

**ASSOCIATION
BETWEEN
THE EUROPEAN UNION
AND SLOVAKIA**

- The Association Council -

**Brussels, 2 February 2004
(OR. en)**

UE-SK 2001/04

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject : Decision of the EU-Slovak Republic Association Council on the addition of
Annexes to the Protocol to the Europe Agreement on conformity assessment and
the acceptance of industrial products

DECISION No 1/2004
OF THE EU-SLOVAKIA ASSOCIATION COUNCIL
of

on the addition of Annexes
to the Protocol to the Europe Agreement
on conformity assessment and the acceptance of industrial products

THE ASSOCIATION COUNCIL,

Having regard to the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Slovak Republic of the other part ¹,

Having regard to the Protocol to the Europe Agreement on Conformity Assessment and the Acceptance of Industrial Products (PECA) ², and in particular to Article 14(b) thereof,

¹ OJ L 359, 31.12.1994, p. 2. Agreement as last amended by Decision No 1/2003 of the EU-Slovak Republic Association Council (OJ L 166, 3.7.2003, p. 1).

² OJ L 120, 15.5.2003, p. 41.

Whereas:

- (1) The PECA entered into force on 1 July 2003.
- (2) Article 14(b) of the PECA foresees that the Association Council can decide to add annexes to the PECA.
- (3) Extension of the PECA to cover additional sectors will further eliminate technical barriers to trade between the parties.
- (4) It is considered that Slovakia has now aligned its legislation, administrative structures and procedures in the areas concerned,

HAS DECIDED AS FOLLOWS:

Article 1

Following the alignment of the relevant Slovak legislation, administrative structures and procedures, the following annexes are hereby added to the PECA.

Mutual recognition of conformity assessment:

1. Simple Pressure Vessels
2. Lifts
3. Gas Appliances
4. Household electric refrigerators, freezers and combinations thereof
5. Hot Water Boilers
6. Radio Communication and Telecommunication Terminal Equipment
7. Non-Automatic Weighing Instruments.

The text of these annexes is set out in the Annex to this Decision.

Article 2

This Decision shall enter into force on the day of its adoption.

Done at Brussels,

For the Association Council
The President

"ANNEX

SIMPLE PRESSURE VESSELS

SECTION I

Community and National Law

Community law: Council Directive 87/404/EEC of 25 June 1987 on the approximation of the laws of the Member States relating to simple pressure vessels (OJ L 220, 8.8.1987, p. 48), Directive as last amended by Directive 93/68/EEC (OJ L 220, 30.8.1993, p. 1).

National law: Act No 264/1999 Coll. on Technical Requirements for Products and on Conformity Assessment and on change and amendment of some Acts (approved on 7.9.1999, in force from 1.1.2000, Collection of Laws No 113/1999) in the wording of Act No 436/2001 Coll. (approved on 4.10.2001, in force from 1.11.2001 Collection of Laws No 178/2001) in the wording of Act No 254/2003 Coll. (approved on 2.7.2003, in force from 1.8.2003 Collection of Laws No 127/2003).

Act No 128/2002 Coll. On State Control of Internal Market in the Consumer Protection Matters and on change and amendment of some acts (approved on 15.2.2002, in force from 1.4.2002, Collection of Laws No 56/2002) in the wording of the Act No 284/2002 Coll. (approved on 17.5.2002, in force from 1.7.2002, Collection of Laws No 126/2002).

Act No 95/2000 Coll. On Labour Inspection (approved on 8.2.2000, in force from 1.7.2000, Collection of Laws No 43/2000) in the wording of the Act No 231/2002 Coll. (approved on 3.4.2002, in force from 3.5.2002, Collection of Laws No 99/2002).

Governmental Ordinance No 513/2001 Coll. by which are determined the details of technical requirements and conformity assessment procedures on simple pressure vessels (approved on 28.11.2001, in force from 1.1.2002, Collection of Laws No 204/2001) in the wording of Governmental Ordinance No 327/2003 Coll. (approved on 16.7.2003, in force from 1.9.2003, Collection of Laws No 133/2003).

