



## Uttanríkis- og vinnumálaráðið

### Løgtingið

Dagfesting: 26. februar 2019  
Mál nr.: 18/00516  
Málsviðgjørt: EFR  
Eftirkannað: 18. februar 2019

### Løgtingsmál nr. 106/2018: Uppskot til samtyktar um at seta í gildi fyri Føroyar frihandilssáttmála millum Føroyar og Sameinda Kongsríkið Stórabretlands og Norðurírlands

#### Uppskot til

#### Samtyktar

Løgtingið góðkennir, at landsstýrið fær settan í gildi fyri Føroyar niðanfyrirstandandi sáttmála frá 31. januar 2019 um frihandil millum Føroyar og Sameinda Kongsríkið Stórabretlands og Norðurírlands.

## Fríhandilssáttmáli

### Millum Danmarkar Kongsríki Føroyum viðvíkjandi og Sameinda Kongsríkið Stórabretlands og Norðurírlands

DANMARKAR KONGSRÍKI FØROYUM VIÐVÍKJANDI (“Føroyar”) og SAMEINDA KONGSRÍKIÐ STÓRABRETLANDS OG NORÐURÍRLANDS (“Stórabretland”) (hiðan nevnt “partarnir”):

VIÐURKENNA, at sáttmálin millum ríkisstjórn Danmarkar og Føroya landsstýri øðrumegin og Evropeiska Felagsskapin hinumegin, sum varð undirritaður í Brússel 6. desember 1996 (“Føroyar/ES-sáttmálin”), fer úr gildi fyri Stórabretland, tá ið tað heldur uppat at vera limaland í Evropasamveldinum, ella tá ið einhvør skiftistíð ella útinningartíð, tá ið rættindi og skyldur sambært Føroyar/ES-sáttmálanum framvegis eru galdandi fyri Stórabretland, endar.

YNSKJA, at rættindi og skyldur teirra millum, eins og ásett í Føroyar/ES-sáttmálanum, framhaldandi skulu vera galdandi eftir, at Stórabretland fer úr Evropasamveldinum;

ERU SAMDIR UM FYLGJANDI:

## Grein 1

### **Endamál**

Aðalendamálið við hesum sáttmála er at varðveita fyrimunirnar viðvíkjandi handli partanna millum, ið vóru úrslit av Føroyar/ES-sáttmálanum, og at veita grundarlag fyri víðari frælsisgerð av handli partanna millum.

## Grein 2

### **Allýsingar**

1. Í hesum rættarskjali merkir:

- a) “*mutatis mutandis*”: við neyðugu tøkniligu broytingunum at nýta Føroyar/ES-sáttmálan, sum var hann gjørdur millum Føroyar og Stórabretland, við atlitum at endamálinum og ætlanini við hesum sáttmála;
- b) “*innlimaði sáttmálin*”: Føroyar/ES-sáttmálin, soleiðis sum hann er innlimaður í hetta rættarskjal og tillagaður av tí; og
- c) “*hetta rættarskjal*”: ásetingarnar í formælinum, hesar greinar 1-10 og fylgiskjalið, sum tillagar innlimaða sáttmálan, heruppií uppískoytið til fylgiskjalið.

2. “*Hesin sáttmáli*”:

- a) um umrøddur í hesum rættarskjali, merkir hetta rættarskjal og innlimaði sáttmálin; og
- b) um umrøddur í innlimaða sáttmálanum, merkir hetta bert innlimaði sáttmálin.

## Grein 3

### **Tilvísingar til evropeiskt gjaldoyra**

Uttan mun til grein 2, skulu tilvísingar til EUR (ES gjaldoyrað) og til ECU (evropeisku gjaldoyraeindina) í innlimaða sáttmálanum framhaldandi lesast sum tilvísingar til EUR (ES gjaldoyrað) í hesum sáttmála.

## Grein 4

### **Innliman av Føroyar/ES-sáttmálanum**

Føroyar/ES-sáttmálin, galdandi beint undan at hann fer úr gildi fyri Stórabretland, er innlimaður í og gjørdur til part av hesum sáttmála, *mutatis mutandis*, tó undirlagdur ásetingunum í hesum rættarskjali.

## Grein 5

### **Samrunnir partar av hesum sáttmála**

Fylgiskjalið til hetta rættarskjal, heruppií uppískoytið til fylgiskjalið, er samrunnin partur av hesum sáttmála.

## Grein 6

### **Umveldisgildi**

Fyri at einki ivamál skal vera viðvíkjandi grein 39 í innlimaða sáttmálanum, skal hesin sáttmáli vera galdandi fyri Stórabretlandi í tann mun og undir teimum treytum, sum Føroyar/ES-

sáttmálin var galdandi, beint áðrenn hann fór úr gildi fyri Stórabretland og fylgjandi umveldi, hvørs altjóða viðurskiftum tað hevur ábyrgd av:

- (a) Gibraltar,
- (b) kanalooggjarnar og Isle of Man og
- (c) sjálvstøðugu herstöðarøkini Akrotiri og Dhekelia á Kýpros.

#### Grein 7

##### **Framhald av tíðarskeiðum**

1. Uttan so at hetta rættarskjal ásetur annað:
  - a) um eitt tíðarskeið í Føroyar/ES-sáttmálanum ikki er lokið, skal tað, sum eftir er av tíðarskeiðinum, innlimast í hendan sáttmála, og
  - b) um eitt tíðarskeið í Føroyar/ES-sáttmálanum er lokið, skal einhvør verandi rættur ella skylda framhaldandi galda partanna millum, og tað tíðarskeiðið skal ikki innlimast í hendan sáttmála.
2. Uttan mun til 1. stk., skal ein tilvísing í innlimaða sáttmálanum til eitt tíðarskeið viðvíkjandi eini manngongd ella øðrum fyrisingarligum máli (sum til dømis yvirlit, nevndarmannagongd ella fráboðan) ikki ávirkast.

#### Grein 8

##### **Felagsnevnd**

1. Felagsnevndin, sum partarnir seta sambært grein 31 í innlimaða sáttmálanum, skal fyrst og fremst tryggja, at hesin sáttmáli virkar, sum hann skal, frá teirri løtu, hesin sáttmáli kemur í gildi.
2. Uttan so, at partarnir avtala annað, skal ein og hvør avgerð, ið varð tikin av felagsnevndini, ið varð sett sambært Føroyar/ES-sáttmálanum, áðrenn Føroyar/ES-sáttmálin fór úr gildi fyri Stórabretland, metast av felagsnevndini, ið partarnir seta sambært grein 31 í innlimaða sáttmálanum, at vera samtykt í tann mun, avgerðin viðvíkur pørtunum í hesum sáttmála, *mutatis mutandis* og undirløgd ásetingunum í hesum rættarskjali.
3. Fyri at einki ivamál skal vera, skal 2. stk. ikki galda fyri avgerð 1/2001, við broytingum, hjá felagsnevndini, ið sett varð sambært Føroyar/ES-sáttmálanum.
4. Einki í 2. stk. forðar felagsnevndini, sett sambært grein 31 í innlimaða sáttmálanum, at taka avgerðir, ið víkja frá, ógilda ella koma í staðin fyri avgerðir, ið mettar eru at vera tiknar av henni sambært sama stykki.

#### Grein 9

##### **Broytingar**

1. Partarnir kunnu gera skrivliga semju um at broyta hendan sáttmála. Ein broyting skal koma í gildi sama dag, sum skrivlig fráboðan er fingin frá seinna partinum, ið váttar, at viðkomandi lógarkrøv eru lokin og manngongdir fylgdar, ella ein dag, sum partarnir semjast um.

2. Uttan mun til 1. stk. kann felagsnevndin, ið sett er sambært grein 31 í innlimaða sáttmálanum, taka avgerð um broytingar í einum fylgiskjali, frumskjali ella uppískoyti til hendan sáttmála, við fyrivarni fyri viðkomandi ásetingunum í innlimaða sáttmálanum.

## Grein 10

### Gildiskoma og fyribilsvirknaður

1. Grein 40 í Føroyar/ES-sáttmálanum verður ikki innlimað í hendan sáttmála.
  2. Hvør av þørtunum skal boða hinum skrivliga frá, tá ið komið er á mál við neyðugum innlendis mannagongdum viðvíkjandi gildiskomu av hesum sáttmála.
  3. Hesin sáttmáli kemur í gildi tann seinna av niðanfyrirstandandi døgum:
    - a) tann dagin, tá ið Føroyar/ES-sáttmálin heldur upp at vera galdandi fyri Stórabretland, ella
    - b) tann dagin, tá ið fráboðan er móttikin frá seinna partinum um, at neyðugu innlendis mannagongdirnar viðvíkjandi gildiskomu eru komnar á mál.
  4. a) Áðrenn hesin sáttmáli kemur í gildi, kunnu partarnir nýta henda sáttmála fyribils, samsvarandi teimum galdandi innlendis mannagongdum, sum fyribilsvirknaður er treytaður av. Slíkur fyribilsvirknaður fær virknað tann seinna av niðanfyrirstandandi døgum:
    - i. tann dagin, tá ið Føroyar/ES-sáttmálin heldur upp at vera galdandi fyri Stórabretland, ella
    - ii. tann dagin, tá ið tann seinni av teimum samráðandi þörtunum boðar frá, at komið er á mál við teirra innlendis mannagongdum viðvíkjandi fyribilsvirknaði, áðrenn sáttmálin kemur í gildi.
  - b) Annar parturin kann enda fyribilsvirknaðin av hesum sáttmála við skrivligari fráboðan til hin partin. Tílíkt upphald skal koma í gildi fyrsta dagin í næsta mánaði eftir fráboðan.
  - c) Er ein áseting í hesum sáttmála, ið annar parturin ikki vil geva fyribilsvirknað, skal hesin fyrst boða hinum partinum frá um ásetingarnar, sum ikki fáa fyribilsvirknað, og partarnir skulu stundisliga fara undir samráðingar fyri at semjast um tær ásetingar, ið ikki fáa fyribilsvirknað. Tær ásetingar, ið ikki eru fevndar av fráboðan frá einum parti sambært hesum stykki, skulu nýtast fyribils frá tí degi, hesin sáttmáli fær fyribilsvirknað sambært stk. 4, litra a.
5. Fær hesin sáttmáli ella ávísar ásetingar í hesum sáttmála fyribilsvirknað, áðrenn gildiskomu sáttmálans, skulu allar tilvísingar til gildiskomudagin í hesum sáttmála metast at vísa til dagin, sáttmálin fær fyribilsvirknað, uttan so, at annað er ásett í hesum rættarskjali.
  6. Stórabretland skal senda fráboðanir sambært hesi grein til føroyska Uttanríkis- og vinnumálaráðið, ella tað stjórnarráð, ið kemur í staðin. Føroyar skulu senda fráboðanir sambært hesi grein til bretska stjórnarráðið fyri altjóða handil, ella tað stjórnarráð, ið kemur í staðin.

TIL VITNIS UM HETTA hava undirritaðu við fullum myndugleika, heimilaðum av einstøku ríkisstjórnnum teirra, undirritað hendan sáttmála.

Skrivað í tvíriti í London hin 31. januar 2019 á føroyskum og enskum máli, báðir tekstir hava sama myndugleika. Skuldi eitthvørt ósamsvar verið millum tekstirnar, skal enski teksturin ráða.

Vegna Danmarkar Kongsríki  
Føroyum viðvíkjandi

Vegna Ríkisstjórn Sameinda Kongsríkis  
Stórabretlands og Norðurírlands

**Poul Michelsen**

**George Hollingbery**

## FYLGISKJAL

Fylgjandi eru víðari tillagingar av innlimanini av Føroyar/ES-sáttmálanum í hendan sáttmála:

### A. TILLAGINGAR AV FORMÆLINUM Í FØROYAR/ES-SÁTTMÁLANUM

Fylgjandi stykki í formælinum í Føroyar/ES-sáttmálanum skal ikki innlimast í hendan sáttmála:

“SUM HAVA FYRILIT FYRI hvønn týdning fiskivinnusambandið hevur, ið ásett er í fiskiveiðisáttmálanum partanna millum, sum vátta, at handilsligu avleiðingarnar av hesum sáttmála ikki eiga at ávirka fiskiveiðisáttmálan, og at sínámillum fiskiveiðimøguleikarnir í nevnda sáttmála tískil í vavi framvegis skulu verða hildnir á einum nóg góðum støði,”

### B. TILLAGINGAR AV FRUMSKJALI 1

#### VIÐVÍKJANDI TOLLVIÐGERÐ OG FYRISKIPANUM FYRI INNFLUTNING AV ÁVÍSUM FISKI OG FISKAVØRUM Í FRÍARI SÖLU Í FELAGSSKAPINUM ELLA SUM VERÐA INNFLUTT TIL FØROYA

Ístaðin fyri fylgiskjalið til frumskjal 1 í Føroyar/ES-sáttmálanum kemur:

#### “FYLGISKJAL

Tollur og aðrar treytir, ið galda fyri innflutning til Stórabretlands av framleiðslum við uppruna í og sum koma úr Føroyum, skulu verða sum ásett í talvuni niðanfyri frá tí árinum, hesin sáttmáli kemur í gildi. Galdandi tíðarskeiðið fyri allar tollkvotur, nevndar í talvuni niðanfyri, er 1. januar til 31. desember á hvørjum ári. Kemur hesin sáttmáli í gildi, tá ið ein partur av álmanakkaári er liðin, verður árliga kvotan ásett lutfalsliga fyri restina av tí árinum.

