

ANNEX I

The incorporation of the provisions of the EU-Albania Agreement into this Agreement is further modified as follows and as set out in Annexes II and III of this Agreement:

1. MODIFICATIONS TO ARTICLE 1

- (a) In the fourth indent of Article 1(2), the words “, also through the approximation of its legislation to that of the Community” shall not be incorporated into this Agreement.

2. MODIFICATIONS TO TITLE I

GENERAL PRINCIPLES

- (a) In Article 3, the words “the Stabilisation and Association process referred to in the conclusions of the Council of the European Union of 21 June 1999. The conclusion and the implementation of this Agreement come within the framework of the conclusions of the Council of the European Union of 29 April 1997, and are based on the individual merits of Albania” shall be replaced by “this Agreement”.
- (b) In Article 6, the third and final paragraphs shall not be incorporated into this Agreement.

3. MODIFICATIONS TO TITLE II

POLITICAL DIALOGUE

- (a) In the fourth indent of Article 8(2), the words “, including cooperation in the areas covered by the Common Foreign and Security Policy of the European Union” shall not be incorporated into this Agreement.
- (b) In Article 9(1), before “within the Stabilisation and Association Council” the words “between the parties, including” shall be inserted.
- (c) In Article 10, the word “shall” shall be replaced by “may” and before “established” the words “which may be” shall be inserted.

附件一

将欧盟-阿尔巴尼亚协定的条款纳入本协议时，需按照以下规定及本协议附件二和附件三所列内容进行进一步修改：

1. 第一条的修改

- (a) 在第一条第二款第四项中，“，亦通过使其立法与共同体立法趋同”等字样不得纳入本协议。

2. 第一编的修改

一般原则

- (a) 在第3条中，“1999年6月21日欧盟理事会结论中提及的稳定与结盟进程。本协议的缔结与实施遵循1997年4月29日欧盟理事会结论的框架，并基于阿尔巴尼亚的具体情况”应替换为“本协议”。

- (b) 第六条中，第三段及最后一段不纳入本协议。

3. 第二编的修改

政治对话

- (a) 在第八条第二款第四项中，“，包括欧盟共同外交与安全政策所涵盖领域的合作”一词不得纳入本协议。(b) 在第九条第一款中，“在稳定与结盟理事会内”之前应插入“双方之间，包括”。(c) 在第十条中，“应”一词应替换为“可”，并在“设立”前插入“可予”。

4. MODIFICATIONS TO TITLE III

REGIONAL COOPERATION

- (a) In Article 12:
- i. the words “The Community assistance programmes may support projects having a regional or cross-border dimension through its technical assistance programmes” shall be replaced by “The United Kingdom may assist or support such regional cooperation, including as set out in Articles 13 to 15 of the EU-Albania Agreement”; and
 - ii. the second and third paragraphs shall not be incorporated into this Agreement.
- (b) Articles 13 to 15 shall not be incorporated into this Agreement.

5. MODIFICATIONS TO TITLE IV

FREE MOVEMENT OF GOODS

- (a) Article 17(2) shall be replaced by:
- “The Parties commit to continued cooperation on nuclear safety, security and radiation protection, in accordance with the principles and standards of the International Atomic Energy Agency (“IAEA”) and the relevant international treaties and conventions concluded within the framework of the IAEA.”
- (b) After the second paragraph of Article 27(1), the following shall be inserted as a new paragraph:
- “Annex IIA sets out additional concessions in relation to products covered by Chapters 7 and 8 of the Combined Nomenclature and wine products.”
- (c) In Article 29, the words “no later than six years after the date of entry into force of this Agreement” shall be replaced by “within a timeframe agreed by the Partnership, Trade and Cooperation Committee.”
- (d) In Article 36(3), the final sentence shall not be incorporated into this Agreement.
- (e) In Article 43(2), after “this Title” the words “or under Annex IIA of this Agreement” shall be inserted.
- (f) Article 45 shall not be incorporated into this Agreement.

4. 对第三编的修改

区域合作

- (a) 在第12条中:
- i. “共同体援助计划可支持”
“通过其技术援助计划支持具有区域或跨境层面的项目”应替换为“英国可协助或支持此类区域合作，包括如欧盟-阿尔巴尼亚协定第13至15条所述”；以及
 - ii. 第二段和第三段不得纳入本协议。
- (b) 第13至15条不得纳入本协议。