SECTION II

Notifying authorities

European Community:

- Belgium Ministère des Affaires Economiques/Ministerie van Economische Zaken.
- Denmark Direktoratet for Arbejdstilsynet.
- Germany Bundesministerium für Arbeit und Sozialordnung.
- Greece Υπουργείο Ανάπτυξης. Γενική Γραμματεία Βιομηχανίας (Ministry of Development. General Secretariat of Industry).
- Spain Ministerio de Ciencia y Tecnología
- France Ministère de l'économie, des finances et de l'industrie, Direction de l'Action Régionale de la Petite et Moyenne Industrie (DARPMI), Sous-direction de la sécurité industrielle.
- Ireland Department of Enterprise, Trade and Employment.
- Italy Ministero dell'Industria, del Commercio e dell'Artigianato.
- Luxembourg Ministère du Travail et de l'Emploi.
- Netherlands Ministerie van Sociale Zaken en Werkgelegenheid.
- Austria Bundesministerium für Wirtschaft und Arbeit.

- Portugal Under the authority of the Government of Portugal:
Instituto Português da Qualidade.
- Finland Kauppa-ja teollisuusministeriö/Handels- och industriministeriet.
- Sweden Under the authority of the Government of Sweden:
Styrelsen för ackreditering och teknisk kontroll (SWEDAC).
- United Kingdom Department of Trade and Industry.

Slovakia: Úrad pre normalizáciu, metrológiu a skúšobníctvo Slovenskej republiky

SECTION III
Notified Bodies

European Community:

Bodies which have been notified by the Member States of the Community in accordance with the Community law of Section I and notified to Slovakia in accordance with Article 10 of this Protocol.

Slovak Republic:

Bodies which have been authorised by Slovakia in accordance with the Slovak national law of Section I and notified to the Community in accordance with Article 10 of this Protocol.

SECTION IV
Specific Arrangements

Safeguard Clauses

A. Safeguard clause relating to industrial products.

1. Where a Party has taken a measure to deny free access to its market for industrial products bearing the CE marking, subject to this Annex, it shall immediately inform the other Party, indicating the reasons for its decision and how non compliance has been assessed.

2. The Parties shall consider the matter and the evidence brought to their knowledge and shall report to each other the results of their investigations.
3. In case of agreement, the Parties shall take appropriate measures to ensure that such products are not placed on the market.
4. In case of disagreement on the outcome of such investigations the matter shall be forwarded to the Association Council who may decide to have an expertise carried out.
5. Where the Association Council finds that the measure is:
 - (a) unjustified, the national authority of the Party who has taken the measure shall withdraw it;
 - (b) justified, the Parties shall take appropriate measures to ensure that such products are not placed on the market.

B. Safeguard clause relating to harmonised standards.

1. Where Slovakia considers that an harmonised standard referred to in the legislation defined in this Annex, does not meet the essential requirements of such legislation, it shall inform the Association Council giving the reasons thereof.

2. The Association Council shall consider the matter and may request the Community to proceed in accordance with the procedure provided for in the Community legislation identified in the present annex.
3. The Community shall keep the Association Council and the other Party informed of the proceedings.
4. The outcome of the procedure shall be notified to the other Party.

ANNEX

LIFTS

SECTION I

Community and National Law

Community law: Directive 95/16/EC of the European Parliament and of the Council of 29 June 1995 on the approximation of the laws of the Member States relating to lifts (OJ L 213, 7.9.1995, p. 1). Directive as amended by Regulation (EC) No 1882/2003 (OJ L 284 31.10.2003 p. 1).

National law: Act No 264/1999 Coll. on Technical Requirements for Products and on Conformity Assessment and on change and amendment of some Acts (approved on 7.9.1999, in force from 1.1.2000, Collection of Laws No 113/1999) in the wording of Act No 436/2001 Coll. (approved on 4.10.2001, in force from 1.11.2001 Collection of Laws No 178/2001) in the wording of Act No 254/2003 Coll. (approved on 2.7.2003, in force from 1.8.2003 Collection of Laws No 127/2003).

Act No 95/2000 Coll. on Labour Inspection (approved on 8.2.2000, in force from 1.7.2000, Collection of Laws No 43/2000) in the wording of the Act No 231/2002 Coll. (approved on 3.4.2002, in force from 3.5.2002, Collection of Laws No 99/2002).

Governmental Ordinance No 571/2001 Coll. by which are determined the details of technical requirements and of conformity assessment procedures on lifts (approved on 6.12.2001, in force from 1.1.2002, Collection of Laws No 224/2001) in the wording of Governmental Ordinance No 327/2003 Coll. (approved on 16.7.2003, in force from 1.9.2003, Collection of Law No 133/2003).