#### TALVA I

CN code	Description	Rate of duty	Tariff quota (TQ)
(1)	(2)	(3)	(4)
<b>0301</b>	<b>Live fish:</b>		
ex 0301 91 90	--- Trout of the species <i>Oncorhynchus mykiss</i>	0	TQ No 1
0301 92 00	-- Eels ( <i>Anguilla</i> spp.)	0	
ex 0301 99 11	---- Atlantic salmon ( <i>Salmo salar</i> )	0	
<b>0302</b>	<b>Fish, fresh or chilled, excluding fish fillets and other fish meat of heading No 0304:</b>		
ex 0302 11 90	--- Trout of the species <i>Oncorhynchus mykiss</i>	0	TQ No 1
ex 0302 12 00	-- Atlantic salmon ( <i>Salmo salar</i> )	0	
0302 19 00	-- Other	0	
03 02 21 10	--- Lesser or Greenland halibut ( <i>Reinhardtius hippoglossoides</i> )	0	
0302 21 30	--- Atlantic ( <i>Hippoglossus hippoglossus</i> )	0	
0302 22 00	-- Palice ( <i>Pleuronectes platessa</i> )	0	
0302 23 00	-- Sole ( <i>Solea</i> spp.)	0	
0302 29 10	--- Megrin ( <i>Lepidorhombus</i> spp.)	0	
0302 29 90	--- Other	0	
0302 40	- Herrings ( <i>Clupea harengus</i> , <i>Clupea pallasii</i> ), excluding livers and roes:		

	0302 40 05	-- From 1 January to 14 February	0	
	0302 40 98	-- From 16 June to 31 December	0	
	0302 50 10	-- Cod of the species <i>Gadus morhua</i>	0	
	0302 62 00	---- Haddock ( <i>Melanogrammus aeglefinus</i> )	0	
	0302 63 00	-- Coalfish ( <i>Pollachius virens</i> )	0	
ex	0302 64 05	--- Mackerel of the species <i>Scomber scombrus</i> , from 1 January to 14 February	0	
ex	0302 64 98	--- Mackerel of the species <i>Scomber scombrus</i> , from 16 June to 31 December	0	
	0302 65	-- Dogfish and other sharks:		
	0302 65 20	--- Dogfish of the species <i>Squalus acanthias</i>	0	
	0302 65 50	--- Dogfish of the species <i>Scyliorhinus</i> spp.	0	
	0302 65 90	--- Other	0	
	0302 66 00	-- Eels ( <i>Anguilla</i> spp.)	0	
		---- Redfish ( <i>Sebastes</i> spp.):		
	0302 69 31	----- Of the species <i>Sebastes marinus</i>	0	
ex	0302 69 33	----- Of the species <i>Sebastes mentella</i>	0	
	0302 69 41	---- Whittings ( <i>Merlangus merlangus</i> )	0	
	0302 69 45	---- Ling ( <i>Molva</i> spp.)	0	
ex	0302 69 68	---- Hake of the species <i>Merluccius merluccius</i>	0	
	0302 69 81	---- Monkfish ( <i>Lophius</i> spp.)	0	
	0302 69 85	---- Blue whiting ( <i>Micomesistius poutassou</i> or <i>Gadus poutassou</i> )	0	
	0302 69 99	---- Other	0	
	0302 70 00	- Livers and roes	0	
	<b>0303</b>	<b>Fish, frozen excluding fish fillets and other fish meat of heading No 0304:</b>		
ex	0303 21 90	--- Trout of the species <i>Oncorhynchus mykiss</i>	0	TQ No 1
ex	0303 22 00	--- Atlantic salmon ( <i>Salmo salar</i> )	0	
	0303 29 00	-- Other	0	
	0303 31 10	--- Lesser or Greenland halibut ( <i>Reinhardtius hippoglossoides</i> )	0	
	0303 31 30	--- Atlantic halibut ( <i>Hippoglossus hippoglossus</i> )	0	
	0303 32 00	-- Plaice ( <i>Pleuronectes platessa</i> )	0	
	0303 33 00	-- Sole ( <i>Solea</i> spp.)	0	
	0303 39 10	--- Flounder ( <i>Platichthys flesus</i> )	0	
	0303 39 30	--- Fish of the genus <i>Rhombosolea</i>	0	
	0303 39 80	--- Other	0	
	0303 50	- Herrings ( <i>Clupea harengues</i> , <i>Clupea pollasi</i> ), excluding livers and roes:	0	
	0303 50 05	-- From 1 January to 14 February	0	
	0303 50 98	-- From 16 June to 31 December	0	

0303 60 11	-- Cod of the species <i>Gadus morhua</i>	0	
<u>0303 72 00</u>	- <u>Haddock (<i>Melanogrammus aeglefinus</i>)</u>	<u>0</u>	
0303 73 00	-- Coalfish ( <i>Pollachius virens</i> )	0	
ex 0303 74 10	--- Mackerel of the species <i>Scomber scombrus</i> , from 1 January to 14 February	0	
ex 0303 74 20	--- Mackerel of the species <i>Scombere scombrus</i> , from 16 June to 31 December		
0303 75	-- Dogfish and other sharks:		
0303 75 20	--- Of the species <i>Squalus acanthias</i>	0	
0303 75 50	--- Of the species <i>Scyliorhinus</i> spp.	0	
0303 75 90	--- Other		
0303 79	--Other:		
	--- Redfish ( <i>Sebastes</i> spp.):		
0303 79 35	---- Redfish of the species <i>Sebastes marinus</i>	0	
ex 0303 79 37	----Redfish of the species <i>Sebastes mentella</i>	0	
0303 79 45	---- Whiting ( <i>Merlangus merlangus</i> )	0	
0303 79 51	----Ling ( <i>Molva</i> spp.)	0	
0303 79 81	---- Monkfish ( <i>Lophius</i> spp.)	0	
0303 79 83	---- Blue whiting ( <i>Micromesistius poutassou</i> or <i>Gadus poutassou</i> )	0	
0303 79 96	---- Other	0	
0303 80	- Livers and roes	0	
0303 80 90	-- Other	0	
<b>0304</b>	<b>Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen:</b>		
0304 10	- Fresh or chilled:		
	-- Fillets:		
	--- Of freshwater fish:		
ex 0304 10 11	---- Of trout of the species <i>Oncorhynchus mykiss</i>	0	TQ No 1
ex 0304 10 13	---- Of Atlantic salmon ( <i>Salmo salar</i> )	0	
	--- Other		
ex 0304 10 31	---- Of cod of the species <i>Gadus morhua</i>	0	
0304 10 33	---- Of coalfish ( <i>Pollachius virens</i> )	0	
0304 10 35	---- Of redfish ( <i>Sebastes</i> spp.)	0	
0304 10 38	---- Other		
	-- Other fish meat (whether or not minced)		
0304 10 91	--- Of freshwater fish:	0	
	--- Other:		
	---- Flaps of herring:		
0304 10 94	---- From 1 January to 14 February	0	
0304 10 96	---- From 16 June to 31 December	0	



0304 10 98	---- Other	0	
0304 20	- Frozen fillets:		
	-- Of freshwater fish:		
ex 0304 20 11	--- Of trout of the species <i>Oncorhynchus mykiss</i>	0	TQ No 1
ex 0304 20 13	--- Of Atlantic salmon ( <i>Salmon salar</i> )	0	
	-- Of cod ( <i>Gadus morhua</i> , <i>Gadus macrocephalus</i> , <i>Gadus Ogac</i> ) and of fish of the species <i>Boreogadus</i> saida:		
ex 0304 20 29	--- Of cod of the species <i>Gadus morhua</i>	0	
0304 20 31	-- Of coalfish ( <i>Pollachius virens</i> )	0	
0304 20 33	-- Of haddock ( <i>Melanogrammus aeglefinus</i> )	0	
	-- Of redfish ( <i>Sebastes</i> spp.)		
0304 20 35	--- Of the species <i>Sebastes marinus</i>	0	
ex 0304 20 37	--- Of the species <i>Sebastes mentella</i>	0	
0304 20 41	-- Of Whiting ( <i>Merlangus merlangus</i> )	0	
0304 20 43	-- Of ling ( <i>Molva</i> spp.)	0	
ex 0304 20 53	--- Of mackerel of the species <i>Scomber scombrus</i>	0	
0304 20 71	-- Of plaice ( <i>Pleuronectes platessa</i> )	0	
0304 20 75	-- Of herring ( <i>Clupea harengus</i> , <i>Clupea pallasii</i> )	0	
0304 20 96	-- Other		
	--- Of blue whiting ( <i>Micromesistius poutassou</i> or <i>Gadus poutassou</i> )		
	--- Other than of blue whiting ( <i>Micromesistius poutassou</i> or <i>Gadus poutassou</i> )	0	
0304 90	- Other:		
0304 90 05	-- Surimi	0	
	-- Other:		
ex 0304 90 10	--- Of freshwater fish:		
	---- Of trout of the species <i>Oncorhynchus mykiss</i>	0	TQ No 1
	---- Of Atlantic salmon ( <i>Salmo salar</i> )	0	
	--- Other:		
	---- Of herring ( <i>Clupea harengus</i> , <i>Clupea pallasii</i> ):		
0304 90 20	----- From 1 January to 14 February	0	
0304 90 27	----- From 16 June to 31 December	0	
0304 90 38	----- Of cod of the species <i>Gadus morhua</i>	0	
0304 90 41	----- Of coalfish ( <i>Pollachius virens</i> )	0	
0304 90 45	----- Of haddock ( <i>Melanogrammus aeglefinus</i> )	0	
0304 90 57	----- Of monkfish ( <i>Lophius</i> spp.)	0	
0304 90 59	----- Of blue whiting ( <i>Micromesistius poutassou</i> or <i>Gadus poutassou</i> )	0	
0304 90 97	----- Other	0	

<b>0305</b>	<b>Fish, dried, salted or in brine; smoked fish, whether or not cooked before or during the smoking process; flours, meals and pellets of fish, fit for human consumption:</b>		
0305 10 00	- Flours, meals and pellets of fish, fit for human consumption	0	
0305 20 00	- Livers and roes, dried, smoked, salted or in brine	0	
0305 30	- Fish fillets, dried, salted or in brine, but not smoked:		
ex 0305 30 19	--- Of cod of the species <i>Gadus morhua</i>	0	
ex 0305 30 30	-- Of Atlantic salmon ( <i>Salmo salar</i> ), salted or in brine	0	
0305 30 50	-- Of lesser or Greenland halibut ( <i>Reinhardtius hippoglossoides</i> ), salted or in brine	0	
0305 30 90	-- Other	0	
ex 0305 41 00	- Smoked fish, including fillets:		
ex 0305 42 00	-- Atlantic salmon ( <i>Salmo salar</i> )	0	
0305 42 00	-- Herrings ( <i>Clupea harengus</i> , <i>Clupea pallasii</i> )	0	
0305 49 10	--- Lesser or Greenland halibut ( <i>Reinhardtius hippoglossoides</i> )	0	
0305 49 20	--- Atlantic halibut ( <i>Hippoglossus hippoglossus</i> )	0	
ex 0305 49 30	--- Mackerel of the species <i>Scomber scombrus</i>	0	
ex 0305 49 45	--- Trout of the species <i>Oncorhynchus mykiss</i>	0	
0305 49 50	--- Eels ( <i>Anguilla</i> spp.)	0	
0305 49 80	--- Other	0	
	- Dried fish, whether or not salted but not smoked:		
ex 0305 51 10	--- Cod of the species <i>Gadus morhua</i> , dried, unsalted	0	
ex 0305 51 90	--- Cod of the species <i>Gadus morhua</i> , dried, salted	0	
<u>0305 59</u>	-- Other:		
<u>0305 59 80</u>	-- Other:		
ex <u>0305 59 80</u>	--- <u>Coalfish (<i>Pollachius</i>)</u>	<u>0</u>	<u>TQ No 5</u>
ex 0305 59 90	--- Other:	0	
-	---- <u>Of ling (<i>Molva molva</i>)</u>	<u>0</u>	
-	---- <u>Of blue ling (<i>Molva dipterygia dipterygia</i>)</u>	<u>0</u>	
-	---- <u>Of tusk (<i>Brosme brosme</i>)</u>	<u>0</u>	
	- Fish, salted but not dried or smoked and fish in brine:		
0305 61 00	-- Herrings ( <i>Clupea harengus</i> , <i>Clupea pallasii</i> )	0	
ex 0305 62 00	-- Cod of the species <i>Gadus morhua</i>	0	
0305 69	-- Other:		
0305 69 90	--- Other	0	
<b>0306</b>	<b>Crustaceans, whether in shell or not, live, fresh, chilled, frozen, dried, salted or in brine; crustaceans, in shell, cooked by steaming or by boiling in water, whether or not chilled, frozen, dried, salted or in brine; flours, meals and pellets or crustaceans, fit for human consumption:</b>		
	- Frozen:		

0306 13	-- Shrimps and prawns:		
0306 13 10	--- Of the family <i>Pandalidae</i>	0	
0306 13 40	--- Deepwater rose shrimps ( <i>Parapenaeus logirostris</i> )	0	
0306 13 50	--- Shrimps of the genus <i>Penaeus</i>	0	
0306 13 80	--- Other	0	
<u>0306 14</u>	<u>-- Crabs</u>		
<u>0306 14 90</u>	<u>-- Other:</u>		
ex <u>0306 14 90</u>	<u>---- Crabs of the species <i>Geryon affinis</i></u>	<u>0</u>	<u>TQ No 6</u>
0306 19 30	--- Norway lobsters ( <i>Nephrops norvegicus</i> )	0	
	- Not frozen:		
0306 29 30	--- Norway lobster ( <i>Nephrops norvegicus</i> )	0	
<b>0307</b>	<b>Molluscs, whether in shell or not, live, fresh, chilled, frozen, dried, salted or in brine; aquatic invertebrates other than crustaceans and molluscs, live, fresh, chilled, frozen, dried, salted or in brine; flours, meals and pellets of aquatic invertebrates other than crustaceans, fit for human consumption:</b>		
	- Scallops, including queen scallops, of the genera <i>Pecten</i> , <i>Chlamys</i> or <i>Placopecten</i> :		
0307 21 00	-- Live, fresh or chilled	0	
0307 29	-- Other:		
0307 29 10	--- Common scallop ( <i>Pecten maximus</i> ), frozen	0	
0307 29 90	--- Other	0	
	<u>- Other, including flours, meals and pellets of aquatic invertebrates other than crustaceans, fit for human consumption:</u>		
<u>0307 91 00</u>	<u>-- Live, fresh or chilled:</u>		
ex <u>0307 91 00</u>	<u>--- Common whelk (<i>Buccinum undatum</i>)</u>	<u>0</u>	<u>TQ No 7</u>
<u>0307 99</u>	<u>-- Other:</u>		
	<u>--- Frozen:</u>		
<u>0307 99 18</u>	<u>---- Other:</u>		
ex <u>0307 99 18</u>	<u>----- Common whelk (<i>Buccinum undatum</i>)</u>	<u>0</u>	<u>TQ No 7</u>
<b>1604</b>	<b>Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs:</b>		
	- Fish, whole or in pieces, but not minced:		
ex 1604 11 00	-- Atlantic salmon ( <i>Salmo salar</i> )	0	TQ No 2
1604 12	-- Herrings:		
	--- Other:		
1604 12 91	---- In airtight containers	0	
1604 12 99	---- Other	0	
1604 19	-- Other		
ex 1604 19 10	--- Trout of the species <i>Oncorhynchus mykiss</i>	0	TQ No 2