5. 对第四编的修改

货物自由流动

- (a) 第17条第2款应替换为:
- “双方承诺继续在核安全、安保以及辐射防护领域开展合作，遵循国际原子能机构（“IAEA”）的原则与标准，并遵守在该机构框架下缔结的相关国际条约和公约。”
- (b) 在第27条第1款第二段之后，应插入以下新段落：
作为新段落插入：
- “附件IIA列出了关于合并命名法第7章和第8章所涵盖产品及葡萄酒产品的额外减让。”
涵盖《合并命名法》第7章和第8章所规定的商品及葡萄酒产品。
- (c) 在第29条中，“不迟于本协议生效之日起六年”应替换为“在伙伴关系、贸易与合作委员会商定的时间框架内”。(d) 第36条第3款最后一句不纳入本协议。(e) 在第43条第2款“本编”之后插入“或本协议附件IIA下”字样。(f) 第45条不纳入本协议。

6. MODIFICATIONS TO TITLE V

MOVEMENT OF WORKERS, ESTABLISHMENT, SUPPLY OF SERVICES, CAPITAL

- (a) Article 47(1) shall not be incorporated into this Agreement.
- (b) In Article 48:
 - i. in the first indent of paragraph (1), the words “various Member States” shall be replaced by “United Kingdom and the various Member States of the European Union”; and
 - ii. before paragraph (2), the following shall be inserted as new paragraphs:

“1A. Notwithstanding paragraph 1, the first indent of paragraph 1 shall not apply unless and until the Partnership, Trade and Cooperation Council:
- (a) determines that appropriate data sharing arrangements are in place to enable the United Kingdom to implement the first indent of paragraph 1; and
- (c) having done so, decides to apply the provision, with or without modifications, or to replace it.

1B. After entry into force of this Agreement, the Partnership, Trade and Cooperation Council shall examine any developments in data sharing arrangements between the United Kingdom and the European Union and consider whether these are appropriate to enable implementation of the first indent of paragraph 1.”
- (c) In Article 50(4), the words “Five years after the date of entry into force of this Agreement,” shall not be incorporated into this Agreement.
- (d) In the final sentence of Article 50(5)(b), the words “Seven years after the date of entry into force of this Agreement” shall not be incorporated into this Agreement.

In Article 52(1), the words “the Multilateral Agreement on the Establishment of a European Common Aviation Area (ECAA)” shall be replaced by “any Agreement between the Parties on air services or aviation”.
- (e) In Article 57(3), the final sentence shall not be incorporated into this Agreement.

6. 对第五编的修改

工人流动、设立、服务提供、资本

- (a) 第47条第1款不纳入本协议。(b) 在第48条中: i. 在第1款第一项中, “各成员国”应替换为“英国与欧盟各成员国”; 且ii. 在第2款之前插入以下新段落: “1A. 尽管有第1段规定, 第1段第一项不适用, 除非且直至伙伴关系、贸易与合作理事会: (a) 确定已有适当的数据共享安排使英国能够实施第1段第一项; 且(c) 在作出决定后, 决定适用该规定(无论是否修改)或替换之。1B. 本协议生效后, 伙伴关系、贸易与合作理事会应审查英国与欧盟之间数据共享安排的任何进展, 并考虑这些安排是否适合实施第1段第一项。”(c) 在第50条第4款中, “本协议生效之日起五年后, ”不纳入本协议。(d) 在第50条第5款第b项最后一句中, “本协议生效之日起七年后”不纳入本协议。在第52条第1款中, “关于建立欧洲共同航空区的多边协定(ECAA)”应替换为“缔约方之间关于航空服务或航空的任何协定”。(e) 第57条第3款最后一句不纳入本协议。

- (f) In Article 58(1), the words “the day preceding the date of entry into force of this Agreement” shall be replaced by “31 March 2009”.
- (g) In Article 58(2), the words “the date of entry into force of this Agreement”, in both instances, shall be replaced by “1 April 2009”.
- (h) In Article 59(1):
 - i. before the words “the effective application” insert “and”; and
 - ii the words “and progressive harmonisation of the Albanian transport legislation with that of the Community” shall not be incorporated into this Agreement.
- (i) In Article 59(2), the words “and European” shall not be incorporated into this Agreement.
- (j) Article 59(6) shall not be incorporated into this Agreement.
- (k) Article 62 shall not be incorporated into this Agreement.
- (l) After Article 69, the following shall be inserted as a new Article:

“ARTICLE 69A

1. Notwithstanding that this Agreement does not commit Albania to approximate its legislation to that of the United Kingdom, the Parties recognise that there is an alignment of their legislation as a result of the EU-Albania Agreement in the relevant sectors. The Parties agree that the operation of the following provisions of this Agreement depends upon the continued alignment of their legislation in the relevant sectors:

Title V (Movement of workers, Establishment, Supply of Services, Current Payments and Movement of Capital):

- Chapter I Movement of Workers (Article 46);
- Chapter II Establishment (Articles 50, 51(1) and 55); and
- Chapter III Supply of services (Articles 57, 58(1) and 59).