SECTION II
Notifying Authorities

European Community:

- Belgium: Ministère des Affaires Economiques/Ministerie van Economische Zaken.
 - Denmark: Direktoratet for Arbejdstilsynet
 - France: Ministère de l'équipement, des transports et du logement.
Direction Générale de l'urbanisme, de l'habitat et de la construction
 - Germany: Bundesministerium für Arbeit und Sozialordnung
 - Greece: Υπουργείο Ανάπτυξης. Γενική Γραμματεία Βιομηχανίας (Ministry of Development. General Secretariat of Industry).
 - Spain: Ministerio de Ciencia y Tecnología.
 - Ireland: Department of Enterprise, Trade and Employment
 - Italy: Ministero delle Attività Produttive
 - Luxembourg: Ministère du Travail (Inspection du Travail et des Mines)
 - Netherlands: Minister van Sociale Zaken en Werkgelegenheid
 - Austria: Bundesministerium für Wirtschaftliche und Arbeit .
 - Portugal: Under the authority of the Government of Portugal:
Instituto Português da Qualidade
 - Finland: Kauppa-ja teollisuusministeriö/Handels-och industriministeriet
 - Sweden: Under the authority of the Government of Sweden :
Styrelsen för ackreditering och teknisk kontrol (SWEDAC).
 - United Kingdom: Department of Trade and Industry
- Slovakia: Úrad pre normalizáciu, metrológiu a skúšobníctvo Slovenskej republiky

SECTION III
Notified bodies

European Community

Bodies which have been notified by the Member States of the Community in accordance with the Community law of Section I and notified to Slovakia in accordance with Article 10 of this Agreement.

Slovakia

Bodies which have been designated by Slovakia in accordance with the Slovak national law of Section I and notified to the Community in accordance with Article 10 of this Protocol.

SECTION IV
Specific arrangements

Safeguard Clauses

A. Safeguard clause relating to industrial products:

1. Where a Party has taken a measure to deny free access to its market for industrial products bearing the CE marking, subject to this Annex, it shall immediately inform the other Party, indicating the reasons for its decision and how non compliance has been assessed.

2. The Parties shall consider the matter and the evidence brought to their knowledge, and shall report to each other the results of its investigations.
3. In case of agreement, the Parties shall take appropriate measures to ensure that such products are not placed on the market.
4. In case of disagreement on the outcome of such investigations the matter shall be forwarded to the Association Council who may decide to have an expertise carried out.
5. Where the Association Council finds that the measure is:
 - (a) unjustified, the national authority of the Party who has taken the measure shall withdraw it;
 - (b) justified, the Parties shall take appropriate measures to ensure that such products are not placed on the market.

B. Safeguard clause relating to harmonised standards:

1. Where Slovakia considers that a harmonised standard referred to in the legislation defined in this Annex, does not meet the essential requirements of such legislation, it shall inform the Association Council giving the reasons therefor.
2. The Association Council shall consider the matter and may request the Community to proceed in accordance with the procedure provided for in the Community legislation identified in this Annex.

3. The Community shall keep the Association Council and the other Party informed of the proceedings.
4. The outcome of the procedure shall be notified to the other Party.

ANNEX

GAS APPLIANCES

SECTION I

Community and National Law

- Community law: Council Directive 90/396/EEC of 29 June 1990 on the approximation of the laws of the Member States relating to appliances burning gaseous fuels (OJ L 196, 26.7.1990, p. 15) Directive as last amended by Directive 93/68/EEC (OJ L 220, 30.8.1993, p. 1).
- National law: Act No 264/1999 Coll. on Technical Requirements for Products and on Conformity Assessment and on change and amendment of some Acts (approved on 7.9.1999, in force from 1.1.2000, Collection of Laws No 113/1999) in the wording of Act No 436/2001 Coll. (approved on 4.10.2001, in force from 1.11.2001 Collection of Laws No 178/2001) in the wording of Act No 254/2003 Coll. (approved on 2.7.2003, in force from 1.8.2003 Collection of Laws No 127/2003).

Act No 128/2002 Coll. On State Control of Internal Market in the Consumer Protection Matters and on change and amendment of some acts (approved on 15.2.2002, in force from 1.4.2002, Collection of Laws No 56/2002) in the wording of the Act No 284/2002 Coll. (approved on 17.5.2002, in force from 1.7.2002, Collection of Laws No 126/2002).

