point 14(b) and (f) Annex I, Chapter IV, point 16(a) and (b)	30.06.2006
20		Zemědělské obchodní družstvo, družstvo Šebkovice	Council Directive 64/433/EEC: Annex I, Chapter I, point 1(b), (c) and (e) Annex I, Chapter I, points 7 and 11 Annex I, Chapter III, point 15(b), Annex I, Chapter IV, point 16(b)	31.12.2004
21		Ing. Václav Kozel, ZOOINFORMA	Council Directive 64/433/EEC: Annex I, Chapter I, point 1(g) Annex I, Chapter I, point 4(a) Annex I, Chapter II, point 14(a), (b), (c), (h) and (j)	31.12.2006

No	Vet. No	Name of establishment	Shortcomings	Date of full compliance
22		ZVOS Hustopeče, a.s.	Council Directive 64/433/EEC: Annex I, Chapter I, point 1(a) and (b) Annex I, Chapter I, point 9 Annex I, Chapter II, point 14(a) and (h) Annex I, Chapter IV, point 16(a)	31.12.2004
23		MASOEKO, s.r.o.,	Council Directive 64/433/EEC: Annex I, Chapter I, point 1(a), (b), (c) and (e) Annex I, Chapter I, point 2(a) and (b) Annex I, Chapter I, point 3 Annex I, Chapter I, point 4(a), (b) and (c) Annex I, Chapter I, points 5, 10, 11 and 12 Annex I, Chapter II, point 14(a), (b), (c), (e), (f) and (h) Annex I, Chapter III, point 15(b)	31.12.2006

Meat processing and manufacturing of meat products

1		Agrodružstvo vlastníků – ADV Libštát	Council Directive 64/433/EEC: Annex I, Chapter I, point 2(b) Annex I, Chapter I, points 5 and 9 Council Directive 77/99/EEC: Annex A, Chapter I, point 1 Annex A, Chapter I, point 2(a), (c), (d) and (g) Annex A, Chapter I, point 4	31.12.2006
2		Bomas Brno, s.r.o.	Council Directive 64/433/EEC: Annex I, Chapter I, point 1(a), (b) and (e) Annex I, Chapter I, point 11	31.12.2005

3		Josef Kalina – JoKa Litoměřice	Council Directive 77/99/EEC: Annex A, Chapter I, point 1 Annex A, Chapter I, point 2(a), (b) and (c) Annex A, Chapter I, point 11 Annex B, Chapter I, point 1(d) Annex B, Chapter II, point 4	31.12.2006
4		Masný průmysl – Krásno, spol. s r.o.	Council Directive 64/433/EEC: Annex I, Chapter I, point 1(a) and (g) Annex I, Chapter I, point 11 Annex I, Chapter II, point 14(b), (h) and (j) Council Directive 77/99/EEC: Annex A, Chapter I, point 1 Annex A, Chapter I, point 2(a) and (c) Annex A, Chapter I, point 11	31.12.2006
5		Pejša Bohumil, řeznictví uzenářství	Council Directive 64/433/EEC: Annex I, Chapter I, point 1(c) and (g) Annex I, Chapter I, points 2(a) and (b) Annex I, Chapter I, point 11 Annex I, Chapter III, point 15(b) Council Directive 77/99/EEC: Annex A, Chapter I, point 2(a), (b), (c) and (g) Annex A, Chapter I, point 11	31.12.2006
6		Vysočina, a.s.	Council Directive 77/99/EEC: Annex A, Chapter I, point 2(a) and (b) Annex A, Chapter I, point 11	31.12.2005

Poultry slaughterhouses

1		Melbro, a.s., porážka drůbeže Litoměřice (now as AGF Trading, a.s., středisko 07 Litoměřice)	Council Directive 71/118/EEC: Annex I, Chapter I, point 1(g) Annex I, Chapter I, points 11 and 12 Annex I, Chapter II, point 14(a), (b) and (c) Annex I, Chapter IV, points 16(a) and (b) Annex I, Chapter IV, point 17(a) and (b)	31.12.2006
2		DIEMA, spol. s r.o.	Council Directive 71/118/EEC: Annex I, Chapter I, point 1(a), (b), (d), (e) and (g) Annex I, Chapter I, points 9 and 12 Annex I, Chapter IV, points 16 and 17	31.12.2006
3		Podkrkonošská odbytová s.r.o.	Council Directive 71/118/EEC: Annex I, Chapter I, point 1(a) Annex I, Chapter I, point 5 Annex I, Chapter II, point 14(b) and (c)	31.12.2006
4		Velkopavlovické drůbežářské závody a.s.	Council Directive 71/118/EEC: Annex I, Chapter I, point 1(b) Annex I, Chapter II, point 14(b), (c) and (g) Annex I, Chapter XIII, point 69	31.12.2006

