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EUROPEAN
COMMUNITIES



Treaty Series No. 3 (1981)

Supplementary Protocol
to the Protocol of 13 April 1962 on
the setting-up of European Schools
(with Protocol of provisional application)

Luxembourg, 15 December 1975

[The United Kingdom instrument of ratification was deposited on 12 February 1980
and the Supplementary Protocol entered into force on 28 February 1980]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
January 1981*

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**SUPPLEMENTARY PROTOCOL
TO THE PROTOCOL OF 13 APRIL ON THE SETTING-UP
OF EUROPEAN SCHOOLS**

The Governments of the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the United Kingdom of Great Britain and Northern Ireland, duly represented by:

Mr. J. Deschamps,	Belgian Ambassador to Luxembourg
Mr. K. V. Skjødt,	Director, Danish Patent Office
Dr. Peter Hermes,	State Secretary, Federal Ministry of Foreign Affairs
Mr. Emile Cazimajou,	Minister Plenipotentiary, Deputy Permanent Representative
Mr. John Burton,	Parliamentary Secretary, Ministry for Industry and Commerce
Mr. F. Cattanei,	State Secretary, Ministry of Foreign Affairs
Mr. Marcel Mart,	Minister for Economic Affairs, Small Firms and Tourism
Mr. Th. M. Hazekamp,	State Secretary, Ministry of Economic Affairs
The Right Hon. The Lord Goronwy-Roberts,	Minister of State, Foreign and Commonwealth Office, Deputy Leader of the House of Lords

Having regard to the Statute of the European School, signed at Luxembourg on 12 April 1957,⁽¹⁾ and the Annex to the Statute of the European School laying down Regulations for the European Baccalaureate, signed at Luxembourg on 15 July 1957,⁽¹⁾

Having regard to the Protocol on the setting-up of European Schools, signed at Luxembourg on 13 April 1962,⁽¹⁾

Whereas it is desirable to extend the benefit of that Protocol to the European Patent Organisation, established by the European Patent Convention of 5 October 1973,⁽²⁾

Have agreed as follows:

ARTICLE 1

Notwithstanding Article 1(1) of the Protocol of 13 April 1962 on the setting-up of European Schools, a European School may be set up in Munich for the education and instruction together of children of the staff of the European Patent Organization.

⁽¹⁾ Treaty Series No. 120 (1972), Cmnd. 5145. The Regulations for the European Baccalaureate laid down in the Annex to the Statute were amended by an Agreement dated 19 June, 1978. (See Treaty Series No. 1 (1981), Cmnd. 8083.)

⁽²⁾ Treaty Series No. 20 (1978), Cmnd. 7090.

Other children who are nationals of a Member State of the European Economic Community or of a State party to the European Patent Convention will also be admitted in accordance with rules to be adopted unanimously by the Board of Governors of the European Schools.

ARTICLE 2

The European Patent Organization shall have a seat and a vote on the Board of Governors on all matters regarding the establishment set up pursuant to Article 1 and a seat on the Administrative Board of the establishment.

ARTICLE 3

By way of derogation from Article 26 of the Statute, the budget of the establishment set up pursuant to Article 1 of this Supplementary Protocol shall be financed in a manner to be laid down in an agreement to be concluded under Article 4 of the Protocol on the setting-up of European Schools. The Board of Governors shall ensure that this agreement contains provisions for financing the establishment, in particular by the European Patent Organization.

ARTICLE 4

By way of derogation from Article 7 of the Protocol on the setting-up of European Schools, the draft budget and the revenue and expenditure accounts of the establishment set up pursuant to Article 1 of this Supplementary Protocol shall be transmitted to the European Patent Organization.

ARTICLE 5

This Supplementary Protocol shall require ratification. The instruments of ratification shall be deposited with the Government of Luxembourg, as depositary of the Statute of the European School. That Government shall inform all the other signatory Governments of the deposit.

This Supplementary Protocol shall enter into force on the day on which the fifth instrument of ratification is deposited⁽³⁾.

This Supplementary Protocol, drawn up in a single original in the Danish, Dutch, English, French, German and Italian languages, all six texts being equally authentic, shall be deposited in the archives of the Government of Luxembourg, which shall transmit a certified copy to each of the signatory Governments.

⁽³⁾ The Supplementary Protocol entered into force on 28 February 1980.

**PROTOCOL ON THE
PROVISIONAL APPLICATION OF THE SUPPLEMENTARY
PROTOCOL TO THE PROTOCOL OF 13 APRIL 1962 ON THE
SETTING-UP OF EUROPEAN SCHOOLS**

The Contracting Parties to the Supplementary Protocol to the Protocol of 13 April 1962 on the setting-up of European Schools, signed at Luxembourg on 15 December 1975, duly represented by:

Mr. J. Deschamps,	Belgian Ambassador to Luxembourg
Mr. K. V. Skjødt,	Director, Danish Patent Office
Dr. Peter Hermes,	State Secretary, Federal Ministry of Foreign Affairs
Mr. Emile Cazimajou,	Minister Plenipotentiary, Deputy Permanent Representative
Mr. John Burton,	Parliamentary Secretary, Ministry for Industry and Commerce
Mr. F. Cattanei,	State Secretary, Ministry of Foreign Affairs
Mr. Marcel Mart,	Minister for Economic Affairs, Small Firms and Tourism
Mr. Th. M. Hazekamp,	State Secretary, Ministry of Economic Affairs
The Right Hon. The Lord Goronwy-Roberts,	Minister of State, Foreign and Commonwealth Office, Deputy Leader of the House of Lords

Having regard to the Statute of the European School, signed at Luxembourg on 12 April 1957, and the Annex to the Statute of the European School laying down Regulations for the European Baccalaureate, signed at Luxembourg on 15 July 1957,

Having regard to the Protocol on the setting-up of European Schools, signed at Luxembourg on 13 April 1962,

Desirous of ensuring so far as possible the immediate application of the provisions of the Supplementary Protocol, pending its entry into force in accordance with Article 5 of that Supplementary Protocol,

Have agreed as follows:

SOLE ARTICLE

The Supplementary Protocol to the Protocol of 13 April 1962 on the setting-up of European Schools, drawn up having regard to the Statute of the European School and to the said Protocol, shall be applied provisionally from the date of its signature in so far as the constitutions and laws of the Contracting Parties permit.

In witness whereof, the undersigned Plenipotentiaries have affixed their signatures below this Protocol.

Done at Luxembourg on the fifteenth day of December in the year one thousand nine hundred and seventy-five.

SIGNATURES

<i>State</i>	<i>Date of signature</i>
Belgium	} 15 Dec. 1975
Denmark	
France	
Germany, Federal Republic of	
Ireland, Republic of	
Italy	
Luxembourg	
Netherlands	
United Kingdom	

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