2. If a Party considers that the necessary level of alignment of their legislation is no longer reached, it may request consultations on the matter. Unless the Parties agree otherwise, consultations under this Article shall take place no later than 30 days after the date of delivery of the request for consultations by the other Party (“the consultation request date”).

(f) 在第58条第1款中, “本协议生效日前一天”应替换为“2009年3月31日”。(g) 在第58条第2款中, “本协议生效日期”两处均应替换为“2009年4月1日”。(h) 在第59条第1款中: i. 在“有效实施”前插入“和”; 且ii“以及阿尔巴尼亚运输法规与共同体法规的逐步协调”不纳入本协议。(i) 在第59条第2款中, “和欧洲的”不纳入本协议。(j) 第59条第6款不纳入本协议。(k) 第62条不纳入本协议。(l) 在第69条后插入以下新条款: “第69A条

1. 尽管本协议未要求阿尔巴尼亚将其立法与英国立法趋同, 但缔约方承认由于欧盟-阿尔巴尼亚协定在相关领域的作用, 双方立法已实现协调。缔约方同意本协议下列条款的实施取决于双方在相关领域立法的持续协调:

标题五 (工人流动、设立、服务提供、经常性支付及资本流动):

- 第一章 工人流动 (第46条); - 第二章 设立 (第50条、第51条第1款及第55条); 以及- 第三章 服务提供 (第57条、第58条第1款及第59条)。

2. 如一缔约方认为其立法不再达到必要的协调水平, 可就此事项请求磋商。除非双方另有约定, 否则根据本条进行的磋商应在另一缔约方递交磋商请求之日 (“磋商请求日期”) 后不迟于30天内举行。

3. If the matter is not resolved within 45 days of the consultation request date, a Party may suspend the operation of the provisions referred to in paragraph 1 after having notified the other Party in accordance with paragraph 4.
4. The suspension in paragraph 3 shall not take place sooner than 90 days after the date of delivery of the notification referred to in that paragraph.
5. In the event of a Party suspending provisions according to paragraph 3, the Parties shall offer the services or service suppliers of the other Party treatment no less favourable than that accorded to like services or service suppliers of any third country. Preferential treatment granted by either Party to the services or service suppliers of a third country consistent with GATS shall be excluded from this paragraph.”

7. MODIFICATIONS TO TITLE VI

APPROXIMATION OF LAWS, LAW ENFORCEMENT AND COMPETITION RULES

- (a) Article 70 shall not be incorporated into this Agreement.
- (b) Article 71(2) shall not be incorporated into this Agreement.
- (c) In Article 71(4), the words “in conformity with paragraph 2” shall not be incorporated into this Agreement.
- (d) In Article 71(5), the words “following the methodology and the presentation of the Community survey” shall not be incorporated into this Agreement.
- (e) In Article 71(6), the words “and shall align such aid schemes with the criteria referred to in paragraph 2 within a period of no more than four years from the date of entry into force of this Agreement” shall not be incorporated into this Agreement.
- (f) In Article 71(7), the second paragraph shall not be incorporated into this Agreement.
- (g) In Article 71(8), the second indent shall not be incorporated into this Agreement.
- (h) Article 72 shall be replaced by:

“With regard to public undertakings and undertakings to which special or exclusive rights have been granted, the Parties shall ensure that there is neither enacted nor maintained any measure distorting trade between the Parties contrary to the Parties’ interests. This Article should not

3. 若该事项未能在磋商请求日期后45天内得到解决，一缔约方可在根据第4段通知另一缔约方后，中止第1段所述条款的适用。
4. 第3段所述中止措施不得早于该段所指通知送达之日起90天后实施。
5. 若缔约方根据第3段中止条款实施，双方应给予另一缔约方的服务或服务供应商的待遇，不得低于其给予任何第三国同类服务或服务供应商的待遇。缔约方根据《服务贸易总协定》给予第三国服务或服务供应商的优惠待遇不适用本段规定。”

7. 第六编的修改

法律趋同、执法与竞争规则

- (a) 第70条不纳入本协议。(b) 第71条第2款不纳入本协议。(c) 第71条第4款中"符合第2款规定"字样不纳入本协议。(d) 第71条第5款中"遵循共同体调查的方法与呈现形式"字样不纳入本协议。(e) 第71条第6款中"并应在本协议生效之日起不超过四年内，使此类援助计划与第2款所述标准相一致"字样不纳入本协议。(f) 第71条第7款第二段不纳入本协议。(g) 第71条第8款第二项不纳入本协议。(h) 第72条应替换为："对于公共企业及享有特殊

或授予专有权时，双方应确保既不制定也不维持任何违背双方利益的、扭曲双方间贸易的措施。本条不应

obstruct the performance in law or in fact of the particular tasks assigned to those undertakings.”

