

TITLE: Regulation (EEC) No 2842/72 of the Council of 19 December 1972  
concluding an Agreement between the European Economic  
Community and the Republic of Iceland and adopting  
provisions for its implementation

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TEXT:

REGULATION (EEC) No 2842/72 OF THE COUNCIL of 19 December 1972  
concluding an Agreement between the European Economic Community and  
the Republic of Iceland and adopting provisions for its  
implementation

THE COUNCIL OF THE EUROPEAN COMMUNITIES,  
Having regard to the Treaty establishing the European Economic  
Community, and in particular Article 113 thereof,  
Having regard to the proposal from the Commission,  
Whereas the Agreement between the European Economic Community and the  
Republic of Iceland signed in Brussels on 22 July 1972 should be  
concluded and the Declarations annexed to the Final Act, likewise  
signed in Brussels on 22 July 1972, should be adopted;  
Whereas, since the Agreement establishes a Joint Committee,  
representatives of the Community on this Committee should be  
appointed;

HAS ADOPTED THIS REGULATION:  
Article 1

The Agreement between the European Economic Community and the Republic of Iceland, the Annexes and Protocols thereto, and the Declarations annexed to the Final Act are hereby concluded, adopted and confirmed on behalf of the Community.

The texts of the Agreement and of the Final Act are annexed to this Regulation.

#### Article 2

Pursuant to Article 37 of the Agreement, the President of the Council of the European Communities shall give notification that the procedures necessary for the entry into force of the Agreement have been completed on the part of the Community.

#### Article 3

Within the Joint Committee provided in Article 30 of the Agreement, the Community shall be represented by the Commission, assisted by the representatives of the Member States.

#### Article 4

This Regulation shall enter into force on the third day following its publication in the Official Journal of the European Communities.

This Regulation is binding in its entirety and directly applicable in all Member States.

Done at Brussels, 19 December 1972.

For the Council

The President

T. WESTERTERP

AGREEMENT between the European Economic Community and the Republic of Iceland

THE EUROPEAN ECONOMIC COMMUNITY,

of the one part, and

THE REPUBLIC OF ICELAND,

of the other part,

DESIRING to consolidate and to extend, upon the enlargement of the European Economic Community, the economic relations existing between the Community and Iceland and to ensure, with due regard for fair conditions of competition, the harmonious development of their commerce for the purpose of contributing to the work of constructing Europe,

RESOLVED to this end to eliminate progressively the obstacles to substantially all their trade, in accordance with the provisions of the General Agreement on Tariffs and Trade concerning the establishment of free trade areas,

DECLARING their readiness to examine, in the light of any relevant factor, and in particular of developments in the Community, the possibility of developing and deepening their relations where it would appear to be useful in the interests of their economies to extend them to fields not covered by this Agreement,

HAVE DECIDED, in pursuit of these objectives and considering that no provision of this Agreement may be interpreted as exempting the Contracting Parties from the obligations which are incumbent upon them under other international agreements,

TO CONCLUDE THIS AGREEMENT:

#### Article 1

The aim of this Agreement is: (a) to promote through the expansion of reciprocal trade the harmonious development of economic relations between the European Economic Community and the Republic of Iceland and thus to foster in the Community and in Iceland the advance of economic activity, the improvement of living and employment

- conditions, and increased productivity and financial stability,
- (b) to provide fair conditions of competition for trade between the Contracting Parties,
  - (c) to contribute in this way, by the removal of barriers to trade, to the harmonious development and expansion of world trade.

#### Article 2

The Agreement shall apply to products originating in the Community or Iceland:

- (i) which fall within Chapters 25 to 99 of the Brussels Nomenclature, excluding the products listed in Annex I;
- (ii) which are specified in Protocols Nos 2 and 6, with due regard to the arrangements provided for in those Protocols.