1604 19 91	---- Fillets, raw, merely coated with batter or breadcrumbs, whether or not prefried in oil, deep frozen	0	
	---- Other:		
1604 19 92	----- Cod ( <i>Gadus morhua</i> , <i>Gadus ogac</i> , <i>Gadus macrocephalus</i> )	0	TQ No 3
1604 19 93	----- Coalfish ( <i>Pollachius virens</i> )	0	TQ No 3
1604 19 94	----- Hake ( <i>Merluccius</i> spp., <i>Urophycis</i> spp.)	0	TQ No 3
1604 19 95	----- Alaska pollack ( <i>Theragra chalcogramma</i> ) and pollack ( <i>Pollachius pollachius</i> )	0	TQ No 3
1604 19 98	----- Other	0	TQ No 3
1604 20	- Other prepared or preserved fish:		
1604 20 05	-- Preparations of surimi	0	TQ No 3
	-- Other:		
ex 1604 20 10	--- Of Atlantic salmon ( <i>Salmon salar</i> )	0	TQ No 2
ex 1604 20 30	--- Of Trout of the species <i>Oncorhynchus mykiss</i>	0	TQ No 2
1604 20 90	--- Of other fish:		
	---- Other than of herring	0	TQ No 3
<b>1605</b>	<b>Crustaceans, molluscs and other aquatic invertebrates, prepared or preserved:</b>		
1605 20	- Shrimps and prawns:		
1605 20 10	-- In airtights containers	0	TQ No 4
	-- Other:		
160520 91	--- In immediate packings of a net content not exceeding 2 kg	0	TQ No 4
1605 20 99	--- Other	0	TQ No 4
ex 1605 40 00	- Norway lobsters ( <i>Nephrops norvegicus</i> )	0	TQ No 4
<u>1605 90</u>	- <u>Other</u>		
	-- <u>Molluscs:</u>		
<u>1605 90 30</u>	--- <u>Other:</u>		
ex <u>1605 90 30</u>	---- <u>Common whelk (<i>Buccinum undatum</i>)<sup>d</sup></u>	<u>0</u>	<u>TQ No 7</u>
2301	Flours, meals and pellets, of meat or meat offal, of fish or of crustaceans, molluscs or other aquatic invertebrates, unfit for human consumption; greaves:		
2301 20 00	- Flours, meals and pellets, of fish or of crustaceans, molluscs or other aquatic invertebrates	0	

TALVA II

CN code	Description	Rate of duty	Tariff quota (TQ)
(1)	(2)	(3)	(4)
<b>0301</b>	<b>Live fish:</b>		TQ No 1 95 Tonnes
ex 0301 91 90	--- Trout of the species <i>Oncorhynchus mykiss</i>	0	

	<b>0302</b>	<b>Fish, fresh or chilled, excluding fish fillets and other fish meat of heading No 0304:</b>		
ex	0302 11 90	--- Trout of the species <i>Oncorhynchus mykiss</i>	0	
	<b>0303</b>	<b>Fish, frozen, excluding fish fillets and other fish meat of heading No 0304:</b>		
ex	0303 21 90	--- Trout of the species <i>Oncorhynchus mykiss</i>	0	
	<b>0304</b>	<b>Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen:</b>		
	0304 10	- Fresh or chilled:		
		-- Fillets:		
ex	0304 10 11	---- Of trout of the species <i>Oncorhynchus mykiss</i>	0	
	0304 20	- Frozen fillets:		
ex	0304 20 11	--- Of trout of the species <i>Oncorhynchus mykiss</i>	0	
	0304 90	- Other:		
ex	0304 90 10	--- Of trout of the species <i>Oncorhynchus mykiss</i>	0	
	<u>0305</u>	<u>Fish, dried, salted or in brine, smoked fish, whether or not cooked before or during the smoking process; flours, meals and pellets of fish, fit for human consumption:</u>		
		- <u>Dried fish, whether or not salted but not smoked:</u>		
	<u>0305 59</u>	-- <u>Other:</u>		
	<u>0305 59 80</u>	--- <u>Other:</u>		
ex	<u>0305 59 80</u>	<u>Coalfish (<i>Pollachius virens</i>)</u>	<u>0</u>	<u>TQ No 5</u> <u>102 Tonnes</u>
	<u>0306</u>	<u>Crustaceans, whether in shell or not, live, fresh, chilled, frozen, dried, salted or in brine; crustaceans, in shell, cooked by steaming or by boiling in water, whether or not chilled, frozen, dried, salted or in brine; flours, meals and pellets of crustaceans, fit for human consumption:</u>		
		- <u>Frozen:</u>		
	<u>0306 14</u>	-- <u>Crabs:</u>		
	<u>0306 14</u>	--- <u>Other:</u>		
ex	<u>0306 14 90</u>	---- <u>Crabs of the species <i>Geryon affinis</i></u>	<u>0</u>	<u>TQ No 6</u> <u>102 Tonnes</u>
	<u>0307</u>	<u>Molluscs, whether in shell or not, live, fresh, chilled, frozen, dried, salted or in brine; aquatic invertebrates other than crustaceans and molluscs, live, fresh, chilled, frozen, dried, salted or in brine; flours, meals and pellets of aquatic invertebrates other than crustaceans, fit for human consumption:</u>		
		- <u>Other, including flours, meals and pellets of aquatic invertebrates other than crustaceans, fit for human consumption:</u>		
	<u>0307 91 00</u>	-- <u>Live, fresh or chilled:</u>		
ex	<u>0307 91 00</u>	--- <u>Commons whelk (<i>Buccinum undatum</i>)<sup>4</sup></u>	<u>0</u>	<u>TQ No 7</u> <u>163 Tonnes</u>
	<u>0307 99</u>	-- <u>Other:</u>		
		--- <u>Frozen:</u>		

	0307 99 18	---- Other:		TQ No 7
ex	0307 99 18	----- Common whelk ( <i>Buccinum undatum</i> ) <sup>d</sup>		163 Tonnes
	<b>1604</b>	<b>Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs:</b>		TQ No 2 54 Tonnes
		- Fish, whole or in pieces, but not minced:		
ex	1604 11 00	-- Atlantic salmon ( <i>Salmo salar</i> )	0	
	1604 19	-- Other:		
ex	1604 19 10	--- Trout of the species <i>Oncorhynchus mykiss</i>	0	
	1604 20	- Other prepared or preserved fish:		
		-- Other:		
ex	1604 20 10	--- Of Atlantic salmon ( <i>Salmo salar</i> )	0	
ex	1604 20 30	--- Of trout of the species <i>Oncorhynchus mykiss</i>	0	
	1604	Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs		TQ No 3 163 Tonnes
	1604 19 92	----- Cod ( <i>Gadus morhua</i> , <i>Gadus ogac</i> , <i>Gadus macrocephalus</i> )	0	
	1604 19 93	----- Coalfish ( <i>Pollachius virens</i> )	0	
	1604 19 94	----- Hake ( <i>Merluccius</i> spp., <i>Urophycis</i> spp.)	0	
	1604 19 95	---- Alaska Pollack ( <i>Theragra chalcogramma</i> ) and pollack ( <i>Pollachius pollachius</i> )	0	
	1604 19 98	----- Other	0	
	1604 20	- Other prepared or preserved fish:		
	1604 20 05	-- Preparations of surimi	0	
		-- Other:		
ex	1604 20 90	--- Of other fish:		
		---- Other than of herring	0	
	<b>1605</b>	<b><u>Crustaceans, molluscs and other aquatic invertebrates, prepared or preserved:</u></b>	-	TQ No 4 <sup>(2)</sup> 545 Tonnes
	1605 20	- Shrimps and prawns		
	1605 20 10	-- In airtight containers	0	
		-- Other:		
	1605 20 91	--- In immediate packing of a net content not exceeding 2 kg	0	
	1605 20 99	--- Other:	0	
ex	1605 40 00	- Norway lobsters ( <i>Nephrops norvegicus</i> )	0	
	<u>1605 90</u>	- Other		
		-- Molluscs:		
	<u>1605 90</u>	--- Other:		

ex	<u>1605 90 30</u>	--- Common whelk ( <i>Buccinum undatum</i> )	0	<u>TQ No 7</u> <u>163 Tonnes</u>
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[1] Figures refer to the commercial presentation "whole and gutted". For imports falling within HS code 0304, a coefficient of 2 shall be applied for quantities drawn from this tariff quota.

[2] The annual quota shall be 545 tonnes in the year that this Agreement enters into force. From 1 January of the year following the entry into force of this Agreement, the annual quota shall be increased by 136 tonnes per year to a maximum level of 817 tonnes provided that at least 80% of the quota for the previous year has been used by 31 December of that year."

**C. TILLAGINGAR AV FRUMSKJALI 3  
VIÐVÍKJANDI ALLÝSINGINI AV HUGTAKINUM "UPPRUNAVØRUR" OG  
FYRISITINGARLIGUM SAMSTARVSHÆTTUM**

Ístaðin fyri frumskjal 3 viðvíkjandi allýsingini av hugtakinum "upprunavørur" og fyrisitingarligum samstarvshættum, kemur uppískoytið.

**D. TILLAGINGAR AV FRUMSKJALI 4  
VIÐVÍKJANDI SERLIGUM REGLUM, GALDANDI FYRI INNFLUTNING AV  
ÁVÍSUM LANDBÚNAÐARFRAMLEIÐSLUM, SUM IKKI ERU NEVNDAR Í  
FRUMSKJALI 1**

Ístaðin fyri grein 1 til frumskjal 4 í Føroyar/ES-sáttmálanum kemur:

**"Grein 1**

Stórabretland skal veita vørum, ið hava uppruna í ella koma úr Føroyum, niðanfyrinevndu tollkvotur frá tí ári, tá ið hesin sáttmáli kemur í gildi. Galdandi tíðarskeiðið fyri allar tollkvotur, nevndar í talvuni niðanfryri, er 1. januar til 31. desember á hvørjum ári. Kemur hesin sáttmáli í gildi, tá ið ein partur av álmanakkaári er liðin, verður árliga kvotan ásett lutfalsliga fyri restina av tí árinum.

<b>Product (As described within the EU-Faroe Islands Agreement)</b>	<b>Tariff Lines</b>	<b>UK-FO quota (new)</b>
Meat of sheep or goats, fresh, chilled or frozen	0204	3 tonnes
Edible offal of sheep and goats, fresh or chilled	0206 80 99	
Edible offal of sheep and goats, frozen	0206 90 99	
Meat of sheep or goats, salted, in brine, dried or smoked, with bone in	0210 90 11	
Meat of sheep or goats, salted, in brine, dried or smoked, boneless	0210 90 19	
Edible meat offal of sheep or goats, salted, in brine, dried or smoked	0210 90 60	
Sausages and similar products, of meat, meat offal or blood; food preparations based on these products:	ex 1601	
- Of sheep and goats		
Other prepared or preserved meat, meat offal or blood:		
- Of sheep and goats	ex 1602	
<u>Fish feed</u>	(*)ex 2309 90 <u>10</u>	2724 Tonnes
	(*)ex 2309 90 <u>31</u>	
	(*)ex 2309 90 <u>41</u>	
(*) Fish feed that benefit from the preferential import regime may not contain added gluten, in addition to the gluten naturally present in the cereals that may enter in the compounding of this feed.		

As regards the tariff quota opened for fish feed under CN codes ex 2309 90 10, ex 2309 90 31 and ex 2309 90 41:

1. Faroe authorities shall certify that fish feed exported to the United Kingdom under this preferential quota does not contain added gluten, in addition to the gluten naturally present in the cereals that may enter in the compounding of the fish feed. The United Kingdom may proceed to controls in the Faroe Islands of the compounding of the fish feed, especially its gluten content.
2. The conduct of controls of the compounding of fish feed is detailed in Annex 1 to this Protocol. If the inspection brings evidence that the conditions required for granting this trade preference are not met, the Government of the United Kingdom may suspend this preference for as long as no proper conditions are in place.”

**E. TILLAGINGAR AV FRUMSKJALI 5  
UM SÍNÁMILLUM STUÐUL MILLUM FYRISITINGARMYNDUGLEIKAR Í  
TOLLMÁLUM**

a) Ístaðin fyri grein 10, stk. 1 kemur:

“Allar upplýsingar frá øllum slagi av samskifti í sambandi við hetta frumskjal skulu vera í trúnaði ella avmarkaðar, treytað av tí lóggávu, ið galdandi er fyri einstøku partarnar. Tær skulu tryggjast við tagnarskyldu og verjast á sama hátt sum líknandi upplýsingar sambært viðkomandi lóggávu hjá móttakandi partinum.”



b) Grein 14 verður ikki innlimað í hendan sáttmála.

F. TILLAGINGAR AV (1999) FRUMSKJALINUM um heilsufrøðiliga økið  
**SUM LAGT VARÐ AFTURAT SÁTTMÁLANUM MILLUM RÍKISSTJÓRN  
DANMARKAR OG FØROYA LANDSSTÝRI ØÐRUMEGIN OG EUROPEISKA  
FELAGSSKAPIN HINUMEGIN**

a) Næstsíðsta brot í formælinum skal ikki innlimast í henda sáttmála.

b) Grein 1 og grein 2, stk. 1 skulu ikki innlimast í henda sáttmála.

c) Ístaðin fyri grein 2, stk. 2 kemur:

“Ein heilsufrøðiligur undirbólkur skal setast undir felagsnevndini, ið sett er sambært hesum sáttmála, at samstarva á heilsufrøðiliga økinum og at samráðast og gera tilmæli til felagsnevndina um loysnir á einum og hvørjum trætumáli partanna millum á heilsufrøðiliga økinum.”

d) Grein 4 verður ikki innlimað í hendan sáttmála;

e) Grein 5 verður ikki innlimað í hendan sáttmála.