Governmental Ordinance No 393/1999 Coll. via which are laid down details of technical requirements for appliances burning gaseous fuels (approved on 16.12.1999, in force from 1.1.2000, Collection of Laws No 157/1999) in the wording of the Governmental Ordinances No 148/2002 (approved on 13.3.2002, in force from 1.4.2002, Collection of Laws No 62/2002) in the wording of Governmental Ordinance 302/2002 Coll. (approved on 5.6.2002, in force from 1.7.2002, Collection of Laws No 131/2002) in the wording of the Governmental Ordinance No 252/2003 Coll. (approved on 16.07.2003, in force from 1.8.2003, Collection of Laws No 126/2003)

SECTION II

Notifying Authorities

European Community:

- Belgium: Ministère des Affaires Economiques/Ministerie van Economische Zaken
 - Denmark: Danmarks Gasmateriel Provning.
 - Germany: Bundesministerium für Arbeit und Sozialordnung.
 - Greece: Υπουργείο Ανάπτυξης. Γενική Γραμματεία Βιομηχανίας (Ministry of Development. General Secretariat of Industry).
 - Spain: Ministerio de Ciencia y Tecnología.
 - France: Ministère de l'Économie, des finances et de l'industrie, Direction de l'Action Regionale et de la Petite et Moyenne Industrie (DARPMI). Sous-direction de la sécurité industrielle.
 - Ireland: Department of Enterprise, Trade and Employment.
 - Italy: Ministero dell'Industria, del Commercio e dell'Artigianato.
 - Luxembourg: Ministère du Travail (Inspection du Travail et des Mines).
 - Netherlands: Ministerie van Economische Zaken.
 - Austria: Bundesministerium für Wirtschaft und Arbeit.
 - Portugal: Under the authority of the Government of Portugal: Instituto Português da Qualidade.
 - Finland: Kauppa-ja teollisuusministeriö/Handels-och industriministeriet.
 - Sweden: Under the authority of the Government of Sweden: Styrelsen för ackreditering och teknisk kontroll (SWEDAC).
 - United Kingdom: Department of Trade and Industry.
- Slovakia: Úrad pre normalizáciu, metrológiu a skúšobníctvo Slovenskej republiky

SECTION III
Notified Bodies

European Community:

Bodies which have been notified by the Member States of the Community in accordance with the Community law of Section I and notified to Slovakia in accordance with Article 10 of this Protocol.

Slovakia:

Bodies which have been designated/authorised by Slovakia in accordance with the Slovak national law of Section I and notified to the Community in accordance with Article 10 of this Protocol.

SECTION IV
Specific Arrangements

Safeguard Clauses:

A. Safeguard clause relating to industrial products.

1. Where a Party has taken a measure to deny free access to its market for industrial products bearing the CE marking, subject to this Annex, it shall immediately inform the other Party, indicating the reasons for its decision and how non compliance has been assessed.

2. The Parties shall consider the matter and the evidence brought to their knowledge, and shall report to each other the results of their investigations.
3. In case of agreement, the Parties shall take appropriate measures to ensure that such products are not placed on the market.
4. In case of disagreement on the outcome of such investigations the matter shall be forwarded to the Association Council who may decide to have an expertise carried out.
5. Where the Association Council finds that the measure is:
 - (a) unjustified, the national authority of the Party who has taken the measure shall withdraw it;
 - (b) justified, the Parties shall take appropriate measures to ensure that such products are not placed on the market.

B. Safeguard clause relating to harmonised standards.

1. Where Slovakia considers that a harmonised standard referred to in the legislation defined in this Annex, does not meet the essential requirements of such legislation, it shall inform the Association Council giving the reasons thereof.
2. The Association Council shall consider the matter and may request the Community to proceed in accordance with the procedure provided for in the Community legislation identified in this Annex.

3. The Community shall keep the Association Council and the other Party informed of the proceedings.
4. The outcome of the procedure shall be notified to the other Party.

ANNEX

HOUSEHOLD ELECTRIC REFRIGERATORS, FREEZERS AND COMBINATIONS THEREOF

SECTION I

Community and National Law

Community law: Directive 96/57/EC of the European Parliament and of the Council of 3 September 1996 on energy efficiency requirements for household electric refrigerators, freezers and combinations thereof
(OJ L 236, 18.9.1996 p. 36)

National law: Act No 264/1999 Coll. on Technical Requirements for Products and on Conformity Assessment and on change and amendment of some Acts (approved on 7.9.1999, in force from 1.1.2000, Collection of Laws No 113/1999) in the wording of Act No 436/2001 Coll. (approved on 4.10.2001, in force from 1.11.2001 Collection of Laws No 178/2001) in the wording of Act No 254/2003 Coll. (approved on 2.7.2003, in force from 1.8.2003 Collection of Laws No 127/2003).