- (i) Article 73(2) shall not be incorporated into this Agreement.
- (j) In Article 74(2), the second paragraph shall be replaced by:

“The United Kingdom shall periodically examine the possibility of applying the above provisions to contracts in the utilities sector.”
- (k) In Article 74(5), the words “46 to 69” shall be replaced by “46 to 61 and 63 to 69”.
- (l) Article 75(1) shall not be incorporated into this Agreement.
- (m) In Article 75(2), the words “To this end,” and the first and fourth indents shall not be incorporated into this Agreement.
- (n) In Article 76:
 - i. in the first paragraph, the first sentence shall not be incorporated into this Agreement;
 - ii. in the first indent of the second paragraph, the words “, in accordance with Community law” shall not be incorporated into this Agreement; and
 - iii. the second indent of the second paragraph shall be replaced by “adequate consumer protection legislation is in place,”.
- (o) Article 77 shall not be incorporated into this Agreement.

8. MODIFICATIONS TO TITLE VII

JUSTICE, FREEDOM AND SECURITY

- (a) In Article 79, the first sentence shall be replaced by:

“Albania shall maintain legislation concerning personal data protection upon the date of entry into force of this Agreement and shall take into account principles and guidelines of relevant international bodies on the protection of personal data.”
- (b) Article 81(3) shall be replaced by:

“The Parties will set out arrangements for readmission, including the readmission of nationals of other countries and stateless persons.”

妨碍这些企业依法或实际履行被赋予的特定任务。”

- (i) 第73条第2款不得纳入本协议。
- (j) 第74条第2款中，第二段应替换为：“英国应定期审查将上述条款适用于公用事业部门合同的可能性。”
- (k) 第74条第5款中，“46至69”应替换为“46至61及63至69”。
- (l) 第75条第1款不得纳入本协议。
- (m) 第75条第2款中，“为此目的，”以及第一和第四缩进项不得纳入本协议。
- (n) 第76条中：

- i. 第一段中，第一句不得纳入本协议；
- ii. 第二段第一缩进项中，“，依照共同体法律”不得纳入本协议；
- iii. 第二段第二缩进项应替换为“已制定充分的消费者保护立法，”。

- (o) 第77条不应纳入本协议。

8. 第七章的修改

司法、自由与安全

- (a) 第79条第一句应替换为：

“阿尔巴尼亚应在本协议生效之日维持有关个人数据保护的立法，并应考虑相关国际机构关于个人数据保护的原则和指南。”
- (b) 第81条第3款应替换为：

“双方将制定关于重新接纳的安排，包括重新接纳其他国家国民和无国籍人士。”

- (c) Article 81(4) shall not be incorporated into this Agreement.
- (d) In Article 82(2), the words “the Community and” shall not be incorporated into this Agreement.
- (e) In Article 83(2), the words “along the lines of the EU Drug Control Strategy” shall not be incorporated into this Agreement.

9. MODIFICATIONS TO TITLE VIII

COOPERATION POLICIES

- (a) In Article 87(2), the words “and gradually to approximate its policies to the stability-oriented policies of the Economic and Monetary Union” shall not be incorporated into this Agreement.
- (b) Article 87(4) shall not be incorporated into this Agreement.
- (c) In Article 88, the following words shall not be incorporated into this Agreement:
 - i. “related to the Community *acquis*”; and
 - ii. “, the European Statistical Code of Practice and the stipulations of the European Statistical law and develop towards the Community *acquis*”.
- (d) In Article 89, the words “related to the Community *acquis*” shall not be incorporated into this Agreement.
- (e) In Article 90, the words “related to the Community *acquis*” and “and EU best practices” shall not be incorporated into this Agreement.
- (f) Article 92(3) shall not be incorporated into this Agreement.
- (g) In Article 93, the words “related to the Community *acquis*” and “, as well as the principles enshrined in the European Charter for Small Enterprises” shall not be incorporated into this Agreement.
- (h) In Article 94(1), the final sentence shall not be incorporated into this Agreement.
- (i) In Article 95, the following words shall not be incorporated into this Agreement:
 - i. “related to the Community *acquis*”; and

(c) 第81条第4款不得纳入本协议。(d) 在第82条第2款中, “共同体和”一词不得纳入本协议。(e) 在第83条第2款中, “沿袭欧盟毒品控制战略的方针”一词不得纳入本协议。