#### Article 3

1. No new customs duty on imports shall be introduced in trade between the Community and Iceland.

2. The Community as originally constituted and Ireland shall progressively abolish customs duties on imports in accordance with the following timetable:

- (a) on 1 April 1973 each duty shall be reduced to 80 % of the basic duty;

(b) four further reductions of 20 % each shall be made on:

- 1 January 1974,
- 1 January 1975,
- 1 January 1976,
- 1 July 1977.

3. The basic duty to which the successive reductions provided for in this Article and in Protocol No 1 are to be applied shall, for each product, be the duty actually applied on 1 January 1972.

If, after 1 January 1972, any tariff reductions resulting from the tariff agreements concluded as a result of the Trade Conference held in Geneva from 1964 to 1967 become applicable, such reduced duties shall replace the basic duties referred to in the previous subparagraph.

4. The reduced duties calculated in accordance with this Article and Protocol No 1 shall be applied rounded to the first decimal place.

Subject to the application by the Community of Article 39 (5) of the "Act concerning the Conditions of Accession and the Adjustments to the Treaties" drawn up and adopted within the Conference between the European Communities and the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland, as regards the specific duties or the specific part of the mixed duties in the Irish Customs Tariff, this Article and Protocol No 1 shall be applied, with rounding to the fourth decimal place.

#### Article 4

1. On the dates indicated Iceland shall reduce customs duties on imports from the Community as originally constituted and from Ireland to the rates of the various basic duties applicable on 1 March 1970 specified below. >PIC FILE= "T0010677">

2. After 1 January 1974 Iceland shall continue to reduce customs duties in respect of Denmark, Norway and the United Kingdom in accordance with the timetable shown in paragraph 1.

#### Article 5

1. The provisions concerning the progressive abolition of customs duties on imports shall also apply to customs duties of a fiscal nature.

The Contracting Parties may replace a customs duty of a fiscal nature or the fiscal element of a customs duty by an internal tax.

2. Iceland may temporarily retain, with due regard to the conditions of Article 19, customs duties of a fiscal nature on the products specified in Annex II.

When production is started in Iceland of a product of like kind to one of those listed in Annex II, the duty to which the latter product is subject must be reduced to the level which would have been reached if that duty had been reduced in accordance with the timetable contained in Article 4 (1) since the entry into force of the Agreement. If in respect of third countries a customs duty lower than the duty of a fiscal nature is introduced, the tariff reductions shall be made on the basis of the former duty.

Subsequent reductions shall be made in accordance with the timetable laid down in Article 4 (1).

3. Denmark, Ireland, Norway and the United Kingdom may retain until 1 January 1976 a customs duty of a fiscal nature or the fiscal element of a customs duty upon implementation of Article 38 of the "Act concerning the Conditions of Accession and the Adjustments to the Treaties" drawn up and adopted within the Conference between the European Communities and the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland.

#### Article 6

1. No new charge having an effect equivalent to a customs duty on imports shall be introduced in trade between the Community and Iceland.

2. Charges having an effect equivalent to customs duties on imports introduced on or after 1 January 1972 in trade between the Community and Iceland shall be abolished upon the entry into force of the Agreement.

Any charge having an effect equivalent to a customs duty on imports, the rate of which on 31 December 1972 is higher than that actually applied on 1 January 1972, shall be reduced to the latter rate upon the entry into force of the Agreement.

3. Charges having an effect equivalent to customs duties on imports shall be progressively abolished in accordance with the following timetable: (a) by 1 January 1974 at the latest each charge shall be reduced to 60 % of the rate applied on 1 January 1972;

(b) three further reductions of 20 % each shall be made on:  
1 January 1975,  
1 January 1976,  
1 July 1977.

#### Article 7

1. No customs duty on exports or charge having equivalent effect shall be introduced in trade between the Community and Iceland.

Customs duties on exports and charges having equivalent effect shall be abolished not later than 1 January 1974.

2. Iceland may retain the system of export levy on fish products applicable on 1 January 1972, which is set out in Annex III.

Any changes must not alter the character or aims of the system. The Joint Committee shall be notified beforehand of any changes.

#### Article 8

Protocol No 1 lays down the tariff treatment and arrangements applicable to certain products.

