



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 28 March 2011
(OR. en)**

6603/11

**Interinstitutional File:
2011/0032 (NLE)**

**WTO 61
AGRI 126
UD 31
COASI 32**

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the conclusion of the Agreement in the form of an Exchange of Letters between the European Union and Australia pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Republic of Bulgaria and Romania in the course of their accession to the European Union

COUNCIL DECISION No .../2011/EU

of

**on the conclusion of the Agreement
in the form of an Exchange of Letters
between the European Union and Australia
pursuant to Article XXIV:6 and Article XXVIII
of the General Agreement on Tariffs and Trade (GATT) 1994
relating to the modification of concessions
in the schedules of the Republic of Bulgaria and Romania
in the course of their accession to the European Union**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4), in conjunction with Article 218(6)(a)(v) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament¹,

¹ OJ C

Whereas:

- (1) On 29 January 2007 the Council authorised the Commission to open negotiations with certain other Members of the World Trade Organization under Article XXIV:6 of the General Agreement on Tariffs and Trade (GATT) 1994 in the course of the accessions to the European Union of the Republic of Bulgaria and Romania.
- (2) Negotiations have been conducted by the Commission within the framework of the negotiating directives adopted by the Council.
- (3) These negotiations have been concluded and the Agreement in the form of an Exchange of Letters between the European Union and Australia pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Republic of Bulgaria and Romania in the course of their accession to the European Union ("the Agreement") was initialled on 15 June 2010.
- (4) The Agreement was signed on behalf of the Union on ...^{*}, subject to its conclusion at a later date, in accordance with Council Decision ...⁺¹.
- (5) The Agreement should be approved,

HAS ADOPTED THIS DECISION:

* OJ: please insert date of signature of the Agreement.

+ OJ: Please insert in the recital the reference of the Decision in ST 6601/11.

¹ OJ: Please insert in this footnote the publication reference of the Decision in ST 6601/11.

Article 1

The Agreement in the form of an Exchange of Letters between the European Union and Australia pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Republic of Bulgaria and Romania in the course of their accession to the European Union ("the Agreement") is hereby approved on behalf of the Union.

The text of the Agreement is attached to this Decision*.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to give, on behalf of the Union, the notification provided for in the Agreement¹.

Article 3

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

Done at,

For the Council

The President

* OJ: Please attach document ST 6604/11.

¹ The date of entry into force of the Agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.