9. 对第八章的修改

合作政策

(a) 在第87条第2款中, “并逐步使其政策接近经济与货币联盟的稳定导向政策”不应纳入本协议。(b) 第87条第4款不应纳入本协议。(c) 在第88条中, 下列表述不应纳入本协议: i. “与共同体既有法规相关”; 及ii. “、欧洲统计实践守则和欧洲统计法的规定, 并向共同体既有法规靠拢”。(d) 在第89条中, “与共同体既有法规相关”不应纳入本协议。(e) 在第90条中, “与共同体既有法规相关”及 “和欧盟最佳实践”不应纳入本协议。(f) 第92条第3款不应纳入本协议。(g) 在第93条中, “与共同体既有法规相关”及“, 以及《欧洲小企业宪章》所载原则”不应纳入本协议。(h) 在第94条第1款中, 最后一句不应纳入本协议。(i) 在第95条中, 下列表述不应纳入本协议: i. “与共同体既有法规相关”; 及

- ii. “, and at supporting the gradual approximation of Albanian legislation and practices to the Community rules and standards”.
- (j) In Article 96, the words “related to the Community *acquis*” shall not be incorporated into this Agreement.
- (k) In Article 97(1), the following words shall not be incorporated into this Agreement:
 - i. “and to achieving the approximation of the customs system of Albania to that of the Community”; and
 - ii. “and for the gradual approximation of the Albanian customs legislation to the *acquis*”.
- (l) Article 97(2) shall not be incorporated into this Agreement.
- (m) In Article 98(2), the words “related to the Community *acquis*” shall not be incorporated into this Agreement.
- (n) Article 99(2) shall not be incorporated into this Agreement.
- (o) Articles 100(3) and (4) shall not be incorporated into this Agreement.
- (p) Article 102(3) shall not be incorporated into this Agreement.
- (q) Article 103(1) shall not be incorporated into this Agreement.
- (r) Article 104(1) shall not be incorporated into this Agreement.
- (s) In Article 104(2), the words “, in particular,” and “, with the ultimate objective of the adoption by Albania of the Community *acquis* in these sectors one year after the date of entry into force of this Agreement” shall not be incorporated into this Agreement.
- (t) Article 106(1) shall not be incorporated into this Agreement.
- (u) In Article 106(2), the words “, achieving operating standards comparable to those in the Community, developing a transport system in Albania compatible and aligned with the Community system” shall not be incorporated into this Agreement.
- (v) In Article 107, the words “related to the Community *acquis*” and “based on the signed regional Energy Community Treaty” shall not be incorporated into this Agreement.
- (w) Article 108(2) shall not be incorporated into this Agreement.

ii. “, 并支持阿尔巴尼亚立法和实践逐步向共同体规则 and 标准靠拢”。

(j) 在第96条中, “与共同体既有法规相关”不应纳入本协议。(k) 在第97条第1款中, 下列表述不应纳入本协议: i. “及实现阿尔巴尼亚海关制度向共同体制度靠拢”; 及ii. “并为阿尔巴尼亚海关立法逐步向既有法规靠拢”。(l) 第97条第2款不应纳入本协议。(m) 在第98条第2款中, “与共同体既有法规相关”不应纳入本协议。(n) 第99条第2款不应纳入本协议。(o) 第100条第3款和第4款不应纳入本协议。(p) 第102条第3款不应纳入本协议。(q) 第103条第1款不应纳入本协议。(r) 第104条第1款不应纳入本协议。(s) 在第104条第2款中, “特别是, ”及“, 最终目标是阿尔巴尼亚在本协议生效一年后采用共同体既有法规”不应纳入本协议。(t) 第106条第1款不应纳入本协议。(u) 在第106条第2款中, “达到与共同体相当的操作标准, 发展阿尔巴尼亚与共同体系统兼容并协调的运输系统”不应纳入本协议。(v) 在第107条中, “与共同体既有法规相关”及“基于已签署的区域能源共同体条约”不应纳入本协议。(w) 第108条第2款不应纳入本协议。

- (x) Article 109(2) shall not be incorporated into this Agreement.
- (y) Article 110(2) shall not be incorporated into this Agreement.

10. MODIFICATIONS TO TITLE IX

FINANCIAL COOPERATION

- (a) In Article 112:
 - i. the words “Articles 3, 113 and 115” shall be replaced by “Article 3”.
 - ii. the words commencing “from the Community in the form of grants and loans” to the end of that Article shall be replaced by “from the United Kingdom, subject to the agreement of both parties. The United Kingdom may also cooperate with initiatives set out in Articles 112 to 115 of the EU-Albania Agreement, subject to the agreement of all parties.”
- (b) Articles 113 to 115 shall not be incorporated into this Agreement.