Act No 128/2002 Coll. On State Control of Internal Market in the Consumer Protection Matters and on change and amendment of some acts (approved on 15.2.2002, in force from 1.4.2002, Collection of Laws No 56/2002) in the wording of the Act No 284/2002 Coll. (approved on 17.5.2002, in force from 1.7.2002, Collection of Laws No 126/2002).

Governmental Ordinance No 425/2000 Coll. via which details of technical requirements for energy efficiency and conformity assessment procedures for household electric refrigerators, freezers and combinations thereof are laid down (approved on 29.11.2000, in force from 1.1.2001, Collection of Laws No 176/2000) in the wording of Governmental Ordinance No 295/2002 Coll. (approved on 5.6.2002, in force from 1.7.2002 Collection of Laws No 130/2002) in the wording of Governmental Ordinance No 253/2003 Coll. (approved on 16.7.2003, in force from 1.8.2003, Collection of Laws No 126/2003)

SECTION II
Specific arrangements

Safeguard clause

Safeguard clause relating to industrial products:

1. Where a Party has taken a measure to deny free access to its market for industrial products bearing the CE marking, subject to this Annex, it shall immediately inform the other Party, indicating the reasons for its decision and how non compliance has been assessed.
2. The Parties shall consider the matter and the evidence brought to their knowledge, and shall report to each other the results of their investigations.
3. In case of agreement, the Parties shall take appropriate measures to ensure that such products are not placed on the market.
4. In case of disagreement on the outcome of such investigations the matter shall be forwarded to the Association Council who may decide to have an expertise carried out.
5. Where the Association Council finds that the measure is:
 - (a) unjustified, the national authority of the Party who has taken the measure shall withdraw it;
 - (b) justified, the Parties shall take appropriate measures to ensure that such products are not placed on the market.

ANNEX

HOT-WATER BOILERS

SECTION I

Community and National Law

Community law: Council Directive 92/42/EEC of 21 May 1992 on efficiency requirements for new hot-water boilers fired with liquid or gaseous fuels (OJ L 167, 22.6.1992 p. 17), Directive as last amended by Directive 93/68/EEC (OJ L 220, 30.8.1993, p. 1).

National law: Act No 264/1999 Coll. on Technical Requirements for Products and on Conformity Assessment and on change and amendment of some Acts (approved on 7.9.1999, in force from 1.1.2000, Collection of Laws No 113/1999) in the wording of Act No 436/2001 Coll. (approved on 4.10.2001, in force from 1.11.2001, Collection of Laws No 178/2001) in the wording of Act No 254/2003 Coll. (approved on 2.7.2003, in force from 1.8.2003 Collection of Laws No 127/2003).

Act No 128/2002 Coll. on State Control of Internal market in the Consumer Protection Matters and on change and amendment of some acts (approved on 15.2.2002, in force from 1.4.2002, Collection of Laws No 56/2002) in the wording of the Act No 284/2002 Coll. (approved on 17.5.2002, in force from 1.7.2002, Collection of Laws No 126/2002)

Governmental Ordinance No 433/2000 Coll. via which details of technical requirements for energy efficiency for hot water boilers fired with liquid or gaseous fuels are laid down (approved on 29.11.2000, in force from 1.1.2001, Collection of Laws No 178/2000) in the wording of Governmental Ordinance No 293/2002 Coll. (approved on 5.6.2002, in force from 1.7.2002, Collection of Laws No 130/2002) in the wording of Governmental Ordinance No 257/2003 Coll. (approved on 16.7.2003, in force from 1.8.2003, Collection of Laws No 128/2003).

SECTION II
Notifying Authorities

European Community

- Belgium: Ministère des Affaires Economiques / Ministerie van Economische Zaken.
- Denmark: Boligministeriet.
- Germany: Bundesministerium für Wirtschaft und Technologie.
- Greece: Υπουργείο Ανάπτυξης. Γενική Γραμματεία Βιομηχανίας (Ministry of Development. General Secretariat of Industry).
- Spain: Ministerio de Ciencia y Tecnología.
- France: Ministère de l'économie, des finances et de l'industrie, Direction de l'Action Régionale et de la Petite et Moyenne Industrie (DARPMI). Sous-direction de la sécurité industrielle.
- Ireland: Department of Enterprise, Trade and Employment.
- Italy: Ministero delle Attività Produttive.
- Luxembourg: Ministère de l'Environnement.
- Netherlands: Ministerie van Economische Zaken.
- Austria: Bundesministerium für Wirtschaft und Arbeit.
- Portugal: Under the authority of the Government of Portugal: Instituto Português da Qualidade.
- Finland: Ympäristöministeriö / Miljöministeriet.
- Sweden: Under the authority of the Government of Sweden: Styrelsen för ackreditering och teknisk kontroll (SWEDAC).
- United Kingdom: Department for Environment, Food and Rural Affairs
- Slovakia: Úrad pre normalizáciu, metrológiu a skúšobníctvo Slovenskej republiky

SECTION III
Notified Bodies

European Community

Bodies which have been notified by the Member States of the Community in accordance with the Community law of Section I and notified to Slovakia in accordance with Article 10 of this Protocol.