**UPPÍSKOYTI**  
**“Protocol 3**

**concerning the definition of the concept of “originating products” and methods of  
administrative cooperation**

**TITLE I**

**GENERAL PROVISIONS**

Article 1

*Definitions*

For the purposes of this Protocol:

- (a) ‘manufacture’ means any kind of working or processing including assembly or specific operations;
- (b) ‘material’ means any ingredient, raw material, component or part, etc., used in the manufacture of a product;
- (c) ‘product’ means a product being manufactured, even if it is intended for later use in another manufacturing operation;
- (d) ‘goods’ means both materials and products;
- (e) ‘customs value’ means the value as determined in accordance with the Agreement on implementation of Article VII of the General Agreement on Tariffs and Trade 1994;
- (f) ‘ex-works price’ means the price paid for the product ex works to the manufacturer in the United Kingdom or the Faroe Islands in whose undertaking the last working or processing is carried out, provided the price includes the value of all the materials used, minus any internal taxes which are, or may be, repaid when the product obtained is exported;
- (g) ‘value of materials’ means the customs value at the time of importation of the non-originating materials used, or, if this is not known and cannot be ascertained, the first ascertainable price paid for the materials in the United Kingdom or in the Faroe Islands;
- (h) ‘value of originating materials’ means the value of such materials as defined in (g) applied mutatis mutandis;
- (i) ‘value added’ means the ex-works price minus the customs value of each of the materials incorporated which originate in the other countries referred to in Articles 3 and 4 with which cumulation is

applicable or, where the customs value is not known or cannot be ascertained, the first ascertainable price paid for the materials in the United Kingdom or in the Faroe Islands.

- (j) 'chapters' and 'headings' mean the chapters and the headings (four-digit codes) used in the nomenclature which makes up the Harmonised Commodity Description and Coding System, referred to in this Protocol as 'the Harmonised System' or 'HS';
- (k) 'classified' refers to the classification of a product or material under a particular heading;
- (l) 'consignment' means products which are either sent simultaneously from one exporter to one consignee or covered by a single transport document covering their shipment from the exporter to the consignee or, in the absence of such a document, by a single invoice;
- (m) 'territories' includes territorial waters;
- (n) 'Incorporated Annexes I to IV b' mean Annexes I to IV b of Appendix I to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin, as those Annexes are incorporated by Article 39 of this Protocol.

## **TITLE II**

### **DEFINITION OF THE CONCEPT OF 'ORIGINATING PRODUCTS'**

#### Article 2

##### ***General requirements***

1. For the purpose of implementing this Agreement, the following products shall be considered as originating in the United Kingdom:
  - (a) products wholly obtained in the United Kingdom within the meaning of Article 5;
  - (b) products obtained in the United Kingdom incorporating materials which have not been wholly obtained there, provided that such materials have undergone sufficient working or processing in the United Kingdom within the meaning of Article 6.
2. For the purpose of implementing this Agreement, the following products shall be considered as originating in the Faroe Islands:

- (a) products wholly obtained in the Faroe Islands within the meaning of Article 5;
- (b) products obtained in the Faroe Islands incorporating materials which have not been wholly obtained there, provided that such materials have undergone sufficient working or processing in the Faroe Islands within the meaning of Article 6.

### Article 3

#### *Cumulation in the United Kingdom*

1. Without prejudice to the provisions of Article 2(1), products shall be considered as originating in the United Kingdom, if they are obtained there, incorporating materials originating in Switzerland (including Liechtenstein)<sup>1</sup>, Iceland, Norway, Turkey or the European Union, provided that the working or processing carried out in the United Kingdom goes beyond the operations referred to in Article 7. It shall not be necessary for such materials to have undergone sufficient working or processing.

2. Without prejudice to the provisions of Article 2(1), products shall be considered as originating in the United Kingdom if they are obtained there, incorporating materials originating in the Faroe Islands or any other country referred to in the Annex to this Protocol, provided that the working or processing carried out in the United Kingdom goes beyond the operations referred to in Article 7. It shall not be necessary for such materials to have undergone sufficient working or processing.

3. Without prejudice to the provisions of Article 2(1), working or processing carried out in Iceland, Norway or the European Union shall be considered as having been carried out in the United Kingdom when the products obtained undergo subsequent working or processing in the United Kingdom that goes beyond the operations referred to in Article 7.

4. For cumulation provided in paragraphs 1 and 2, where the working or processing carried out in the United Kingdom does not go beyond the operations referred to in Article 7, the product obtained shall be considered as originating in the United Kingdom only where the value added there is greater than the value of the materials used that are originating in any of the other countries. If this is not so, the product obtained shall be considered as originating in the country which accounts for the highest value of originating materials used in the manufacture in the United Kingdom.

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<sup>1</sup> Due to the Customs Treaty between Liechtenstein and Switzerland, products originating in Liechtenstein are considered as originating in Switzerland.

5. For cumulation provided in paragraph 3, where the working or processing carried out in the United Kingdom does not go beyond the operation referred to in Article 7, the product obtained shall be considered as originating in the United Kingdom only where the value added there is greater than the value added in any of the other countries.

6. Products originating in the countries referred to in paragraphs 1 and 2, which do not undergo any working or processing in the United Kingdom, retain their origin if exported into one of these countries.

7. (a) The cumulation provided for in this Article in respect of the European Union may be applied provided that:

- i. the United Kingdom, the Faroe Islands and the European Union have arrangements on administrative cooperation which ensure a correct implementation of this Article;
- ii. materials and products have acquired originating status by the application of rules of origin identical to those in this Protocol; and
- iii. notices indicating the fulfilment of the necessary requirements to apply cumulation have been published by the Parties.

(b) Except as provided for in paragraph 7(a), the cumulation provided for in this Article may be applied provided that:

- i. a preferential trade agreement in accordance with Article XXIV of the General Agreement on Tariffs and Trade 1994 (“GATT 1994”) is applicable between the countries involved in the acquisition of the originating status and the country of destination;
- ii. materials and products have acquired originating status by the application of rules of origin identical to those in this Protocol; and
- iii. notices indicating the fulfilment of the necessary requirements to apply cumulation have been published by the Parties.

8. The United Kingdom shall provide the Faroe Islands with details of the agreements or arrangements including their dates of entry into force, and their corresponding rules of origin, which are applied with the other countries referred to in paragraphs 1 and 2.

#### Article 4

##### ***Cumulation in the Faroe Islands***

1. Without prejudice to the provisions of Article 2(2), products shall be considered as originating in the Faroe Islands, if they are obtained there, incorporating materials originating in the United Kingdom, Switzerland (including Liechtenstein), Iceland, Norway, Turkey or the European Union, provided that the working or processing carried out in the Faroe Islands goes

beyond the operations referred to in Article 7. It shall not be necessary for such materials to have undergone sufficient working or processing.

2. Without prejudice to the provisions of Article 2(2), products shall be considered as originating in the Faroe Islands if they are obtained there, incorporating materials originating in any country referred to in the Annex to this Protocol, provided that the working or processing carried out in the Faroe Islands goes beyond the operations referred to in Article 7. It shall not be necessary for such materials to have undergone sufficient working or processing.

3. Where the working or processing carried out in the Faroe Islands does not go beyond the operations referred to in Article 7, the product obtained shall be considered as originating in the Faroe Islands only where the value added there is greater than the value of the materials used that are originating in any of the other countries referred to in paragraphs 1 and 2. If this is not so, the product obtained shall be considered as originating in the country which accounts for the highest value of originating materials used in the manufacture in the Faroe Islands.

4. Products originating in the countries referred to in paragraphs 1 and 2, which do not undergo any working or processing in the Faroe Islands, retain their origin if exported into one of these countries.

5. (a) The cumulation provided for in this Article in respect of the European Union may be applied provided that:

- i. the United Kingdom, the Faroe Islands and the European Union have arrangements on administrative cooperation which ensure a correct implementation of this Article;
- ii. materials and products have acquired originating status by the application of rules of origin identical to those in this Protocol; and
- iii. notices indicating the fulfilment of the necessary requirements to apply cumulation have been published by the Parties.

(b) Except as provided for in paragraph 5(a), the cumulation provided for in this Article may be applied provided that:

- i. a preferential trade agreement in accordance with Article XXIV of the GATT 1994 is applicable between the countries involved in the acquisition of the originating status and the country of destination;
- ii. materials and products have acquired originating status by the application of rules of origin identical to those in this Protocol; and
- iii. notices indicating the fulfilment of the necessary requirements to apply cumulation have been published by the Parties.

6. The Faroe Islands shall provide the United Kingdom with details of the agreements or arrangements including their dates of entry into force, and their

corresponding rules of origin, which are applied with the other countries referred to in paragraphs 1 and 2.

## Article 5

### *Wholly obtained products*

1. The following shall be considered as wholly obtained in the United Kingdom or the Faroe Islands:
  - (a) mineral products extracted from its soil or from its seabed;
  - (b) vegetable products harvested there;
  - (c) live animals born and raised there;
  - (d) products from live animals raised there;
  - (e) products obtained by hunting or fishing conducted there;
  - (f) products of sea fishing and other products taken from the sea outside the territorial waters of the Party by its vessels;
  - (g) products made aboard its factory ships exclusively from products referred to in (f);
  - (h) used articles collected there fit only for the recovery of raw materials, including used tyres fit only for retreading or for use as waste;
  - (i) waste and scrap resulting from manufacturing operations conducted there;
  - (j) products extracted from marine soil or subsoil outside its territorial waters provided that it has sole rights to work that soil or subsoil;
  - (k) goods produced there exclusively from the products specified in (a) to (j).
  
2. The terms ‘its vessels’ and ‘its factory ships’ in paragraphs 1(f) and (g) shall apply only to vessels and factory ships:
  - (a) which are registered or recorded in the United Kingdom or the Faroe Islands;
  - (b) which sail under the flag of the United Kingdom or the Faroe Islands;
  - (c) which are owned to an extent of at least 50% by nationals of the United Kingdom, a Member State of the European Union or the

Faroe Islands, or by a company with its head office in one of these States, of which the manager or managers, Chairman of the Board of Directors or the Supervisory Board, and the majority of the members of such boards are nationals of the United Kingdom, a Member State of the European Union or the Faroe Islands and of which, in addition, in the case of partnerships or limited companies, at least half the capital belongs to those States or to public bodies or nationals of the said States;

- (d) of which the master and officers are nationals of the United Kingdom, a Member State of the European Union or the Faroe Islands; and
- (e) of which at least 75% of the crew are nationals of the United Kingdom, a Member State of the European Union or the Faroe Islands.

## Article 6

### *Sufficiently worked or processed products*

1. For the purposes of Article 2, products which are not wholly obtained shall be considered to be sufficiently worked or processed when the conditions set out in the list in Incorporated Annex II are fulfilled.

The conditions referred to above indicate the working or processing which must be carried out on non-originating materials used in manufacturing and apply only in relation to such materials. It follows that if a product which has acquired originating status by fulfilling the conditions set out in the list is used in the manufacture of another product, the conditions applicable to the product in which it is incorporated do not apply to it, and no account shall be taken of the non-originating materials which may have been used in its manufacture.

2. Notwithstanding paragraph 1, non-originating materials which, according to the conditions set out in the list in Incorporated Annex II, should not be used in the manufacture of a product may nevertheless be used, provided that:

- (a) their total value does not exceed 10% of the ex-works price of the product;
- (b) any of the percentages given in the list for the maximum value of non-originating materials are not exceeded by virtue of this paragraph.

This paragraph shall not apply to products falling within Chapters 50 to 63 of the Harmonised System.

3. Paragraphs 1 and 2 shall apply subject to the provisions of Article 7.



## Article 7

### ***Insufficient working or processing***

1. Without prejudice to paragraph 2, the following operations shall be considered as insufficient working or processing to confer the status of originating products, whether or not the requirements of Article 6 are satisfied:

- (a) preserving operations to ensure that the products remain in good condition during transport and storage;
- (b) breaking-up and assembly of packages;
- (c) washing, cleaning; removal of dust, oxide, oil, paint or other coverings;
- (d) ironing or pressing of textiles;
- (e) simple painting and polishing operations;
- (f) husking, partial or total bleaching, polishing, and glazing of cereals and rice;
- (g) operations to colour sugar or form sugar lumps;
- (h) peeling, stoning and shelling, of fruits, nuts and vegetables;
- (i) sharpening, simple grinding or simple cutting;
- (j) sifting, screening, sorting, classifying, grading, matching (including the making-up of sets of articles);
- (k) simple placing in bottles, cans, flasks, bags, cases, boxes, fixing on cards or boards and all other simple packaging operations;
- (l) affixing or printing marks, labels, logos and other like distinguishing signs on products or their packaging;
- (m) simple mixing of products, whether or not of different kinds;
- (n) mixing of sugar with any material;
- (o) simple assembly of parts of articles to constitute a complete article or disassembly of products into parts;
- (p) a combination of two or more operations specified in (a) to (n);
- (q) slaughter of animals.

2. All operations carried out in the United Kingdom or in the Faroe Islands on a given product shall be considered together when determining whether the working or processing undergone by that product is to be regarded as insufficient within the meaning of paragraph 1.

## Article 8

### *Unit of qualification*

1. The unit of qualification for the application of the provisions of this Protocol shall be the particular product which is considered as the basic unit when determining classification using the nomenclature of the Harmonised System.

It follows that:

- (a) when a product composed of a group or assembly of articles is classified under the terms of the Harmonised System in a single heading, the whole constitutes the unit of qualification;
- (b) when a consignment consists of a number of identical products classified under the same heading of the Harmonised System, each product must be taken individually when applying the provisions of this Protocol.

2. Where, under General Rule 5 of the Harmonised System, packaging is included with the product for classification purposes, it shall be included for the purposes of determining origin.

## Article 9

### *Accessories, spare parts and tools*

Accessories, spare parts and tools dispatched with a piece of equipment, machine, apparatus or vehicle, which are part of the normal equipment and included in the price thereof or which are not separately invoiced, shall be regarded as one with the piece of equipment, machine, apparatus or vehicle in question.

## Article 10

### *Sets*

Sets, as defined in General Rule 3 of the Harmonised System, shall be regarded as originating when all component products are originating. Nevertheless, when a set is composed of originating and non-originating products, the set as a whole

shall be regarded as originating, provided that the value of the non-originating products does not exceed 15% of the ex-works price of the set.

#### Article 11

##### *Neutral elements*

In order to determine whether a product is an originating product, it shall not be necessary to determine the origin of the following which might be used in its manufacture:

- (a) energy and fuel;
- (b) plant and equipment;
- (c) machines and tools;
- (d) goods which neither enter into the final composition of the product nor are intended to do so.