11. MODIFICATIONS TO TITLE X

INSTITUTIONAL, GENERAL AND FINAL PROVISIONS

- (a) In Article 117(1), in each instance, after “members” the words “or representatives” shall be inserted.
- (b) Article 117(5) shall not be incorporated into this Agreement.
- (c) In Article 121:
 - i. before “set up” the words “where appropriate” shall be inserted; and
 - ii. the words “and the monitoring of the EU Action Plan for Albania and the neighbouring region” shall not be incorporated into this Agreement.
- (d) In the first paragraph of Article 122:
 - i. the words “is hereby” shall be replaced by “may be”; and
 - ii. after “established” the words “by the Parties” shall be inserted.
- (e) Article 128 shall not be incorporated into this Agreement.

- (x) 第109条第2款不应纳入本协议。(y) 第110条第2款不应纳入本协议。

10. 第九编的修改

金融合作

- (a) 在第112条中:
 - i. “第3条、第113条和第115条”应替换为“第3条”。ii. 从“来自共同体以赠款和贷款形式”至该条结尾的文字应替换为“来自英国，需经缔约双方同意。英国也可在获得所有缔约方同意的情况下，参与欧盟-阿尔巴尼亚协定第112条至第115条规定的倡议。”
- (b) 第113条至第115条不应纳入本协议。

11. 第十编的修改

机构、一般和最终条款

- (a) 在第117条第1款中，每次出现“成员”后应插入“或代表”一词。(b) 第117条第5款不得纳入本协议。(c) 在第121条中：i. 在“设立”前应插入“在适当情况下”一词；且ii. “以及欧盟阿尔巴尼亚及周边地区行动计划的监督”一词不得纳入本协议。(d) 在第122条第一段中：i. “特此”一词应替换为“可”；且ii. 在“设立”后应插入“由双方”一词。(e) 第128条不得纳入本协议。

- (f) In Article 129, the second paragraph shall not be incorporated into this Agreement.
- (g) Article 131 shall not be incorporated into this Agreement.
- (h) In Article 132, the words “the Treaties Establishing the European Community and the European Atomic Energy Community” shall be replaced by “the Treaty on European Union and the Treaty on the Functioning of the European Union”.
- (i) Article 133 shall not be incorporated into this Agreement.
- (j) Article 134, including the footnote, (1), shall not be incorporated into this Agreement.
- (k) Article 137 shall not be incorporated into this Agreement.

12. MODIFICATIONS TO ANNEX V

INTELLECTUAL, INDUSTRIAL AND COMMERCIAL PROPERTY RIGHTS

- (a) In paragraph 1, the words “, or which are de facto applied by Member States” shall not be incorporated into this Agreement.
- (b) Paragraph 3 shall not be incorporated into this Agreement.

13. MODIFICATIONS TO PROTOCOL 1

IRON AND STEEL PRODUCTS

- (a) Article 5(2) shall not be incorporated into this Agreement.
- (b) In Article 5(4), the words “paragraphs 2 and 3” shall be replaced by “paragraph 3”.
- (c) In Article 5(5), the words “to 4” shall be replaced by “, 3 and 4”.

14. MODIFICATIONS TO PROTOCOL 3

RECIPROCAL PREFERENTIAL CONCESSIONS FOR CERTAIN WINES, THE RECIPROCAL RECOGNITION, PROTECTION AND CONTROL OF WINE, SPIRIT DRINKS AND AROMATISED WINE NAMES

- (a) At the end of Article 2(a)(ii) of Annex II, the following shall be inserted as a footnote:

- (f) 在第129条中，第二段不得纳入本协议。(g) 第131条不得纳入本协议。
- (h) 在第132条中，“《欧洲共同体条约》和《欧洲原子能共同体条约》”应替换为“《欧洲联盟条约》和《欧洲联盟运作条约》”。(i) 第133条不得纳入本协议。(j) 第134条（包括脚注(1)）不得纳入本协议。(k) 第137条不得纳入本协议。

12. 附件五的修改

知识产权、工业产权和商业产权

- (a) 在第1段中，“，或成员国实际适用的”等字样不得纳入本协议。(b) 第3段不得纳入本协议。

13. 议定书1的修改

钢铁产品

- (a) 第5条第2款不得纳入本协议。(b) 在第5条第4款中，“第2款和第3款”应替换为“第3款”。(c) 在第5条第5款中，“至第4款”应替换为“、第3款和第4款”。

14. 议定书3的修改

关于某些葡萄酒的互惠优惠减让及葡萄酒、烈性酒饮料和加香葡萄酒名称的互认、保护与管理

- (a) 在附件二第2条第a款第ii项的末尾，应插入以下脚注：

“The designations *Irish Whisky*, *Uisce Beatha Eireannach*, *Irish Whiskey* and *Irish Cream*, listed in Appendix 1, Part A, cover spirit drinks produced in the Republic of Ireland and Northern Ireland.”