Article 9

Protocol No 2 lays down the tariff treatment and arrangements applicable to certain goods obtained by processing agricultural products.

Article 10

1. In the event of specific rules being established as a result of the implementation of its agricultural policy or of any alteration of the current rules the Contracting Party in question may adapt the arrangements resulting from this Agreement in respect of the products which are the subject of those rules or alterations.

2. In such cases the Contracting Party in question shall take due account of the interests of the other Contracting Party. To this end the Contracting Parties may consult each other within the Joint Committee provided for in Article 30.

Article 11

Protocol No 3 lays down the rules of origin.

Article 12

A Contracting Party which is considering the reduction of the effective level of its duties or charges having equivalent effect applicable to third countries benefiting from most-favoured-nation treatment, or which is considering the suspension of their application, shall, as far as may be practicable, notify the Joint Committee not less than thirty days before such reduction or suspension comes into effect. It shall take note of any representations by the other Contracting Party regarding any distortions which might result therefrom.

Article 13

1. No new quantitative restriction on imports or measures having equivalent effect shall be introduced in trade between the Community and Iceland.

2. The Community shall abolish quantitative restrictions on imports on 1 January 1973 and any measures having an effect equivalent to quantitative restrictions on imports not later than 1 January 1975.

Iceland shall abolish quantitative restrictions on imports and any measures having an effect equivalent to quantitative restrictions on imports not later than 1 January 1975.

Article 14

1. The Community reserves the right to modify the arrangements applicable to the petroleum products falling within headings Nos 27.10, 27.11, 27.12, ex 27.13 (paraffin wax, micro-crystalline wax, or bituminous shale and other mineral waxes) and 27.14 of the Brussels Nomenclature upon adoption of a common definition of origin for petroleum products, upon adoption of decisions under the common commercial policy for the products in question or upon establishment of a common energy policy.

In this event the Community shall take due account of the interests of Iceland; to this end it shall inform the Joint Committee, which shall meet under the conditions set out in Article 32.

2. Iceland reserves the right to take similar action should it be faced with like situations.

3. Subject to paragraphs 1 and 2, the Agreement shall not prejudice the non-tariff rules applied to imports of petroleum products.

#### Article 15

1. The Contracting Parties declare their readiness to foster, so far as their agricultural policies allow, the harmonious development of trade in agricultural products to which the Agreement does not apply.

2. The Contracting Parties shall apply their rules in veterinary, health and plant health matters in a non-discriminatory fashion and shall not introduce any new measures that have the effect of unduly obstructing trade.

3. The Contracting Parties shall examine, under the conditions set out in Article 33, any difficulties that might arise in their trade in agricultural products and shall endeavour to seek appropriate solutions.

#### Article 16

From 1 July 1977 products originating in Iceland may not enjoy more favourable treatment when imported into the Community than that applied by the Member States of the Community between themselves.

#### Article 17

Protocol No 6 lays down the special provisions applicable to imports of certain fish products into the Community.

#### Article 18

The Agreement shall not preclude the maintenance or establishment of customs unions, free trade areas or arrangements for frontier trade, except in so far as they alter the trade arrangements provided for in this Agreement, in particular the provisions concerning rules of origin.

#### Article 19

The Contracting Parties shall refrain from any measure or practice of an internal fiscal nature establishing, whether directly or indirectly, discrimination between the products of one Contracting Party and like products originating in the territory of the other Contracting Party.

Products exported to the territory of one of the Contracting Parties may not benefit from repayment of internal taxation in excess of the amount of direct or indirect taxation imposed on them.

#### Article 20

Payments relating to trade in goods and the transfer of such payments to the Member State of the Community in which the creditor is resident or to Iceland shall be free from any restrictions.

#### Article 21

The Agreement shall not preclude prohibitions or restrictions on imports, exports or goods in transit justified on grounds of public morality, law and order or public security, the protection of life and health of humans, animals or plants, the protection of national treasures of artistic, historic or archaeological value, the protection of industrial and commercial property, or rules relating to gold or silver. Such prohibitions or restrictions must not, however, constitute a means of arbitrary discrimination or a disguised restriction on trade between the Contracting Parties.