### **TITLE III**

#### **TERRITORIAL REQUIREMENTS**

#### Article 12

##### *Principle of territoriality*

1. Except as provided for in Articles 3, 4 and paragraph 3 of this Article, the conditions for acquiring originating status set out in Title II shall be fulfilled without interruption in the United Kingdom or in the Faroe Islands.

2. Except as provided for in Articles 3 and 4, where originating goods exported from the United Kingdom or from the Faroe Islands to another country return, they shall be considered as non-originating, unless it can be demonstrated to the satisfaction of the customs authorities that:

- (a) the returning goods are the same as those exported; and
- (b) they have not undergone any operation beyond that necessary to preserve them in good condition while in that country or while being exported.

3. The acquisition of originating status in accordance with the conditions set out in Title II shall not be affected by working or processing done outside the

United Kingdom or the Faroe Islands on materials exported from the United Kingdom or the Faroe Islands and subsequently re-imported there, provided:

- (a) the said materials are wholly obtained in the United Kingdom or the Faroe Islands or have undergone working or processing beyond the operations referred to in Article 7 prior to being exported; and
- (b) it can be demonstrated to the satisfaction of the customs authorities that:
  - (i) the re-imported goods have been obtained by working or processing the exported materials; and
  - (ii) the total added value acquired outside the United Kingdom or the Faroe Islands by applying the provisions of this Article does not exceed 10% of the ex-works price of the end product for which originating status is claimed.

4. For the purposes of paragraph 3, the conditions for acquiring originating status set out in Title II shall not apply to working or processing done outside the United Kingdom or the Faroe Islands. However, where, in the list in Incorporated Annex II a rule setting a maximum value for all the non-originating materials incorporated is applied in determining the originating status of the end product, the total value of the non-originating materials incorporated in the territory of the Party concerned, taken together with the total added value acquired outside the United Kingdom or the Faroe Islands by applying the provisions of this Article, shall not exceed the stated percentage.

5. For the purposes of applying the provisions of paragraphs 3 and 4, 'total added value' means all costs arising outside the United Kingdom or the Faroe Islands, including the value of the materials incorporated there.

6. The provisions of paragraphs 3 and 4 shall not apply to products which do not fulfil the conditions set out in the list in Incorporated Annex II or which can be considered sufficiently worked or processed only if the general tolerance fixed in Article 6(2) is applied.

7. The provisions of paragraphs 3 and 4 shall not apply to products of Chapters 50 to 63 of the Harmonised System.

8. Any working or processing of the kind covered by the provisions of this Article and done outside the United Kingdom or the Faroe Islands shall be done under the outward processing arrangements, or similar arrangements.

### Article 13

#### ***Direct transport***

1. The preferential treatment provided for under this Agreement shall apply only to products satisfying the requirements of this Protocol, which are transported directly between the Parties or through the territories of the other countries referred to in Articles 3 and 4 with which cumulation is applicable. However, products constituting one single consignment may be transported through other territories with, should the occasion arise, trans-shipment or temporary warehousing in such territories, provided that they remain under the surveillance of the customs authorities in the country of transit or warehousing and do not undergo operations other than unloading, reloading or any operation designed to preserve them in good condition.

Originating products may be transported by pipeline across a territory other than that of the Parties.

2. Evidence that the conditions set out in paragraph 1 have been fulfilled shall be supplied to the customs authorities of the importing Party by the production of:

- (a) a single transport document covering the passage from the exporting Party through the country of transit; or
- (b) a certificate issued by the customs authorities of the country of transit:
  - (i) giving an exact description of the products;
  - (ii) stating the dates of unloading and reloading of the products and, where applicable, the names of the ships, or the other means of transport used; and
  - (iii) certifying the conditions under which the products remained in the transit country; or
- (c) failing these, any substantiating documents.

#### Article 14

##### *Exhibitions*

1. Originating products sent for exhibition in a country other than those referred to in Articles 3 and 4 with which cumulation is applicable, and sold after the exhibition for importation in the United Kingdom or the Faroe Islands, shall benefit on importation from the provisions of this Agreement, provided it is shown to the satisfaction of the customs authorities that:

- (a) an exporter has consigned these products from the United Kingdom or the Faroe Islands to the country in which the exhibition is held and has exhibited them there;
- (b) the products have been sold or otherwise disposed of by that exporter to a person in the United Kingdom or the Faroe Islands;

- (c) the products have been consigned during the exhibition or immediately thereafter in the state in which they were sent for exhibition; and
- (d) the products have not, since they were consigned for exhibition, been used for any purpose other than demonstration at the exhibition.

2. A proof of origin shall be issued or made out in accordance with the provisions of Title V and submitted to the customs authorities of the United Kingdom or the Faroe Islands in the normal manner. The name and address of the exhibition shall be indicated thereon. Where necessary, additional documentary evidence of the conditions under which they have been exhibited may be required.

3. Paragraph 1 shall apply to any trade, industrial, agricultural or crafts exhibition, fair or similar public show or display which is not organised for private purposes in shops or business premises with a view to the sale of foreign products, and during which the products remain under customs control.

## **TITLE IV**

### **DRAWBACK OR EXEMPTION**

#### Article 15

##### *Prohibition of drawback of, or exemption from, customs duties*

1. Non-originating materials used in the manufacture of products originating in the United Kingdom or in the Faroe Islands for which a proof of origin is issued or made out in accordance with the provisions of Title V shall not be subject in the United Kingdom or the Faroe Islands to drawback of, or exemption from, customs duties of whatever kind.

2. The prohibition in paragraph 1 shall apply to any arrangement for refund, remission or non-payment, partial or complete, of customs duties or charges having an equivalent effect, applicable in the United Kingdom or the Faroe Islands to materials used in the manufacture, where such refund, remission or non-payment applies, expressly or in effect, when products obtained from the said materials are exported and not when they are retained for home use there.

3. The exporter of products covered by a proof of origin shall be prepared to submit at any time, upon request from the customs authorities, all appropriate documents proving that no drawback has been obtained in respect of the non-originating materials used in the manufacture of the products concerned and that

all customs duties or charges having equivalent effect applicable to such materials have actually been paid.

4. The provisions of paragraphs 1, 2 and 3 of this Article shall also apply in respect of packaging within the meaning of Article 8(2), accessories, spare parts and tools within the meaning of Article 9 and products in a set within the meaning of Article 10 when such items are non-originating.

5. The provisions of paragraphs 1 to 4 shall apply only in respect of materials which are of the kind to which this Agreement applies.

## **TITLE V**

### **PROOF OF ORIGIN**

#### Article 16

##### *General requirements*

1. Products originating in one of the Parties shall, on importation into the other Party, benefit from the provisions of this Agreement upon submission of one of the following proofs of origin:

- (a) a movement certificate EUR.1, a specimen of which appears in Incorporated Annex III a;
- (b) a movement certificate EUR-MED, a specimen of which appears in Incorporated Annex III b; or
- (c) in the cases specified in Article 22(1), a declaration (hereinafter referred to as the 'origin declaration' or the 'origin declaration EUR-MED') given by the exporter on an invoice, a delivery note or any other commercial document which describes the products concerned in sufficient detail to enable them to be identified. The texts of the origin declarations appear in Incorporated Annexes IV a and b.

2. Notwithstanding paragraph 1, originating products within the meaning of this Protocol shall, in the cases specified in Article 27, benefit from this Agreement without it being necessary to submit any of the proofs of origin referred to in paragraph 1 of this Article.

3. Notwithstanding paragraph 5 of Article 17 and paragraph 3 of Article 22 below, where cumulation involves only the United Kingdom, the European Union, Switzerland (including Liechtenstein), Iceland, Norway, the Faroe Islands, Turkey, the Republic of Albania, Bosnia and Herzegovina, the Republic

of Macedonia, Montenegro, the Republic of Serbia, the Republic of Kosovo, the Republic of Moldova or Georgia, the proof of origin may be a movement certificate EUR.1 or an origin declaration.

#### Article 17

##### ***Procedure for the issue of a movement certificate EUR.1 or EUR-MED***

1. A movement certificate EUR.1 or EUR-MED shall be issued by the customs authorities of the exporting Party on application having been made in writing by the exporter or, under the exporter's responsibility, by his authorised representative.
2. For this purpose, the exporter or his authorised representative shall fill in both the movement certificate EUR.1 or EUR-MED and the application form, specimens of which appear in the Incorporated Annexes III a and b. These forms shall be completed in one of the languages in which this Agreement is drawn up and in accordance with the provisions of the national law of the exporting country. If the completion of the forms is done in handwriting, they shall be completed in ink in printed characters. The description of the products shall be given in the box reserved for this purpose without leaving any blank lines. Where the box is not completely filled, a horizontal line shall be drawn below the last line of the description, the empty space being crossed through.
3. The exporter applying for the issue of a movement certificate EUR.1 or EUR-MED shall be prepared to submit at any time, at the request of the customs authorities of the United Kingdom or the Faroe Islands where the movement certificate EUR.1 or EUR-MED is issued, all appropriate documents proving the originating status of the products concerned as well as the fulfilment of the other requirements of this Protocol.
4. Without prejudice to paragraph 5, a movement certificate EUR.1 shall be issued by the customs authorities of the United Kingdom or of the Faroe Islands in the following cases:
  - (a) if the products concerned can be considered as products originating in the United Kingdom or in the Faroe Islands with which cumulation is applicable, without application of cumulation with materials originating in Switzerland (including Liechtenstein), Turkey or one of the countries referred to in Articles 3(2) and 4(2), and fulfil the other requirements of this Protocol; or
  - (b) if the products concerned can be considered as products originating in one of the other countries referred to in Articles 3 and 4 with which cumulation is applicable, without application of cumulation with materials originating in one of the countries referred to in Articles 3 and 4, and fulfil the other requirements of this Protocol, provided a certificate EUR-MED or an invoice declaration EUR-MED has been issued in the country of origin.



5. A movement certificate EUR-MED shall be issued by the customs authorities of the United Kingdom or of the Faroe Islands in the following cases:

- (a) cumulation was applied with materials originating in Switzerland (including Liechtenstein), Turkey or one of the countries referred to in Articles 3(2) and 4(2); or
- (b) the products may be used as materials in the context of cumulation for the manufacture of products for export to one of the countries referred to in Articles 3 and 4; or
- (c) the products may be re-exported from the country of destination to one of the countries referred to in Articles 3 and 4.

6. A movement certificate EUR-MED shall contain one of the following statements in English in box 7:

- (a) if origin has been obtained by application of cumulation with materials originating in one or more of the countries referred to in Articles 3 and 4:

‘CUMULATION APPLIED WITH ... *(name of the country/countries)*’

- (b) if origin has been obtained without the application of cumulation with materials originating in one or more of the countries referred to in Articles 3 and 4:

‘NO CUMULATION APPLIED’

7. The customs authorities issuing movement certificates EUR.1 or EUR-MED shall take any steps necessary to verify the originating status of the products and the fulfilment of the other requirements of this Protocol. For this purpose, they shall have the right to call for any evidence and to carry out any inspection of the exporter’s accounts or any other check considered appropriate. They shall also ensure that the forms referred to in paragraph 2 are duly completed. In particular, they shall check whether the space reserved for the description of the products has been completed in such a manner as to exclude all possibility of fraudulent additions.

8. The date of issue of the movement certificate EUR.1 or EUR-MED shall be indicated in Box 11 of the certificate.

9. A movement certificate EUR.1 or EUR-MED shall be issued by the customs authorities and made available to the exporter as soon as actual exportation has been effected or ensured.

## Article 18

### ***Movement certificates EUR.1 or EUR-MED issued retrospectively***

1. Notwithstanding Article 17(9), a movement certificate EUR.1 or EUR-MED may exceptionally be issued after exportation of the products to which it relates if:

- (a) it was not issued at the time of exportation because of errors, involuntary omissions or special circumstances; or
- (b) it is demonstrated to the satisfaction of the customs authorities that a movement certificate EUR.1 or EUR-MED was issued but was not accepted at importation for technical reasons.

2. Notwithstanding Article 17(9), a movement certificate EUR-MED may be issued after exportation of the products to which it relates and for which a movement certificate EUR.1 was issued at the time of exportation, provided that it is demonstrated to the satisfaction of the customs authorities that the conditions referred to in Article 17(5) are satisfied.

3. For the implementation of paragraphs 1 and 2, the exporter shall indicate in his application the place and date of exportation of the products to which the movement certificate EUR.1 or EUR-MED relates, and state the reasons for his request.

4. The customs authorities may issue a movement certificate EUR.1 or EUR-MED retrospectively only after verifying that the information supplied in the exporter's application complies with that in the corresponding file.

5. Movement certificates EUR.1 or EUR-MED issued retrospectively shall be endorsed with the following phrase in English:

‘ISSUED RETROSPECTIVELY’

Movement certificates EUR-MED issued retrospectively by application of paragraph 2 shall be endorsed with the following phrase in English:

‘ISSUED RETROSPECTIVELY (Original EUR.1 No ... *[date and place of issue]*)’

6. The endorsement referred to in paragraph 5 shall be inserted in Box 7 of the movement certificate EUR.1 or EUR-MED.

## Article 19

### ***Issue of a duplicate movement certificate EUR.1 or EUR-MED***

1. In the event of theft, loss or destruction of a movement certificate EUR.1 or EUR-MED, the exporter may apply to the customs authorities which issued it for a duplicate made out on the basis of the export documents in their possession.
2. The duplicate issued in this way shall be endorsed with the following word in English:  
  
‘DUPLICATE’
3. The endorsement referred to in paragraph 2 shall be inserted in Box 7 of the duplicate movement certificate EUR.1 or EUR-MED.
4. The duplicate, which shall bear the date of issue of the original movement certificate EUR.1 or EUR-MED, shall take effect as from that date.

#### Article 20

#### ***Issue of movement certificates EUR.1 or EUR-MED on the basis of a proof of origin issued or made out previously***

When originating products are placed under the control of a customs office in the United Kingdom or the Faroe Islands, it shall be possible to replace the original proof of origin by one or more movement certificates EUR.1 or EUR-MED for the purpose of sending all or some of these products elsewhere within the United Kingdom or the Faroe Islands. The replacement movement certificate(s) EUR.1 or EUR-MED shall be issued by the customs office under whose control the products are placed.

