HAVE AGREED AS FOLLOWS:

Article 1

1. The Kingdom of Spain and the Portuguese Republic hereby become members of the European Economic Community and of the European Atomic Energy Community and Parties to the Treaties establishing these Communities as amended or supplemented.

2. The conditions of admission and the adjustments to the Treaties establishing the European Economic Community and the European Atomic Energy Community necessitated thereby are set out in the Act annexed to this Treaty. The provisions of that Act concerning the European Economic Community and the European Atomic Energy Community shall form an integral part of this Treaty.

3. The provisions concerning the rights and obligations of the Member States and the powers and jurisdiction of the institutions of the Communities as set out in the Treaties referred to in paragraph 1 shall apply in respect of this Treaty.

Article 2

1. This Treaty will be ratified by the High Contracting Parties in accordance with their respective constitutional requirements. The instruments of ratification will be deposited with the Government of the Italian Republic by 31 December 1985 at the latest.

2. This Treaty will enter into force on 1 January 1986, provided that all the instruments of ratification have been deposited before that date and that all the instruments of accession to the European Coal and Steel Community are deposited on that date.

If, however, one of the States referred to in Article 1 (1) has not deposited its instruments of ratification and accession in due time, the Treaty shall enter into force for the other State which has deposited its instruments. In this case, the Council of the European Communities, acting unanimously, shall decide immediately upon such resulting adjustments as have become indispensable, to Article 3 of this Treaty and to Articles 14, 17, 19, 20, 23, 383, 384, 385, 386, 388, 397, and 402 of the Act of Accession, to the provisions of Annex I to that Act concerning the composition and functioning of various committees, and to the relevant Articles of Protocol 1 on the Statute of the European Investment Bank annexed thereto; acting unanimously, it may also declare that those provisions of the aforementioned Act which refer expressly to the State which has not deposited its instruments of ratification and accession have lapsed, or it may adjust them.

3. Notwithstanding paragraph 2, the institutions of the Community may adopt before accession the measures referred to in Articles 27, 91, 161, 163, 164, 165, 171, 179, 258, 349, 351, 352, 358, 366, 378 and 396 of the Act of Accession and Articles 2, 3 and 4 of Protocol 2. These measures shall enter into force only subject to and on the date of the entry into force of this Treaty.

Article 3

This Treaty, drawn up in a single original in the Danish, Dutch, English, French, German, Greek, Irish, Italian, Portuguese and Spanish languages, the texts in each of these languages being equally authentic, will be deposited in the archives of the Government of the Italian Republic, which will remit a certified copy to each of the Governments of the other Signatory States.