#### Article 22

Nothing in the Agreement shall prevent a Contracting Party from taking any measures: (a) which it considers necessary to prevent the

disclosure of information contrary to its essential security interests;

- (b) which relate to trade in arms, munitions or war materials or to research, development or production indispensable for defence purposes, provided that such measures do not impair the conditions of competition in respect of products not intended for specifically military purposes;
- (c) which it considers essential to its own security in time of war or serious international tension.

#### Article 23

1. The Contracting Parties shall refrain from any measure likely to jeopardize the fulfilment of the objectives of the Agreement.

2. They shall take any general or specific measures required to fulfil their obligations under the Agreement.

If either Contracting Party considers that the other Contracting Party has failed to fulfil an obligation under the Agreement, it may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 28.

#### Article 24

1. The following are incompatible with the proper functioning of the Agreement in so far as they may affect trade between the Community and Iceland: (i) all agreements between undertakings, decisions by associations of undertakings and concerted practices between undertakings which have as their object or effect the prevention, restriction or distortion of competition as regards the production of or trade in goods;

(ii) abuse by one or more undertakings of a dominant position in the territories of the Contracting Parties as a whole or in a substantial part thereof;

(iii) any public aid which distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods.

2. Should a Contracting Party consider that a given practice is incompatible with this Article, it may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 28.

#### Article 25

Where an increase in imports of a given product is or is likely to be seriously detrimental to any production activity carried on in the territory of one of the Contracting Parties and where this increase is due to: (i) the partial or total reduction in the importing Contracting Party, as provided for in the Agreement, of customs duties and charges having equivalent effect levied on the product in question; and

(ii) the fact that the duties or charges having equivalent effect levied by the exporting Contracting Party on imports of raw materials or intermediate products used in the manufacture of the product in question are significantly lower than the corresponding duties or charges levied by the importing Contracting Party;

the Contracting Party concerned may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 28.

#### Article 26

If one of the Contracting Parties finds that dumping is taking place in trade with the other Contracting Party, it may take appropriate

measures against this practice in accordance with the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade, under the conditions and in accordance with the procedures laid down in Article 28.

#### Article 27

If serious disturbances arise in any sector of the economy or if difficulties arise which could bring about serious deterioration in the economic situation of a region, the Contracting Party concerned may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 28.

#### Article 28

1. In the event of a Contracting Party subjecting imports of products liable to give rise to the difficulties referred to in Articles 25 and 27 to an administrative procedure, the purpose of which is to provide rapid information on the trend of trade flows, it shall inform the other Contracting Party.

2. In the cases specified in Articles 23 to 27, before taking the measures provided for therein or, in cases to which paragraph 3 (d) applies, as soon as possible, the Contracting Party in question shall supply the Joint Committee with all relevant information required for a thorough examination of the situation with a view to seeking a solution acceptable to the Contracting Parties.

In the selection of measures, priority must be given to those which least disturb the functioning of the Agreement.

The safeguard measures shall be notified immediately to the Joint Committee and shall be the subject of periodical consultations within the Committee, particularly with a view to their abolition as soon as circumstances permit.

3. For the implementation of paragraph 2, the following provisions shall apply: (a) As regards Article 24, either Contracting Party may refer the matter to the Joint Committee if it considers that a given practice is incompatible with the proper functioning of the Agreement within the meaning of Article 24 (1).

The Contracting Parties shall provide the Joint Committee with all relevant information and shall give it the assistance it requires in order to examine the case and, where appropriate, to eliminate the practice objected to.

If the Contracting Party in question fails to put an end to the practice objected to within the period fixed by the Joint Committee, or in the absence of agreement in the Joint Committee within three months of the matter being referred to it, the Contracting Party concerned may adopt any safeguard measures it considers necessary to deal with the serious difficulties resulting from the practices in question; in particular it may withdraw tariff concessions.