#### Article 21

#### ***Accounting segregation***

1. Where considerable cost or material difficulties arise in keeping separate stocks of originating and non-originating materials which are identical and interchangeable, the customs authorities may, at the written request of those concerned, authorise the so-called ‘accounting segregation’ method (hereinafter referred to as the ‘method’) to be used for managing such stocks.
2. The method shall ensure that, for a specific reference-period, the number of products obtained which could be considered as ‘originating’ is the same as that which would have been obtained had there been physical segregation of the stocks.
3. The customs authorities may make the grant of authorisation, referred to in paragraph 1 subject to any conditions deemed appropriate.
4. The method shall be applied and the application thereof shall be recorded on the basis of the general accounting principles applicable in the country where the product was manufactured.

5. The beneficiary of the method may make out or apply for proofs of origin, as the case may be, for the quantity of products which may be considered as originating. At the request of the customs authorities, the beneficiary shall provide a statement of how the quantities have been managed.

6. The customs authorities shall monitor the use made of the authorisation and may withdraw it whenever the beneficiary makes improper use of the authorisation in any manner whatsoever or fails to fulfil any of the other conditions laid down in this Protocol.

## Article 22

### ***Conditions for making out an origin declaration or an origin declaration EUR-MED***

1. An origin declaration or an origin declaration EUR-MED as referred to in Article 16(1)(c) may be made out:

- (a) by an approved exporter within the meaning of Article 23; or
- (b) by any exporter for any consignment consisting of one or more packages containing originating products the total value of which does not exceed EUR 6 000.

2. Without prejudice to paragraph 3, an origin declaration may be made out in the following cases:

- (a) if the products concerned may be considered as products originating in the United Kingdom or in the Faroe Islands without application of cumulation with materials originating in Switzerland (including Liechtenstein), Turkey or one of the other countries referred to in Articles 3(2) and 4(2), and fulfil the other requirements of this Protocol; or
- (b) if the products concerned may be considered as products originating in one of the other countries referred to in Articles 3 and 4 with which cumulation is applicable, without application of cumulation with materials originating in one of the countries referred to in Articles 3 and 4, and fulfil the other requirements of this Protocol, provided a certificate EUR-MED or an invoice declaration EUR-MED has been issued in the country of origin.

3. An origin declaration EUR-MED may be made out if the products concerned can be considered as products originating in the United Kingdom, in the Faroe Islands or in one of the other countries referred to in Articles 3 and 4 with which cumulation is applicable, and fulfil the requirements of this Protocol, in the following cases:

- (a) cumulation was applied with materials originating in Switzerland (including Liechtenstein), Turkey or one of the other countries referred to in Articles 3(2) and 4(2); or
- (b) the products may be used as materials in the context of cumulation for the manufacture of products for export to one of the other countries referred to in Articles 3 and 4; or
- (c) the products may be re-exported from the country of destination to one of the other countries referred to in Articles 3 and 4.

4. An origin declaration EUR-MED shall contain one of the following statements in English:

- (a) if origin has been obtained by application of cumulation with materials originating in one or more of the countries referred to in Articles 3 and 4:

‘CUMULATION APPLIED WITH ... *(name of the country/countries)*’

- (b) if origin has been obtained without the application of cumulation with materials originating in one or more of the countries referred to in Articles 3 and 4:

‘NO CUMULATION APPLIED’

5. The exporter making out an origin declaration or an origin declaration EUR-MED shall be prepared to submit at any time, at the request of the customs authorities of the exporting Party, all appropriate documents proving the originating status of the products concerned as well as the fulfilment of the other requirements of this Protocol.

6. An origin declaration or an origin declaration EUR-MED shall be made out by the exporter by typing, stamping or printing on the invoice, the delivery note or another commercial document, the declaration, the texts of which appear in Incorporated Annexes IV a and b, using one of the linguistic versions set out in those Annexes and in accordance with the provisions of the national law of the exporting country. If the declaration is handwritten, it shall be written in ink in printed characters.

7. Origin declarations and origin declarations EUR-MED shall bear the original signature of the exporter in manuscript. However, an approved exporter within the meaning of Article 23 shall not be required to sign such declarations provided that he gives the customs authorities of the exporting Party a written undertaking that he accepts full responsibility for any origin declaration which identifies him as if it had been signed in manuscript by him.

8. An origin declaration or an origin declaration EUR-MED may be made out by the exporter when the products to which it relates are exported, or after exportation on condition that it is presented in the importing country at the latest two years after the importation of the products to which it relates.

## Article 23

### ***Approved exporter***

1. The customs authorities of the exporting Party may authorise any exporter (hereinafter referred to as 'approved exporter'), who makes frequent shipments of products in accordance to the provisions of this Agreement to make out origin declarations or origin declarations EUR-MED irrespective of the value of the products concerned. An exporter seeking such authorisation shall offer to the satisfaction of the customs authorities all guarantees necessary to verify the originating status of the products as well as the fulfilment of the other requirements of this Protocol.
2. The customs authorities may grant the status of approved exporter subject to any conditions which they consider appropriate.
3. The customs authorities shall grant to the approved exporter a customs authorisation number which shall appear on the origin declaration or on the origin declaration EUR-MED.
4. The customs authorities shall monitor the use of the authorisation by the approved exporter.
5. The customs authorities may withdraw the authorisation at any time. They shall do so where the approved exporter no longer offers the guarantees referred to in paragraph 1, no longer fulfils the conditions referred to in paragraph 2 or otherwise makes an incorrect use of the authorisation.

## Article 24

### ***Validity of proof of origin***

1. A proof of origin shall be valid for four months from the date of issue in the exporting Party, and shall be submitted within that period to the customs authorities of the importing Party.
2. Proofs of origin which are submitted to the customs authorities of the importing Party after the final date for presentation specified in paragraph 1 may be accepted for the purpose of applying preferential treatment, where the failure to submit these documents by the final date set is due to exceptional circumstances.
3. In other cases of belated presentation, the customs authorities of the importing Party may accept the proofs of origin where the products have been submitted before the said final date.

## Article 25

### ***Submission of proof of origin***

Proofs of origin shall be submitted to the customs authorities of the importing Party in accordance with the procedures applicable in that country. The said authorities may require a translation of a proof of origin and may also require the import declaration to be accompanied by a statement from the importer to the effect that the products meet the conditions required for the implementation of this Agreement.

### **Article 26**

#### ***Importation by instalments***

Where, at the request of the importer and subject to the conditions laid down by the customs authorities of the importing Party, dismantled or non-assembled products within the meaning of General Rule 2(a) of the Harmonised System falling within Sections XVI and XVII or headings 7308 and 9406 of the Harmonised System are imported by instalments, a single proof of origin for such products shall be submitted to the customs authorities upon importation of the first instalment.

### **Article 27**

#### ***Exemptions from proof of origin***

1. Products sent as small packages from private persons to private persons or forming part of travellers' personal luggage shall be admitted as originating products without requiring the submission of a proof of origin, provided that such products are not imported by way of trade and have been declared as meeting the requirements of this Protocol and where there is no doubt as to the veracity of such a declaration. In the case of products sent by post, that declaration may be made on the customs declaration CN22 / CN23 or on a sheet of paper annexed to that document.
2. Imports which are occasional and consist solely of products for the personal use of the recipients or travellers or their families shall not be considered as imports by way of trade if it is evident from the nature and quantity of the products that no commercial purpose is in view.
3. Furthermore, the total value of these products shall not exceed EUR 500 in the case of small packages or EUR 1 200 in the case of products forming part of travellers' personal luggage.

### **Article 28**

#### ***Supporting documents***

The documents referred to in Articles 17(3) and 22(5) used for the purpose of proving that products covered by a movement certificate EUR.1 or EUR-MED, or an origin declaration or origin declaration EUR-MED may be considered as products originating in the United Kingdom, in the Faroe Islands or in one of the other countries referred to in Articles 3 and 4 and fulfil the other requirements of this Protocol may consist, *inter alia*, of the following:

- (a) direct evidence of the processes carried out by the exporter or supplier to obtain the goods concerned, contained for example in his accounts or internal bookkeeping;
- (b) documents proving the originating status of materials used, issued or made out in the United Kingdom or in the Faroe Islands where these documents are used in accordance with national law;
- (c) documents proving the working or processing of materials in the United Kingdom or in the Faroe Islands, issued or made out in the United Kingdom or in the Faroe Islands, where these documents are used in accordance with national law;
- (d) movement certificates EUR.1 or EUR-MED or origin declarations or origin declarations EUR-MED proving the originating status of materials used, issued or made out in the United Kingdom or the Faroe Islands in accordance with this Protocol, or in one of the other countries referred to in Articles 3 and 4, in accordance with rules of origin which are identical to the rules in this Protocol;
- (e) appropriate evidence concerning working or processing undergone outside the United Kingdom, the Faroe Islands or the other countries referred to in Articles 3 and 4 by application of Article 12, proving that the requirements of that Article have been satisfied.

## Article 29

### ***Preservation of proof of origin and supporting documents***

1. The exporter applying for the issue of a movement certificate EUR.1 or EUR-MED shall keep for at least three years the documents referred to in Article 17(3).
2. The exporter making out an origin declaration or origin declaration EUR-MED shall keep for at least three years a copy of this origin declaration as well as the documents referred to in Article 22(5).
3. The customs authorities of the exporting Party issuing a movement certificate EUR.1 or EUR-MED shall keep for at least three years the application form referred to in Article 17(2).



4. The customs authorities of the importing Party shall keep for at least three years the movement certificates EUR.1 and EUR-MED and the origin declarations and origin declarations EUR-MED submitted to them.

### Article 30

#### ***Discrepancies and formal errors***

1. The discovery of slight discrepancies between the statements made in the proof of origin and those made in the documents submitted to the customs office for the purpose of carrying out the formalities for importing the products shall not *ipso facto* render the proof of origin null and void if it is duly established that this document does correspond to the products submitted.

2. Obvious formal errors, such as typing errors, on a proof of origin shall not cause this document to be rejected if these errors are not such as to create doubts concerning the correctness of the statements made in this document.

### Article 31

#### ***Amounts expressed in euro***

1. For the application of the provisions of Article 22(1)(b) and Article 27(3) in cases where products are invoiced in a currency other than euro, amounts in the national currencies of the countries referred to in Articles 3 and 4 equivalent to the amounts expressed in euro shall be fixed annually by each of the countries concerned.

2. A consignment shall benefit from the provisions of Article 22(1)(b) or Article 27(3) by reference to the currency in which the invoice is drawn up, according to the amount fixed by the Party concerned.

3. The amounts to be used in any given national currency shall be the equivalent in that currency of the amounts expressed in euro as at the first working day of October and shall apply from 1 January the following year. The Parties shall notify each other of the relevant amounts.

4. A Party may round up or down the amount resulting from the conversion into its national currency of an amount expressed in euro. The rounded-off amount may not differ from the amount resulting from the conversion by more than 5%. A country may retain unchanged its national currency equivalent of an amount expressed in euro if, at the time of the annual adjustment provided for in paragraph 3, the conversion of that amount, prior to any rounding-off, results in an increase of less than 15% in the national currency equivalent. The national currency equivalent may be retained unchanged if the conversion were to result in a decrease in that equivalent value.

5. The amounts expressed in euro shall be reviewed by the Joint Committee at the request of any of the Parties. When carrying out this review, the Joint

Committee shall consider the desirability of preserving the effects of the limits concerned in real terms. For this purpose, it may decide to modify the amounts expressed in euro.

## **TITLE VI**

### **ARRANGEMENTS FOR ADMINISTRATIVE COOPERATION**

#### Article 32

##### *Mutual assistance*

1. The customs authorities of the United Kingdom and the Faroe Islands shall provide each other with specimen impressions of stamps used in their customs offices for the issue of movement certificates EUR.1 and EUR-MED and with the addresses of the customs authorities responsible for verifying those certificates, origin declarations and origin declarations EUR-MED.
2. In order to ensure the proper application of this Protocol, the United Kingdom and the Faroe Islands shall assist each other, through the competent customs administrations, in checking the authenticity of the movement certificates EUR.1 and EUR-MED, the origin declarations and the origin declarations EUR-MED, and the correctness of the information given in these documents.

#### Article 33

##### *Verification of proofs of origin*

1. Subsequent verifications of proofs of origin shall be carried out at random or whenever the customs authorities of the importing Party have reasonable doubts as to the authenticity of such documents, the originating status of the products concerned or the fulfilment of the other requirements of this Protocol.
2. For the purposes of implementing the provisions of paragraph 1, the customs authorities of the importing Party shall return the movement certificate EUR.1 or EUR-MED and the invoice, if it has been submitted, the origin declaration or the origin declaration EUR-MED, or a copy of these documents, to the customs authorities of the exporting Party giving, where appropriate, the reasons for the request for verification. Any documents and information obtained suggesting that the information given on the proof of origin is incorrect shall be forwarded in support of the request for verification.
3. The verification shall be carried out by the customs authorities of the exporting Party. For this purpose, they shall have the right to call for any

evidence and to carry out any inspection of the exporter's accounts or any other check considered appropriate.

4. If the customs authorities of the importing Party decide to suspend the granting of preferential treatment to the products concerned while awaiting the results of the verification, release of the products shall be offered to the importer subject to any precautionary measures judged necessary.

5. The customs authorities requesting the verification shall be informed of the results of this verification as soon as possible. These results shall indicate clearly whether the documents are authentic and whether the products concerned may be considered as products originating in the United Kingdom, in the Faroe Islands or in one of the other countries referred to in Articles 3 and 4 and fulfil the other requirements of this Protocol.

6. If, in cases of reasonable doubt, there is no reply within ten months of the date of the verification request or if the reply does not contain sufficient information to determine the authenticity of the document in question or the real origin of the products, the requesting customs authorities shall, except in exceptional circumstances, refuse entitlement to the preferences.

#### Article 34

##### ***Dispute settlement***

Where disputes arise in relation to the verification procedures of Article 33 which cannot be settled between the customs authorities requesting a verification and the customs authorities responsible for carrying out this verification, they shall be submitted to the Joint Committee.

In all cases, the settlement of disputes between the importer and the customs authorities of the importing Party shall take place under the legislation of that Party.

#### Article 35

##### ***Penalties***

Penalties shall be imposed on any person who draws up, or causes to be drawn up, a document which contains incorrect information for the purpose of obtaining a preferential treatment for products.