Slovakia

Bodies which have been designated by Slovakia in accordance with the Slovak national law of Section I and notified to the Community in accordance with Article 10 of this Protocol.

SECTION IV
Specific arrangements

Safeguard clauses

A. Safeguard clause relating to industrial products:

1. Where a Party has taken a measure to deny free access to its market for industrial products bearing the CE marking, subject to this Annex, it shall immediately inform the other Party, indicating the reasons for its decision and how non compliance has been assessed.

2. The Parties shall consider the matter and the evidence brought to their knowledge, and shall report to each other the results of their investigations.
3. In case of agreement, the Parties shall take appropriate measures to ensure that such products are not placed on the market.
4. In case of disagreement on the outcome of such investigations the matter shall be forwarded to the Association Council who may decide to have an expertise carried out.
5. Where the Association Council finds that the measure is:
 - (a) unjustified, the national authority of the Party who has taken the measure shall withdraw it;
 - (b) justified, the Parties shall take appropriate measures to ensure that such products are not placed on the market.

B. Safeguard clause relating to harmonised standards:

1. Where Slovakia considers that a harmonised standard referred to in the legislation defined in this Annex does not meet the essential requirements of such legislation, it shall inform the Association Council giving the reasons thereof.
2. The Association Council shall consider the matter and may request the Community to proceed in accordance with the procedure provided for in the Community legislation identified in this Annex.

3. The Community shall keep the Association Council and the other Party informed of the proceedings.
4. The outcome of the procedure shall be notified to the other Party.

RADIO COMMUNICATION AND TELECOMMUNICATION TERMINAL EQUIPMENT

SECTION I

Community and National Law

Community law:	Directive 1999/5/EC of the European Parliament and of the Council of 9 March 1999 on radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity (OJ L 91, 7.4.1999, p. 10). Directive as last amended by Regulation (EC) No 1882/2003 (OJ L 284, 31.10.2003, p. 1).
National law:	Act No 264/1999 Coll. on Technical Requirements for Products and on Conformity Assessment and on change and amendment of some Acts (approved on 7.9.1999, in force from 1.1.2000, Collection of Laws No 113/1999) in the wording of Act No 436/2001 Coll. (approved on 4.10.2001, in force from 1.11.2001 Collection of Laws No 178/2001) in the wording of Act No 254/2003 Coll. (approved on 2.7.2003, in force from 1.8.2003 Collection of Laws No 127/2003).

Act No 195/2000 Coll. on Telecommunications (approved on 19.5.2000, in force from 1.7.2000, Collection of Laws No 84/2000) in the wording of Act No 308/2000 Coll. (approved on 14.9.2000, in force from 4.10.2000 Collection of Laws No 128/2000)

Act No 128/2002 Coll. On State Control of Internal Market in the Consumer Protection Matters and on change and amendment of some acts (approved on 15.2.2002, in force from 1.4.2002, Collection of Laws No 56/2002) in the wording of the Act No 284/2002 Coll. (approved on 17.5.2002, in force from 1.7.2002, Collection of Laws No 126/2002).

Governmental Ordinance No 443/2001 Coll. setting details of technical requirements and on conformity assessment procedures for radio and telecommunications terminal equipment (approved on 19.9.2001, in force from 1.1.2002, Collection of Laws No 180/2001).