Poultrymeat products and eggs

1		Drůbež Příšovice a.s.	Council Directive 71/118/EEC: Annex I, Chapter I, point 1(a), (b) and (e) Annex I, Chapter I, point 5	31.12.2005
2		Velkopavlovické drůbežářské závody a.s.	Council Directive 89/437/EEC: Annex, Chapter I, point 1(a) Annex, Chapter I, point 3 Annex, Chapter II, points 1, 4 and 8	31.12.2006

Dairies

1		Krkonošské sýrárny a.s.	Council Directive 92/46/EEC: Annex B, Chapter I, point 2(a), (b), (c), (d) and (g) Annex B, Chapter I, point 11 Annex B, Chapter II.A, point 2	31.12.2006
2		Krkonošské sýrárny a. s.	Council Directive 92/46/EEC: Annex B, Chapter I, point 2(a), (b), (c) and (g) Annex B, Chapter I, points 8 and 11	31.12.2006
3		Mlékárna Čejetický spol. s r.o.	Council Directive 92/46/EEC: Annex B, Chapter I, point 2(a), (b), (c) and (g) Annex B, Chapter I, point 3	31.12.2005
4		PROM s.r.o.	Council Directive 92/46/EEC: Annex B, Chapter I, point 1 Annex B, Chapter I, point 2(a), (b), (c), (d), (e) and (g) Annex B, Chapter I, points 3, 9, 11, 13 and 15 Annex B, Chapter VI, point 1	31.12.2006
5		NET- Kralovice, spol. s r.o.	Council Directive 92/46/EEC: Annex B, Chapter I, point 2(b) and (c) Annex B, Chapter I, points 3 and 14 Annex B, Chapter VI, point 1	31.12.2006
6		Tavírna sýrů Nymburk s.r.o.	Council Directive 92/46/EEC: Annex B, Chapter I, points 3 and 11	31.12.2006

Appendix B
referred to in Chapter 3, Section A, point 2 of Annex V

List of establishments, including capacity of non-complying cages

ANIMAL WELFARE

No	Name of the establishment Area / Region	Capacity in laying hens (pieces)
1	Agricol s. r. o., Polička T. Novákové 521 572 01 Polička Svitavy / Pardubický Farm: Opatovice, Velké dráhy 318, 664 61 Rajhrad Brno venkov / Jihomoravský	81 900*
2	ZZN Pardubice a. s. Dělnická 384 531 25 Pardubice Farm: Opatovice n. Labem, 533 45 Opatovice n. L. Pardubice / Pardubický	50 000
3	Statek Miroslav a. s. Nádražní 1 671 72 Miroslav Znojmo / Jihomoravský	14 400*

4	Podnik živočišné výroby Nový Jičín a. s. Divadelní 9 741 01 Nový Jičín Farm: Kunín, 742 53 Kunín Nový Jičín / Moravskoslezský	18 000
5	VEMA a. s. Chrudim Dačická 911 537 60 Chrudim Chrudim / Pardubický	84 420
6	Drůbežárna Holešov s. r. o. Bořenovská 1356 769 01 Holešov Přerov / Zlínský	26 000
7	Jaroslav Jeřábek Újezd 12 267 61 Cerhovice Beroun / Středočeský	1 512
8	BIKOS s. r. o. Velká Bíteš Tišnovská 366 595 01 Velká Bíteš / Žďár nad Sázavou Farm: Košíky, 595 01 Velká Bíteš Žďár nad Sázavou / Vysočina	58 864*

9	Proagro Nymburk a. s. Poděbradská 2026 288 72 Nymburk Farm: Městec Králové, Pražská ul., 289 03 Městec Králové Nymburk / Středočeský	216 000*
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- * the slope in the cages exceeds the requirement in the Directive of 14%. The inclusion of these cages in the transition period is therefore on the condition that this is corrected while still fulfilling the remaining height requirements as agreed with the Czech Republic.