#### Article 36

##### ***Free zones***

1. The United Kingdom and the Faroe Islands shall take all necessary steps to ensure that products traded under cover of a proof of origin which in the course of transport use a free zone situated in their territory, are not substituted by other goods and do not undergo handling other than normal operations designed to prevent their deterioration.

2. By way of derogation from paragraph 1, when products originating in the United Kingdom or in the Faroe Islands are imported into a free zone under cover of a proof of origin and undergo treatment or processing, the authorities concerned shall issue a new movement certificate EUR.1 or EUR-MED at the exporter's request, if the treatment or processing undergone complies with this Protocol.

## **TITLE VII**

### **CEUTA AND MELILLA**

#### Article 37

#### **Application of the Protocol**

1. The term 'European Union' used in this Protocol does not cover Ceuta and Melilla. Products originating in Ceuta and Melilla are not considered to be products originating in the European Union for the purposes of this Protocol.

## **TITLE VIII**

### **FINAL PROVISIONS**

#### Article 38

#### ***Transitional Provision for Goods in Transit or Storage***

The provisions of this Agreement may be applied to goods which comply with the provisions of this Protocol and which, on the date of entry into force of this Agreement, are either in transit or are in the United Kingdom or in the Faroe Islands in temporary storage in customs warehouses or in free zones, subject to the submission to the customs authorities of the importing country, within twelve months of the said date, of a movement certificate EUR.1 or EUR-MED issued retrospectively by the customs authorities of the exporting country together with the documents showing that the goods have been transported directly in accordance with the provisions of Article 13.

#### Article 39

#### ***Annexes***

1. Annexes I to IV b to Appendix I to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin are incorporated into and made part of this Protocol as Incorporated Annexes I to IV b to this Protocol and shall apply, mutatis mutandis, subject to the following modifications:

(a) In Annex I:

- (i) all references to “Article 5 of this Appendix” shall be understood as references to “Article 6 of this Protocol”; and
- (ii) in paragraph 3.1 of Note 3, “a Contracting Party” shall be replaced by “any of the other countries referred to in Articles 3 and 4 of this Protocol with which cumulation is applicable”.

(b) In each of Annexes III a and III b, references to “the Contracting Parties” shall be understood as references to “the Parties”.

(c) In each of Annexes IV a and IV b:

- (i) only the English and the Faroese versions of the origin declaration shall be incorporated into this Protocol; and
- (ii) the second sentence of footnote 2 shall not be incorporated.

2. The Annex to this Protocol shall form an integral part thereof.

#### Article 40

#### *Amendments to the Protocol*

The Joint Committee may decide to amend the provisions of this Protocol.

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## **Annex**

### **LIST REFERRED TO IN PARAGRAPH 2 OF ARTICLES 3 AND 4**

1. The People's Democratic Republic of Algeria
2. The Arab Republic of Egypt
3. The State of Israel
4. The Hashemite Kingdom of Jordan
5. The Republic of Lebanon
6. The Kingdom of Morocco
7. The Palestine Liberation Organization for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip
8. The Syrian Arab Republic
9. The Republic of Tunisia
10. The Republic of Albania
11. Bosnia and Herzegovina
12. The Republic of Macedonia
13. Montenegro
14. The Republic of Serbia
15. The Republic of Kosovo
16. The Republic of Moldova
17. Georgia
18. Ukraine"

## Skjal A

### JOINT DECLARATIONS CONCERNING RULES OF ORIGIN

Further to Protocol 3 of the Incorporated Agreement, as set out in the Appendix to the Annex to the Free Trade Agreement between the Kingdom of Denmark in respect of the Faroe Islands and the United Kingdom of Great Britain and Northern Ireland signed today, the Faroe Islands and the United Kingdom have adopted the following declarations:

#### **Joint declaration concerning a trilateral approach to rules of origin**

1. In advance of trade negotiations between the European Union and the United Kingdom, the Parties recognise that a trilateral approach to rules of origin, involving the European Union, is the preferred outcome in trading arrangements between the Parties and the European Union. This approach would replicate coverage of existing trade flows and allow for continued recognition of originating content from either of the Parties and from the European Union in exports to each other, as per the intention of the EU-Faroe Islands Agreement. In this regard, the Governments of the United Kingdom and the Faroe Islands understand that any bilateral arrangement between the Parties represents a first step towards this outcome.
2. In the event of an agreement between the United Kingdom and the European Union, the Parties approve taking the necessary steps, as a matter of urgency, to update Protocol 3 of the Incorporated Agreement to reflect a trilateral approach to rules of origin involving the European Union. The necessary steps will be taken in accordance with the procedures of the Joint Committee contained in Protocol 3 of the Incorporated Agreement.

#### **Joint declaration concerning the Principality of Andorra**

1. Products originating in the Principality of Andorra, meeting the conditions of Articles 3(7)(b)(ii) and 4(5)(b)(ii) of Protocol 3 of the Incorporated Agreement and falling within Chapters 25 to 97 of the Harmonised System, shall be accepted by the Parties as originating in the European Union within the meaning of the Incorporated Agreement.
2. Protocol 3 of the Incorporated Agreement shall apply *mutatis mutandis* for the purpose of defining the originating status of the abovementioned products.
3. This joint declaration shall be applied by the Parties upon the provisional application or, respectively, entry into force of the Appendix to the UK-Faroe Islands Free Trade Agreement.

#### **Joint declaration concerning the Republic of San Marino**

1. Products originating in the Republic of San Marino, meeting the conditions of Articles 3(7)(b)(ii) and 4(5)(b)(ii) of Protocol 3 of the Incorporated Agreement, shall be accepted by the Parties as originating in the European Union within the meaning of the Incorporated Agreement.
2. Protocol 3 of the Incorporated Agreement shall apply *mutatis mutandis* for the purpose of defining the originating status of the abovementioned products.

3. This joint declaration shall be applied by the Parties upon the provisional application or, respectively, entry into force of the Appendix to the UK-Faroe Islands Free Trade Agreement.

Signed in duplicate at London this 31st day of January 2019 in the English language.

**For the Kingdom of Denmark in respect  
of the Faroe Islands**

**For the Government of the United  
Kingdom of Great Britain and Northern  
Ireland**

**Poul Michelsen**

**George Hollingbery**



**Skjal B****JOINT DECLARATION**

The Parties to the Free Trade Agreement between the United Kingdom of Great Britain and Northern Ireland and the Kingdom of Denmark in respect of the Faroe Islands (“the Free Trade Agreement”), signed today on 31<sup>st</sup> January in London, recognise the importance of establishing good conditions for governing future trade between the Parties.

In this regard, the Parties recognise that the establishment of a Joint Committee under the Free Trade Agreement can provide an opportunity for seeking to further explore possibilities to reach the fulfilment of the objectives therein, including to revisit the conditions prevailing for trade in products listed under Protocols 1 and 4 of the Free Trade Agreement.

Signed in duplicate at London this 31<sup>st</sup> day of January 2019 in the English language.

**For the Kingdom of Denmark in respect  
of the Faroe Islands**

**For the Government of the United  
Kingdom of Great Britain and Northern  
Ireland**

**Poul Michelsen**

**George Hollingbery**

## 1. Viðmerkingar til uppskot til samtyktar

### 1.1. Orsökkin til uppskotið

Landsstýrið er komið á mál við samráðingunum við Sameinda Kongsríkið Stórabretlands og Norðurírlands (Stórabretland) um nýggjan fríhandilssáttmála, sum skal koma í gildi, tá verandi handilssáttmáli millum Føroyar og Evropasamveldið (ES) ikki longur er galdandi fyri viðurskiftini millum londini sum avleiðing av, at Stórabretland fer úr ES. Fríhandilssáttmálin varð undirritaður í London tann 31. januar 2019.

Samtykki og góðkenning Løgtingsins krevst til millumtjóðasáttmála ella avtalu, sum krevur luttøku Løgtingsins fyri at verða útint, ella sum annars er týðningarmikil, sbr. § 52, stk. 2 í løgtingslóg um stýrisskipan Føroya. Mett verður, at fríhandilssáttmálin er av slíkum týðningi, at Løgtingsins góðkenning krevst, fyri at sáttmálin kann verða útintur.

Við góðkenningini av fríhandilssáttmálanum hevur ikki verið met, at tað er neyðugt at gera aðrar lógarbroytingar, sbr. løgtingslóg um stýrisskipan Føroya § 52, stk. 3.

Áðrenn sáttmálin varð undirritaður, hevur landsstýrismaðurin, samsvarandi grein 54 í stýrisskipan Føroya, ráðført seg við Uttanlandsnevnd Løgtingsins tann 25. januar 2019.

### 1.2. Lýsing av innihaldinum í sáttmálanum

#### *Endamálið við uppskotinum*

Fríhandilssáttmálin millum Føroyar og Stórabretland hevur til endamáls at tryggja framhald av verandi rættindum og skyldum á handilsøkinum sambært galdandi handilssáttmála millum Føroyar og ES, sum varð undirritaður 6. desember 1996, við teimum broytingum, sum eru neyðugar.

Við sáttmálanum viðurkenna partarnir, at fríhandilssáttmálin millum Føroyar og ES fer úr gildi fyri Stórabretland, tá ið tað heldur upp at vera ES-limaland, ella tá ið ein møgulig skiftistíð ella útinningartíð endar. Hetta er tíðarskeiðið, tá ið rættindi og skyldur sambært handilssáttmálanum millum Føroyar og ES framvegis eru galdandi fyri Stórabretland, um ES og Stórabretland verða samd um eina skiftisavtalu.

Aðalendamálið við fríhandilssáttmálanum millum Føroyar og Stórabretland er sostatt at varðveita teir fyrimunirnar, sum í dag eru galdandi fyri handilin partanna millum, og sum eru úrslit av galdandi handilssáttmála millum Føroyar og ES.

Eisini skal sáttmálin veita grundarlag fyri víðari frælsisgerð av handli partanna millum, sbr. grein 1.

#### *Upprunareglur*

Upprunareglurnar, sum verða galdandi fyri samhandilin millum Føroyar og Stórabretland, byggja á pan-Euro-miðjarðarhavsreglurnar um uppruna. Reglurnar verða sostatt í stóran mun tær somu, sum eru galdandi fyri viðurskiftini við ES, við teimum tillagingum, sum eru neyðugar, sbr. fylgiskjal C og uppískoytið til fríhandilssáttmálan, sum er broyting av frumskjali 3 til handilssáttmálan millum Føroyar og ES.

Við felagsvirlýsingini, ið verður hjáløgd sum fylgiskjal 3, eru partarnir samdir um at fremja neyðugu broytingarnar í upprunareglunum, tá Stórabretland og ES eru komin ásamt um eina handilsavtalu, sum skal vera galdandi eftir, at Stórabretland fer úr ES.

#### *Felagsnevnd*

Tað er uppgávan hjá felagsnevndini at tryggja, at sáttmálin virkar á nøktandi hátt, tá hann kemur í gildi, sbr. grein 8. Virksemið hjá felagsnevndini verður skipað á sama hátt sum virksemið hjá felagsnevndini, ið er sett sambært handilssáttmálanum millum Føroyar og ES. Hetta merkir m.a., at felagsnevndin hittist árliga at meta um, hvussu sáttmálin roynist.

Tær avgerðir, sum higartil eru tiknar í felagsnevndini undir handilssáttmálanum millum Føroyar og ES, verða sum meginregla eisini galdandi fyri handilsviðurskiftini millum Føroyar og Stórabretland, sbr. grein 8, stk. 2.

Felagsnevndin kann tó strika, víkja frá, ógilda ella seta nýggjar avgerðir í staðin fyri avgerðir, ið eru tiknar av felagsnevndini undir handilssáttmálanum millum Føroyar og ES, sbr. grein 8, stk. 4.

#### *Heilsufrøði*

Nakrar av galdandi felagsnevndaravgerðum viðvíkjandi handilssáttmálanum millum Føroyar og ES verða broyttar í fylgiskjalinum til fríhandilssáttmálan við Stórabretland. Hetta er m.a. galdandi fyri felagsnevndaravgerð 1/1999, sum er frumskjalið um heilsufrøðiliga økið, sbr. fylgiskjal F. Ásett verður m.a., at ein heilsufrøðiligur undirbólkur verður settur at samstarva á heilsufrøðiliga økinum.

Ein av teimum felagsnevndaravgerðum, sum tó ikki verður galdandi fyri viðurskiftini millum Føroyar og Stórabretland, er felagsnevndaravgerð nr. 1/2001, sum tryggjar, at Føroyar kunnu útflyta fiskavørur til ES-marknaðin við, at Føroyar binda seg at fylgja ES-reglunum á heilsufrøðiliga økinum, sbr. grein 9, stk. 3. Hetta verður ikki mett at hava avleiðingar fyri føroyska útflutningin til Stórabretlands.

Heilsufrøðiliga avtalan við ES ásetur, at krøvini til framleiðslu av fiskavørum í Føroyum á heilsufrøðiliga økinum skulu samsvara við ES-krøv. Við avtaluni sleppa føroyskir útflytarar av fiski og fiskavørum undan seinkandi og dýrkandi heilsufrøðiligum eftirliti við markið til ES. Føroyar eru sostatt at fata sum partur av ES-marknaðinum á heilsufrøðiliga økinum, tá talan er um útflutning av fiskavørum.

Stórabretland kann í verandi støðu ikki binda seg til at varðveita hesar treytir, áðrenn framtíðar viðurskiftini við ES eru avgjörd. Samstundis er landsstýrið bundið av treytunum í handilsavtaluni við ES og kann ikki binda seg til at góðkenna bretska treytir á heilsufrøðiliga økinum.

Higartil hava tó ongar ábendingar verið um, at tað verða heilsufrøðiligar forðingar fyri føroyska fiskavøruútflutningin til Stórabretlands.

#### *Handfaring av kvotum*

Tollkvotur (*Tariff-rate quotas (TRQs)*) loyva eini ávísari nøgd av vørum at koma inn á marknaðin tollfrítt ella við lægri tolli. Tann innflutningur, sum er oman fyri kvotuna, fær hægri toll – vanliga sambært MFN-tollsatsum.

Tað eru í dag sjeý kvotur fyri fiskavørur til ES-marknaðin, umframt ein kvota viðvíkjandi útflutningi av fiskafóðri. Kvoturnar á fiskavørum eru fyri síl, niðursjóðað rogn, niðursjóðaðan fisk, rækjur, krabbar, kúving, umframt turkaðan og saltaðan upsa. Eisini er ein kvota fyri útflutning av landbúnaðarvørum.