SECTION II

Notifying authorities

European Community:

- Austria: Bundesministerium für wirtschaftliche Angelegenheiten
 - Belgium: Ministère des Affaires Economiques
Ministerie van Economische Zaken
 - Denmark: Telestyrelsen
 - Finland: Kauppa- ja teollisuusministeriö/Handels- och industriministeriet
For EMC aspects of telecommunications and radio equipment:
Liikenneministeriö/Trafikministeriet
 - France: Ministère de l'économie, des finances et de l'industrie. Secrétariat d'Etat à l'industrie. Direction générale des stratégies industrielles
 - Germany: Bundesministerium für Wirtschaft und Technologie
 - Greece: Υπουργείο Ανάπτυξης (Ministry of Development)
 - Ireland: Department of Enterprise, Trade and Employment
 - Italy: Ministero delle Attività Produttive
 - Luxembourg: Ministère des Transports
 - Netherlands: Minister van Verkeer en Waterstaat
 - Portugal: Under the authority of the Government of Portugal:
Instituto Português da Qualidade.
 - Spain: Ministerio de Industria y Energía
Subdirección General de Seguridad y Calidad Industrial
For EMC aspects of telecommunications and radio equipment: Ministerio de Fomento. Subdirección General de Promoción y Normalización de Servicios de Telecomunicaciones.
 - Sweden: Under the authority of the Government of Sweden :
Styrelsen för ackreditering och teknisk kontrol (SWEDAC)
 - United Kingdom: Department of Trade and Industry
- Slovakia: Úrad pre normalizáciu, metrológiu a skúšobníctvo Slovenskej republiky

SECTION III
Notified Bodies

European Community:

Bodies which have been notified by the Member States of the European Community in accordance with the Community law of Section I and notified to Slovakia in accordance with Article 10 of this Protocol.

Slovakia:

Bodies which have been designated by Slovakia in accordance with the Slovak national law of Section I and notified to the European Community in accordance with Article 10 of this Protocol.

SECTION IV
Specific arrangements

1. Market Surveillance authorities

Each Party shall notify to the other Party the authorities established within its territory which are to carry out the surveillance tasks related to the operation of the respective legislation listed in Section I.

2. Notification of interface regulations

Each Party shall notify to the other Party the interfaces which they have regulated in their respective territory. When classifying equipment the Community shall take due account of the interfaces regulated in Slovakia.

3. Application of essential requirements

Where the Commission considers adopting a Decision to apply a requirement contained in Article 3.3 of Directive 99/5/EC, Slovakia shall give its opinion on the issue in its capacity of observer in the TCAM before the formal opinion of the Committee is requested.

4. Notification of apparatus causing damage

Where a Party considers that "apparatus declared to be compliant with the respective legislation causes serious damage to a network or harmful radio interference or harm to the network or its functioning" and has authorised the operator "to refuse connection, to disconnect such apparatus or to withdraw it from service", the Party shall notify this authorisation to the other Party.

5. Safeguard Clauses

A. Safeguard clause relating to industrial products

1. Where a Party has taken a measure to deny free access to its market for industrial products bearing the CE marking, subject to the present annex, it shall immediately inform the other Party, indicating the reasons for its decision and how non compliance has been assessed.
2. The Parties shall consider the matter and the evidence brought to their knowledge, and shall report to each other the results of their investigations.
3. In case of agreement, the Parties shall take appropriate measures to ensure that such products are not placed on the market.
4. In case of disagreement on the outcome of such investigations the matter shall be forwarded to the Association Council who may decide to have an expertise carried out.
5. Where the Association Council finds that the measure is:
 - (a) unjustified, the national authority of the Party who has taken the measure shall withdraw it;
 - (b) justified, the Parties shall take appropriate measures to ensure that such products are not placed on the market.

B. Safeguard clause relating to harmonised standards.

1. Where Slovakia considers that a harmonised standard referred to in the legislation defined in the present annex, does not meet the essential requirements of such legislation, it shall inform the Association Council giving the reasons thereof.
2. The Association Council shall consider the matter and may request the European Community to proceed in accordance with the procedure provided for in the Community legislation identified in the present annex.
3. The European Community shall keep the Association Council and the other Party informed of the proceedings.
4. The outcome of the procedure shall be notified to the other Party.

C. Safeguard clause relating to compliant radio products not intended for the use in a spectrum of one of the Parties

1. Where a Member State or Slovakia takes a measure to "adopt any appropriate measures with a view to:
 - (a) prohibiting or restricting the placing on its market, and/or
 - (b) requiring the withdrawal from its market,

of radio equipment, including types of radio equipment, which has caused or which it reasonably considers will cause harmful interference, including interference with existing or planned services on nationally allocated frequency bands", the Party shall inform the other Party, giving the reasons thereof.

2. Where the other Party considers that the measure may be unjustified, and when the divergence of views can not be resolved to the satisfaction of both Parties, they may consult the Association Council on the measure, giving their reasons.
3. Where, after such consultation, the Association Council finds that the measure is:
 - (a) justified, it shall immediately inform all competent national authorities of both Parties;
 - (b) unjustified, it shall immediately inform the competent authority in the Party which took the measure and request its withdrawal.