(b) As regards Article 25, the difficulties arising from the situation referred to in that Article shall be referred for examination to the Joint Committee which may take any decision needed to put an end to such difficulties.

If the Joint Committee or the exporting Contracting Party has not taken a decision putting an end to the difficulties within thirty days of the matter being referred, the importing Contracting Party is authorized to levy a compensatory charge on the product imported.

The compensatory charge shall be calculated according to the incidence on the value of the goods in question of the tariff disparities in respect of the raw materials or intermediate products incorporated therein.

(c) As regards Article 26, consultation in the Joint Committee shall take place before the Contracting Party concerned takes the appropriate measures.

(d) Where exceptional circumstances requiring immediate action make prior examination impossible, the Contracting Party concerned may, in the situations specified in Articles 25, 26 and 27 and also in the case of export aids having a direct and immediate incidence on trade, apply forthwith the precautionary measures strictly necessary to remedy the situation.

#### Article 29

Where one or more Member States of the Community or Iceland is in difficulties or is seriously threatened with difficulties as regards its balance of payments, the Contracting Party concerned may take the necessary safeguard measures. It shall inform the other Contracting Party forthwith.

#### Article 30

1. A Joint Committee is hereby established which shall be responsible for the administration of the Agreement and shall ensure its proper implementation. For this purpose, it shall make recommendations and take decisions in the cases provided for in the Agreement. These decisions shall be put into effect by the Contracting Parties in accordance with their own rules.

2. For the purpose of the proper implementation of the Agreement the Contracting Parties shall exchange information and, at the request of either Party, shall hold consultations within the Joint Committee.

3. The Joint Committee shall adopt its own rules of procedure.

#### Article 31

1. The Joint Committee shall consist of representatives of the Community, on the one hand, and of representatives of Iceland, on the other.

2. The Joint Committee shall act by mutual agreement.

#### Article 32

1. Each Contracting Party shall preside in turn over the Joint Committee, in accordance with the arrangements to be laid down in its rules of procedure.

2. The Chairman shall convene meetings of the Joint Committee at least once a year in order to review the general functioning of the Agreement.

The Joint Committee shall, in addition, meet whenever special circumstances so require, at the request of either Contracting Party, in accordance with the conditions to be laid down in its rules of procedure.

3. The Joint Committee may decide to set up any working party that can assist it in carrying out its duties.

#### Article 33

1. Where a Contracting Party considers that it would be useful in the common interest of both Contracting Parties to develop the relations

established by the Agreement by extending them to fields not covered thereby, it shall submit a reasoned request to the other Contracting Party.

The Contracting Parties may instruct the Joint Committee to examine this request and, where appropriate, to make recommendations to them, particularly with a view to opening negotiations.

2. The agreements resulting from the negotiations referred to in paragraph 1 will be subject to ratification or approval by the Contracting Parties in accordance with their own procedures.

#### Article 34

The Annexes and Protocols to the Agreement shall form an integral part thereof.

#### Article 35

Either Contracting Party may denounce the Agreement by notifying the other Contracting Party. The Agreement shall cease to be in force twelve months after the date of such notification.

#### Article 36

The Agreement shall apply, on the one hand, to the territories to which the Treaty establishing the European Economic Community applies upon the terms laid down in that Treaty and, on the other, to the territory of the Republic of Iceland.

#### Article 37

This Agreement is drawn up in duplicate in the Danish, Dutch, English, French, German, Icelandic, Italian and Norwegian languages, each of these texts being equally authentic.

This Agreement will be approved by the Contracting Parties in accordance with their own procedures.

It shall enter into force on 1 January 1973, provided that the Contracting Parties have notified each other before that date that the procedures necessary to this end have been completed.

After this date this Agreement shall enter into force on the first day of the second month following such notification. The final date for such notification shall be 30 November 1973.

The provisions applicable on 1 April 1973 shall be applied upon the entry into force of this Agreement if it enters into force after that date.