Bretskir myndugleikar hava mótvegis triðjalondum gjørt greitt, at har lítil samhandil hevur verið seinastu árin, verður eitt hámark ásett av samlaðu kvotuni sambært galdandi atgongd fyri útflutning til ES-marknaðin. Lutfallið stavar frá eini samlaðari meting av bretska samhandlinum við triðjalond í mun til ES.

Seinastu árin hevur ikki verið stórvegis útflutningur av omanfyrinevndu vørum úr Føroyum til ES-marknaðin. Tí eru kvoturnar fyri hesar vørur minkaðar til uml. 13,5% av ES-kvotuni. Hetta sæst í talvu II í fylgiskjali B, eins og tillaging av kvotunum fyri landbúnaðarvørur og fiskafóður sæst í fylgiskjali D.

Føroyska vinnan hevur ítøkiligan áhuga at útflyta fiskafóður til bretska marknaðin. Kvotan á fiskafóðri hevur tó ikki verið gagnnýtt seinastu árin. Vinnan hevur víst á, at hetta kemst av eini avmarking viðvíkjandi samanseting av tilfarinum í fiskafóðri, sum varð ásett samstundis sum kvotan hækkaði við felagsnevndaravgerð 1/2007.

Uttanríkis- og vinnumálaráðið hevur mótvegis bretskum myndugleikum gjørt greitt, at søguligi útflutningurin til ES av fiskafóðri kundi verið hægri, um hesar avmarkingar ikki vóru galdandi, og at framtíðar atgongdin tískil ikki eigur at verða roknað sambært frymlinum. Arbeitt verður framhaldandi við at strika hesa avmarking.

#### *Yvirskipaða atgongdin fyri útflutning til bretska marknaðin*

Landsstýrið hevur mótvegis bretskum myndugleikum gjørt greitt, at Føroyar leingi hava ynskt broytingar í handilssáttmálanum við ES.

Handilssáttmálin við ES tekur burtur toll á øllum ídnaðarvørum millum ES og Føroyar við avmarkingum á landbúnaðar- og fiskivinnuøkinum. Tær føroysku fiskavørunar, sum hava tollfría atgongd til ES marknaðin, eru nágreinaðar í einum fylgiskjali til sáttmálan, ein sonevndur positivlisti, sbr. eisini talvu II í fylgiskjali B til fríhandilssáttmálan við Stórabretland. Landsstýrið hevur mótvegis ES-myndugleikum ynskt at avtaka positivlistan og í øðrum lagi ístaðin at fáa eitt yvirlit yvir tær vørur, sum ikki kunnu útflytast tollfrítt til ES-marknaðin.

Meginparturin av gamla og kenda útflutninginum av botnfiskasløgum hevur tollfría atgongd til ES-marknaðin. Tó eru avmarkingar á lidnum vørum, eins og kvotur eru á ávísnum fiskasløgum, sbr. omanfyri. Fyri uppsjóvarfisk er eisini tollfrí atgongd fyri somu vørur sum í botnfiskinum, t.d. rundan, flaktan og royktan fisk. Tó eru størri avmarkingar fyri lidnar uppsjóvarvørur.

Vísandi til omanfyrinevndu viðurskifti hevur Uttanríkis- og vinnumálaráðið mótvegis bretskum myndugleikum gjørt greitt, at landsstýrið ynskir so fáar avmarkingar fyri útflutningin sum gjørligt, serliga fyri liðugt viðgjørdar fiskavørur.

Við teirri grundgeving at bretskir myndugleikar hvørki hava heimild ella arbeidsorku at gera innihaldsligar broytingar í sáttmálaviðurskiftunum við triðjalond, hevur tó ikki verið gjørligt at fremja broytingar í hesum umfari.

Frá føroyskari síðu er tí skotið upp at gera eina felagsvirlýsing, sum ásetur, at partarnir eftirmeta atgongdina fyri vørurnar, ið framganga av frumskjølunum 1 og 4 í fríhandilsavtaluni við tí endamáli at tryggja, at karmurin fyri henda handil samsvarar við endamálsorðingina í fríhandilssáttmálanum. Hesum hava bretske myndugleikar tikið undir við, og varð felagsvirlýsingin undirritað saman við fríhandilssáttmálanum tann 31. januar 2019. Felagsvirlýsingin verður hjáløgd sum Skjal B.

#### *Avtalan millum bretska stjórnina og ES um útlíman*

Bretska stjórnin og ES hava verið í samráðingum um eina avtalu um treytirnar viðvíkjandi útlíman úr ES og evropeiska kjarnorkusamstarvinum (avtalan um útlíman). Ætlanin hjá bretska stjórnini og ES er at fáa góðkent avtaluna um útlíman soleiðis, at hon kann koma gildi í mars 2019.

Avtalan um útlíman inniheldur ásetingar um skiftistíðarskeiðið, sum eftir ætlan byrjar 30. mars 2019 og endar 31. desember 2020 ella ein annan dag, sum Stórabretland og ES koma ásamt um (skiftistíðin). Í skiftistíðini er ES-rætturin galdandi, eins og handilssáttmálin millum Føroyar og ES framhaldandi verður galdandi fyri Stórabretland í tíðarskeiðinum.

ES og Stórabretland eru samd um, at ES fer at boða altjóða sáttmálapørtum frá, at Stórabretland í skiftistíðini skal hava somu viðferð sum onnur ES-limalond, tá tað snýr seg um altjóða avtalur, sum ES hevur gjørt. Hetta er eisini galdandi fyri handilsavtaluna millum Føroyar og ES.

Samsvarandi omanfyristandandi kemur fríhandilsavtalan millum Føroyar og Stórabretland í fyrsta lagi í gildi, (i) tá ein møgulig skiftistíð er av, um avtalan um útlíman tá er góðkend, og kemur í gildi í mars 2019, ella (ii) tann 30. mars 2019, um so er, at avtalan um útlíman ikki er góðkend av Stórabretlandi og ES.

Í eini møguligari skiftistíð kunnu broytingar verða neyðugar í fríhandilssáttmálanum millum Føroyar og Stórabretland fyri at taka hædd fyri skyldunum hjá Stórabretlandi viðvíkjandi ES eftir skiftistíðina.

Um omanfyrinevnda skiftistíðin verður galdandi, fer bretska stjórnin at fráboða Føroyum, at ein avtala um útlíman er góðkend av Stórabretlandi og ES. Eisini fáa Føroyar fráboðan um, hvørjar treytir í fríhandilsavtaluni millum Føroyar og Stórabretland elva til tørv á broytingum fyri at tryggja virkisfærið hjá avtaluni. Síðani skulu partarnir semjast um møguligar broytingar.

#### *Gildiskoma og fyrilsvirknaður*

Fríhandilssáttmálin við Stórabretland kemur í gildi, tá handilssáttmálin við ES ikki longur hevur gildi fyri viðurskiptini millum Føroyar og Stórabretland (sbr. omanfyri), um báðir partar tá eru komnir á mál við teimum innanhýsis mannagongdum, sum eru neyðugar fyri, at sáttmálin kann fáa gildi.

Áðrenn komið verður á mál við neyðugu mannagongdunum fyri gildiskomu av sáttmálanum, kunnu partarnir sambært grein 10 lata sáttmálan fáa fyrilsvirknað, í tann mun hetta ber til sambært galdandi innanhýsis mannagongdum.

### **1.3. Avleiðingarnar av góðkenning av sáttmálanum**

#### *Avleiðingar fyri vinnuna*

Stórabretland er ein tann týðningarmiklasti handilsfelagin hjá Føroyum.

Handilsviðurskiftini við Stórabretland eru í dag fevnd av handilssáttmálanum millum Føroyar og ES. Hagtøl frá Hagstovuni vísa, at 44% av føroyska útflutninginum fór til ES-lond í 2017, samsvarandi við 3,8 mia. dkr. Størsti útflutningsmarknaðurin í ES var tann bretski við 20% av samlaða útflutningsvirðinum til ES samsvarandi við 770 mió. dkr. Næstmest varð útflutt til Týsklands við 19% og triðmest til Danmarkar við 14%.

Samlaða føroyska útflutningsvirðið var í 2017 tilsamans 8,7 mia. dkr. Verður hugt at útflutninginum til einstøk lond, har ES ikki telur sum ein marknaður, sæst, at 9% av útflutningsvirðinum fer til bretska marknaðin. Bretland og USA eru næststørstu marknaðirnir eftir Russland.

Í 2014 vóru Føroyar triðstørsti fiskavøruútflytarin til bretska marknaðin, og í 2015 lógu Føroyar á einum sætta plássi. Í heila tikið hava stórar broytingar verið í føroyska útflutningsmynstrinum seinnu árinum. Hóast virðið á útflutninginum til ES økist, so er talan um eina lutfalsliga minking, tí samlaði útflutningurin til Russland, USA og Kina er nógv øktur.

Sum partur av hesum er eisini útflutningurin til bretska marknaðin fallin. Í 2006 var bretska marknaðurin nógv tann størsti og stóð fyri 26% av útflutningum. Síðani er virðið av útflutninginum fallið á hvørjum ári. Fram til 2015 er virðið fallið við nærum einum helmingi, men er hækkað nakað aftur í 2016 og 2017.

Fleiri ymisk fiskasløg verða útflutt til Bretlands, tó serliga toskur og laksur. Í 2017 stóðu toskur, hýsa og upsi fyri tilsamans 44% av útflutningsvirðinum og laksur fyri 33%.

Innflutningstølini fyri sama tíðarskeið vísa, at tað serliga eru matur, drekkivørur, tubbak og privatbilar, umframt kemisk evni og bindingar til framleiðslu, ið fylla í innflutningstølunum. Innflutningurin úr Bretlandi samsvarar við 4% av samlaða innflutningsvirðinum, og í 2017 varð innflutt fyri tilsamans 284 mió. dkr.

Uttan nýggja handilsavtalu hevði galdandi rættarlaga grundarlag undir handilspolitiska sambandinum við Stórabretland ikki verið til longur. Hetta inniber, at tollur kundi verðið álagdur. Eisini høvdu heilsufrøðiligu viðurskiftini verið óregulerað.

Um hugt verður at triðjalandstollinum, sum ES í dag nýtir, so sæst, at tollur verður lagdur á tey fiskasløg, sum fylla mest í føroyska útflutninginum til Stórabretlands. Sum dømi kann nevast, at í 3. kapitli í vøruflokkingsarskipanini er triðjalandstollurin á toski 12%, á hýsu og upsa 7,5%, á makreli 20% og á laks 2%.

Endamálið við fríhandilssáttmálanum við Stórabretland er at tryggja ótarnað framhald av verandi handilsviðurskiftum millum Føroyar og Stórabretland. Avleiðingarnar av fríhandilssáttmálanum eru sostatt eftir ætlan, at støðan verður at kalla óbroytt.

Tó eru ávísar broytingar í kvotunum, sum verða minkaðar til ein lutfalsligan part av galdandi kvotum sambært handilssáttmálanum millum Føroyar og ES, sbr. omanfyri. Hóast talan er um eina formliga minking av tollfríu atgongdini til bretska marknaðin, so hevur sera lítil útflutningur verið til ES-marknaðin og harvið eisini bretska marknaðin av hesum vørum seinastu árinum. Tí fær minkingin í kvotunum ikki ítøkiligar avleiðingar fyri verandi útflutning til bretska marknaðin.

*Avleiðingar fyri landið*

Sambært sáttmálanum skal ein felagsnevnd fylgja við, hvussu sáttmálin roynist. Eisini verður ein bólkur settur at umsita mógulig heilsufrøðilig mál sambært sáttmálanum. Sostatt verða ávísar umsitingarligar avleiðingar fyri landið av sáttmálanum.

#### *Avleiðingar fyri kommunur*

Mett verður ikki, at sáttmálin hevur fíggarligar ella umsitingarligar avleiðingar fyri kommunur, borgarar og aðrar felagsskapir.

#### **1.4. Ummæli**

Uppskotið er sent til ummælis hjá stjórnarráðunum og Vinnuhúsinum.

Inn kom hoyringssvar frá Føroya Arbeiðsgevarafelag. Almanamálaráðið, Fíggjarmálaráðið, Heilsu- og innlendismálaráðið og Mentamálaráðið boðaðu frá, at tey ongar viðmerkingar høvdu til uppskotið.

Føroya Arbeiðsgevarafelag harmast um, at tollfrú kvoturnar, sum ikki fáa álagdan toll til Bretlands, samsvarandi eru minni í nýggju handilsavtaluni, í mun til handilsavtaluna við ES. Hinvegin skilir Føroya Arbeiðsgevarafelag eisini væl, at støðan nú so stutt upp undir Brexit er óvanlig, og at stundir ikki hava verið hjá bretsku stjórnini at samráðast um handilsavtalurnar av nýggjum. Føroya Arbeiðsgevarafelag væntar tó, at samráðingar skjótt verða um broytingar í handilsavtaluni millum Føroyar og Bretland, og vónandi verða onkrar av verandi forðingum sambært frihandilsavtaluni við ES tá loystar. Eitt nú kundi felagsnevndin millum Føroyar og Bretland viðgjørt tollfrú kvoturnar.

Uttanríkis- og vinnumálaráðið tekur undir við, at tað skulu vera so fáar avmarkingar sum til ber í samhandilinum við bæði ES og Stórabretland. Tí fer Uttanríkis- og vinnumálaráðið at taka hesi viðurskiftini upp í felagsnevndini.

Uttanríkis- og vinnumálaráðið, 26. februar 2019

**Poul Michelsen**  
landstýrismaður

/ Herálvur Joensen

#### **Yvirlit yvir fylgiskjøl:**

- Fylgiskjal 1: Sáttmálin á enskum máli – Free Trade Agreement between the United Kingdom of Great Britain and Northern Ireland and the Kingdom of Denmark in respect of the Faroe Islands
- Fylgiskjal 2: Hoyringssvar frá Føroya Arbeiðsgevarafelag
- Fylgiskjal 3: Hoyringssvar frá Fíggjarmálaráðnum
- Fylgiskjal 4: Hoyringssvar frá Mentamálaráðnum
- Fylgiskjal 5: Hoyringssvar frá Almanamálaráðnum
- Fylgiskjal 6: Hoyringssvar frá Heilsu- og innlendismálaráðnum