(b) Article 11(2), Annex II, shall be replaced by:

“Albania designates the Ministry of Agriculture and Rural Development as its representative body. The United Kingdom designates the Department for Environment, Food and Rural Affairs as its representative body. A Contracting Party shall notify the other Contracting Party if it changes its representative body.”

(c) In Annex II, Appendix 1, Parts A(a) and (c), geographical indications relating to parts of the European Union that are not the United Kingdom shall not be incorporated into this Agreement.

(d) In Annex II, Appendix 1, Part A(b) shall be replaced by:

“(b) SPIRIT DRINKS ORIGINATING IN THE UNITED KINGDOM

1. (a) Whisky

Scotch whisky

Irish whisky

(These designations may be supplemented by the terms ‘malt’ or ‘grain’)

(b) Whiskey

Irish whiskey

Uisce Beatha Eireannach/Irish whiskey

(These designations may be supplemented by the terms ‘pot still’)

2. Liqueur

Irish Cream”

(e) In Annex II, Appendix 2, traditional expressions relating to parts of the European Union that are not the United Kingdom shall not be incorporated into this Agreement.

(f) In Annex II, Appendix 3, paragraphs (a) and (b) shall be replaced by:

“The Contracting Parties shall notify each other of their respective contact points upon the entry into force of this Agreement.”

15. MODIFICATIONS TO PROTOCOL 5

LAND TRANSPORT

(a) Articles 4 to 6 shall not be incorporated into this Agreement.

“附录1第A部分所列的‘爱尔兰威士忌’、‘Uisce Beatha Eireannach’、‘爱尔兰威士忌’及‘爱尔兰奶油利口酒’名称，涵盖爱尔兰共和国和北爱尔兰生产的烈酒。”

(b) 第11条第(2)款、附件二应替换为：

“阿尔巴尼亚指定农业与农村发展部为其代表机构。英国指定环境、食品与农村事务部为其代表机构。缔约方若变更其代表机构，应通知另一缔约方。”

(c) 在附件二附录1第A部分(a)和(c)项中，与欧盟非英国地区相关的地理标志不得纳入本协议。

(d) 在附件二附录1第A部分(b)项应替换为：

“(b) 源自英国的高度酒饮料

1. (a) 威士忌 苏

格兰威士忌

爱尔兰威士忌（这些名称可补充‘麦芽’或‘谷物’术语）

(b) 威士忌 爱尔兰威士忌 Uisce Beatha Eireannach/爱尔兰

威士忌（这些名称可补充‘壶式蒸馏’术语）

2. 利口酒 爱尔兰

奶油利口酒”

(e) 在附件二附录2中，与欧盟部分而非英国相关的传统表述不得纳入本协议。(f) 在附件二附录3中，(a)和(b)段应替换为：“缔约方应在本协议生效时相互通知各自的联络点。”

15. 对议定书5的修改

陆路运输

(a) 第4至6条不得纳入本协议。

- (b) Articles 8 to 10 shall not be incorporated into this Agreement.
- (c) In Article 11(1), the second paragraph shall not be incorporated into this Agreement.
- (d) In Article 11(3), the words:
 - i. “on the axes mentioned in Article 5” shall be replaced by “in Albania”; and
 - ii. “and under the same circumstances problems arise on Community territory close to the Albanian borders,” shall not be incorporated into this Agreement.
- (e) In the first indent of Article 12, the words “, on the one hand, with the completion of the internal Community Market and the implementation of the common transport policy and, on the other hand, with Albania’s” shall be replaced by “with their”.
- (f) Article 13(2) shall not be incorporated into this Agreement.
- (g) Article 13(3) shall be replaced by:

“The Parties will seek to eliminate discrimination between hauliers of the United Kingdom and Albania when levying taxes and charges on the circulation and/or possession of heavy goods vehicles as well as taxes or charges levied on transport operations in the territory of the Parties.”
- (h) In Article 13(4), the words “Until the conclusion of an Agreement referred to in paragraph 2 and in Article 12” shall not be incorporated into this Agreement.
- (i) In Article 14(1):
 - i. the words “on the routes covered by Article 5” shall be replaced by “in Albania and the United Kingdom”; and
 - ii the second sentence shall not be incorporated into this Agreement.
- (j) Article 14(2) shall not be incorporated into this Agreement.
- (k) Article 16(1) shall not be incorporated into this Agreement.
- (l) Article 16(4) shall not be incorporated into this Agreement.
- (m) In Article 17(1), the words “and endeavour to harmonise their legislation” shall not be incorporated into this Agreement.