Udfærdiget i Bruxelles, den toogtyvende juli nitten hundrede og tooghalvfjerds.

Geschehen zu Brüssel am zweiundzwanzigsten Juli neunzehnhundertzweundsiebzig.

Done at Brussels on this twenty-second day of July in the year one thousand nine hundred and seventy-two.

Fait à Bruxelles, le vingt-deux juillet mil neuf cent soixante-douze.

Fatto a Bruxelles, il ventidue luglio millenovecen settantadue.

Gedaan te Brussel, de tweeëntwintigste juli negentienhonderdtweeënzeventig.

Utferdiget i Brussel, tjuendre juli nitten hundre og syttito.

Gjört í Bruxelles, tuttugasta og annan dag júlímánaðar níttjándruð  
sjötíu og tvö.

På Rådet for De europæiske Fællesskabers vegne  
Im Namen des Rates der Europäischen Gemeinschaften  
In the name of the Council of the European Communities  
Au nom du Conseil des Communautés européennes  
A nome del Consiglio delle Comunità Europee  
Namens de Raad van de Europese Gemeenschappen  
For Rådet for De Europeiske Fællesskap >PIC FILE= "T0010678">  
ANNEX I List of products referred to in Article 2 of the Agreement  
>PIC FILE= "T0010679">  
ANNEX II Customs duties of a fiscal nature drawn up on 1 April 1972  
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ANNEX III System of export levy on fish products which Iceland may retain

Icelandic Law No 4 of 28 February 1966 as amended by Laws Nos 79 of 31 December 1968, 73 of 1 June 1970, 4 of 30 March 1971 and 17 of 4 May 1972, concerning export levy on fish products

Article 1

A levy shall be applied to exports of Icelandic fish products specified in this Law.

Fish caught by fishing vessels registered in Iceland shall be considered as Icelandic products even if such fish is caught outside Icelandic fishing limits and not processed ashore.

Article 2

In accordance with this Law, the export levy on fish products shall be applied as follows: 1. A levy of 2 300 Icelandic Crowns per ton shall be applied to exports of frozen fish fillets, frozen fish roes, salted whitefish, salted fish fillets, belly of salted cod, salted fish roes not elsewhere specified, salted fish bits, salted and frozen fish tongues, stockfish, dried fish heads, shellfish and preserved fish products in hermetic containers.

Should the levy applied under this Article exceed 4 75 % of the f.o.b. value of the fish products in question, the Ministry of Fisheries may decide to abolish the part of the levy which is in excess thereof.

2. A levy of 3 % of the f.o.b. value shall be applied to exports of whole frozen fish, frozen fish waste, frozen Norway lobster, frozen shrimp, frozen capelin, capelin meal, capelin oil and hydrogenated oils and fats from fish or marine mammals.

3. A levy of 5 % of the f.o.b. value shall be applied to exports of whale products other than preserved in hermetic containers.

4. A levy of 6 % of the f.o.b. value shall be applied to exports of fish meal, redfish meal, Norway lobster meal, shrimp meal, liver meal, codliver oil, redfish oil, whole frozen herring, frozen herring fillets, salted herring, salted herring fillets, salted lumpfish roes and other fish products not specified in this Article.

500 Icelandic Crowns per 100 kg of contents may be deducted from the f.o.b. value of salted herring and salted lumpfish roes to cover packing costs.

5. A levy of 7 % of the f.o.b. value shall be applied to exports of fresh and chilled fish.

The Ministry of Fisheries may, however, decide that they levy on fresh or chilled herring shall be equal to that which would have been applicable had the herring been processed in Iceland by the same method as it to be used abroad (see points 4 and 6 of this Article).

6. A levy of 8 % of the f.o.b. value shall be applied to exports of herring meal, herring solubles and herring oil.

7. Seal products are not subject to the export levy.

For the purposes of point 1, uncooked preserved products in hermetic containers shall mean uncooked preserved products ready for consumption in hermetic containers of 10 kg net or less. Fully processed uncooked products in larger containers shall also be regarded as uncooked preserved products in hermetic containers if the exporter supplies proof that the value of the unprocessed product is less than one-third of the export value of the exported products.

