



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 27 April 2009
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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION concerning the conclusion of the Protocol amending the Agreement on maritime transport between the European Community and its Member States, of the one part, and the Government of the People's Republic of China, of the other part

COUNCIL DECISION

of

**concerning the conclusion of the Protocol
amending the Agreement on maritime transport
between the European Community and its Member States, of the one part,
and the Government of the People's Republic of China, of the other part**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 80(2) thereof, in conjunction with the first sentence of the first subparagraph of Article 300(2) and the first subparagraph of Article 300(3) thereof,

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Parliament¹,

¹ OJ

Whereas:

- (1) The Agreement on maritime transport between the European Community and its Member States, of the one part, and the Government of the People's Republic of China, of the other part¹ was signed in Brussels on 6 December 2002. It was subsequently concluded on 31 January 2008 pursuant to Decision 2008/143/EC of 28 January 2008² and entered into force on 1 March 2008.
- (2) A Protocol amending the Agreement on maritime transport between the European Community and its Member States, of the one part, and the Government of the People's Republic of China, of the other part, to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic to the European Union was signed in Beijing on 5 September 2005 and concluded pursuant to Decision 2008/144/EC of 28 January 2008³.
- (3) In accordance with Article 6(2) of the 2005 Act of Accession⁴, the Republic of Bulgaria and Romania are to accede to the Agreement by way of a protocol between the Council and the People's Republic of China.

¹ OJ L 46, 21.2.2008, p. 25.

² OJ L 46, 21.2.2008, p. 23.

³ OJ L 46, 21.2.2008, p. 37.

⁴ OJ L 157, 21.6.2005, p. 203.

- (4) The Protocol amending the Agreement on maritime transport between the European Community and its Member States, of the one part, and the Government of the People's Republic of China, of the other part^{*}, to take account of the accession of the Republic of Bulgaria and Romania to the European Union was signed in Brussels on 31 March 2009.
- (5) The necessary constitutional and institutional procedures have been completed and the Protocol should therefore be approved,

HAS DECIDED AS FOLLOWS:

Article 1

The Protocol amending the Agreement on maritime transport between the European Community and its Member States, of the one part, and the Government of the People's Republic of China, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union is hereby approved on behalf of the Community.

* See doc. 13698/08.

Article 2

The President of the Council shall, on behalf of the European Community and its Member States, give the notification provided for in Article 3 of the Protocol.

Done at,

For the Council

The President