ANNEX
NON-AUTOMATIC WEIGHING INSTRUMENTS

SECTION I

Community and National Law

- Community law: Council Directive 90/384/EEC of 20 June 1990 on the harmonisation of the laws of the Member States relating to non-automatic weighing instruments (OJ L 189, 20.07.1990, p. 1), Directive as last amended by Directive 93/68/EEC (OJ L 220, 30.8.1993, p. 1).
- National law: Act No 264/1999 Coll. on Technical Requirements for Products and on Conformity Assessment and on change and amendment of some Acts (approved on 7.9.1999, in force from 1.1.2000, Collection of Laws No 113/1999) in the wording of Act No 436/2001 Coll. (approved on 4.10.2001, in force from 1.11.2001, Collection of Laws No 178/2001).
- Governmental Ordinance No 399/1999 via which details of technical requirements for non-automatic weighing instruments are laid down (approved on 22.12.1999, in force from 1.1.2000, Collection of Laws No 159/1999) in the wording of Governmental Ordinance No 150/2002 Coll. (approved on 13.3.2002, in force from 1.4.2002, Collection of Laws No 62/2002).
- Act No 142/2000 Coll. on Metrology and on change and amendment of some acts (approved on 17.3.2000, in force from 1.7.2000, Collection of Laws No 61/2000).

SECTION II

Notifying Authorities

European Community:

- Belgium: Ministère des Affaires économiques / Ministerie van Economische Zaken
 - Denmark: Erhvervsfremme Styrelsen
 - Germany: Bundesministerium für Wirtschaft und Technologie
 - Greece: Υπουργείο Ανάπτυξης; Διεύθυνση Τεχνικού Ελέγχου (Ministry of Development, Directorate of Technical Control)
 - Spain: Ministerio de Fomento, Centro Español de Metrología
 - France: Ministère de l'Économie, des Finances et de l'Industrie, Direction de l'Action Régionale et de la Petite et Moyenne Industrie, Sous-Direction de la Métrologie
 - Ireland: Department of Enterprise, Trade and Employment
 - Italy: Ministero delle Attività Produttive
 - Luxembourg: Ministère de l'Économie
 - Netherlands: Ministerie van Economische Zaken
 - Austria: Bundesministerium für Wirtschaftliche Angelegenheiten
 - Portugal: Serviço de Metrologia Legal, Instituto Português da Qualidade
 - Finland: Kauppa- ja teollisuusministerio / Handels- och industriministeriet
 - Sweden: Styrelsen för ackreditering och teknisk kontroll (SWEDAC)
 - United Kingdom: Department of Trade and Industry, National Weights and Measures Laboratory
- Slovakia: Úrad pre normalizáciu, metrológiu a skúšobníctvo Slovenskej republiky

SECTION III
Notified bodies

European Community:

Bodies which have been notified by the Member States of the Community in accordance with the Community law of Section I and notified to Slovakia in accordance with Article 10 of this Protocol.

Slovakia:

Bodies which have been designated by Slovakia in accordance with the Slovak national law of Section I and notified to the Community in accordance with Article 10 of this Protocol.

SECTION IV
Specific Arrangements

Safeguard Clauses

A. Safeguard clause relating to industrial products.

1. Where a Party has taken a measure to deny free access to its market for industrial products bearing the CE marking, subject to this Annex, it shall immediately inform the other Party, indicating the reasons for its decision and how non compliance has been assessed.

2. The Parties shall consider the matter and the evidence brought to their knowledge, and shall report to each other the results of their investigations.
3. In case of agreement, the Parties shall take appropriate measures to ensure that such products are not placed on the market.
4. In case of disagreement on the outcome of such investigations the matter shall be forwarded to the Association Council who may decide to have an expertise carried out.
5. Where the Association Council finds that the measure is:
 - (a) unjustified, the national authority of the Party who has taken the measure shall withdraw it;
 - (b) justified, the Parties shall take appropriate measures to ensure that such products are not placed on the market.

B. Safeguard clause relating to harmonised standards.

1. Where Slovakia considers that a harmonised standard referred to in the legislation defined in this Annex, does not meet the essential requirements of such legislation, it shall inform the Association Council giving the reasons thereof.

2. The Association Council shall consider the matter and may request the Community to proceed in accordance with the procedure provided for in the Community legislation identified in this Annex.
3. The Community shall keep the Association Council and the other Party informed of the proceedings.
4. The outcome of the procedure shall be notified to the other Party."

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