Where Icelandic vessels sell, in foreign ports, fresh or processed fish products caught by their own or other vessels and subject to this levy, the said levy shall be applied on the gross value of such sales, less customs duties and other unloading and sales charges, in accordance with rules issued by the Ministry of Fisheries.

#### Article 3

The Treasury shall collect the export levy in accordance with the provisions of Article 2, and the receipts shall be distributed as follows: >PIC FILE= "T0010751">

Payment of the insurance premiums for fishing vessels referred to in item 1 may be subject to the condition that the insurance company concerned be a member of the Underwriters' Reinsurance Union and be required to apply certain rules concerning calculation of premium rates, insurance terms and hull values.

Whalers may be exempted from these conditions and are then entitled to reimbursement of their contribution to the Fishing Vessels' Insurance Fund instead of the insurance premiums.

#### Article 4

The levy provided for in Article 2, points 2, 3 and 4, shall be applied to the selling price of the products, including packing, f.o.b. vessel in the first port of landing. The value of products sold c.i.f. or under other terms shall be adjusted to the f.o.b. value in accordance with rules issued by the Ministry of Trade.

Where unsold products are exported the export levy provided for in Article 2, points 2, 3 and 4, shall be calculated on the basis of the minimum export price stipulated in the export licence.

If the exporter supplies proof, within 6 months of the date shown on the bill of lading, that the price of an unsold fish product, as determined by the competent authority, is higher than the actual selling price, the Ministry of Finance shall refund the difference, subject to confirmation by the Ministry of Trade that sale at the lower price has been approved.

The levy provided for in Article 2, point 1, shall be applied to the net weight of the sold product, which must be indicated in the export documents.

#### Article 5

The export levy falls due as soon as a ship has been cleared for sailing or before landing, should customs clearance not be required. The Ministry of Fisheries may, however, authorize the shipper to pay the dues when he receives the foreign currency, provided that the transaction is carried out through an Icelandic bank and that he gives the Customs Authorities a promissory note, representing the exchange value of the sum due.

#### Article 6

Shippers of products covered by the provisions of this Law shall submit to the competent authority before a ship is cleared for sailing or before landing a duplicate or a certified copy of the bill of lading or other shipping documents, an export declaration, an invoice and, if required, a certificate of inspection, together with an export licence. If no export document has been issued, the shipper shall make a declaration regarding the quantity being shipped.

The provisions of this Article concerning the shipper shall also apply to the master of the ship, in the event of absence of or negligence by the shipper, and to the ship-brokers.

The levy shall be applied on the basis of the information contained in the documents mentioned in this Article.

#### Article 7

The ship and its cargo shall constitute surety for payment of the export levy.

#### Article 8

The competent authorities shall draw up a statement of export levies collected under the provisions of this Law in accordance with the instructions given by the Ministry of Finance and the rules relating to public accounts.

#### Article 9

Any infringement of this Law is liable to a fine unless another law provides for a stricter penalty. Moreover, any shipper, ship's master or ship-broker found guilty of giving incorrect information about a ship's cargo shall pay triple the export levy in respect of which the fraud was attempted.

The fines shall be paid to the Treasury.

Should the competent authorities suspect that the documents referred to in Article 6 are incorrect, they shall inspect the ship's cargo before shipment or landing, or shall by some other means obtain the documents necessary for this purpose.

#### Article 10

Infringements of this Law shall be tried under the provisions of the law governing criminal procedure.

#### Article 11

The Government shall be authorized to apply levies on the net weight of the products specified in Article 2, point 1, of this Law in accordance with Article 9 of Law No 77 of 28 April 1962 on the Fisheries Catch Equalization Fund and Article 9 of Act No 42 of 9

June 1960 on Fresh Fish Inspection.

Article 12

The Ministry of Fisheries may issue a regulation laying down further directives concerning the application of this law.

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