(b) 第8至10条不得纳入本协议。(c) 在第11条第1款中，第二段不得纳入本协议。(d) 在第11条第3款中，下列表述： i. “第5条所述轴线”应替换为“阿尔巴尼亚”；且 ii. “以及在相同情况下共同体领土靠近阿尔巴尼亚边境处出现问题，”不得纳入本协议。(e) 在第12条第一项中，表述“，一方面，与”

完成内部共同体市场和实施共同运输政策，另一方面与阿尔巴尼亚的”应替换为“与他们的”。

(f) 第13条第2款不应纳入本协议。(g) 第13条第3款应替换为：“双方将寻求消除英国与阿尔巴尼亚货运公司在征收重型货物车辆流通及/或持有税以及缔约方境内运输业务税或费时的歧视。”

英国和阿尔巴尼亚在征收重型货物车辆流通及/或持有税以及缔约方境内运输业务税或费时的歧视。”

(h) 在第13条第4款中，“直至达成第2款和第12条所述协议”的表述不应纳入本协议。

(i) 在第14条第1款中： i. “第5条所涵盖的路线”一词应替换为“阿尔巴尼亚和英国”； ii. 第二句不得纳入本协议。(j) 第14条第2款不得纳入本协议。(k) 第16条第1款不得纳入本协议。(l) 第16条第4款不得纳入本协议。(m) 在第17条第1款中，“并努力协调其立法”一词不得纳入本协议。

- (n) Article 17(3) shall not be incorporated into this Agreement.
- (o) In Article 17(4), the words “harmonise” shall be replaced by “pool their experience concerning”.
- (p) Article 18(1) shall not be incorporated into this Agreement.
- (q) Article 19 shall not be incorporated into this Agreement.
- (r) Article 21(2)(c) and (d) shall not be incorporated into this Agreement.

16. MODIFICATIONS TO PROTOCOL 6

MUTUAL ADMINISTRATIVE ASSISTANCE IN CUSTOMS MATTERS

- (a) In Article 10(2), the words “, including, where appropriate, legal provisions in force in the Member States of the Community” shall not be incorporated into this Agreement.
- (b) In Article 13(1), the words “the competent services of the Commission of the European Communities and” shall not be incorporated into this Agreement.
- (c) In Article 14(1), the following shall not be incorporated into this Agreement:
 - i. the words “Taking into account the respective competences of the Community and the Member States,”; and
 - ii. the third indent.
- (d) Article 14(2) shall be replaced by:

“Notwithstanding the provisions of paragraph 1, the provisions of this Protocol shall take precedence over the provisions of any bilateral Agreement on mutual assistance which has been concluded between the United Kingdom and Albania prior to the date this Agreement is signed insofar as the provisions of the latter are incompatible with those of this Protocol.”

17. JOINT DECLARATIONS

The following Joint Declarations are those referred to by Article 3(2) of this instrument:

- (a) Joint Declaration concerning Article 61 of the Agreement;

(n) 第17条第3款不得纳入本协议。(o) 在第17条第4款中, “协调”一词应替换为“汇集他们在...方面的经验”。(p) 第18条第1款不得纳入本协议。(q) 第19条不得纳入本协议。(r) 第21条第2款第c项和第d项不得纳入本协议。

16. 对第6号议定书的修改

海关事务中的相互行政协助

(a) 在第10条第2款中, “包括共同体成员国现行法律条款(如适用)”的表述不得纳入本协议。(b) 在第13条第1款中, “欧洲共同体委员会的职能部门和”的表述不得纳入本协议。(c) 在第14条第1款中, 以下内容不得纳入本协议: i. “考虑到共同体及其成员国的各自权限,”的表述; 及 ii. 第三项。(d) 第14条第2款应替换为: “尽管有第1段的规定, 本议定书条款应优先于英国与阿尔巴尼亚在本协议签署之日前缔结的任何双边互助协议条款, 前提是后者的条款与本议定书条款相冲突。”

17. 联合声明

以下联合声明为本文件第3条第2款所指的联合声明:

- (a) 关于协议第61条的联合声明;

- (b) Joint Declaration concerning Article 73 of the Agreement;
- (c) Joint Declaration concerning Article 126 of the Agreement; and
- (d) Joint Declaration concerning Protocol 5 of the Agreement.

(b) 关于协议第73条的联合声明； (c) 关于协议第126条的联合声明； 以及 (d) 关于协议议定书5的联合声明。