(Acts adopted pursuant to Title V of the Treaty on European Union)

JOINT ACTION

of 22 November 1996

adopted by the Council on the basis of Articles J.3 and K.3 of the Treaty on European Union concerning measures protecting against the effects of the extra-territorial application of legislation adopted by a third country, and actions based thereon or resulting therefrom

(96/668/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union and in particular Articles J.3 and K.3 (2) (b) thereof,

Having regard to the general guidelines given by the European Council meeting in Florence on 21 and 22 June 1996,

Whereas a third country has enacted certain laws, regulations, and other legislative instruments which purport to regulate the activities of natural and legal persons under the jurisdiction of the Member States of the European Union;

Whereas by their extra-territorial application such laws, regulations and other legislative instruments violate international law;

Whereas such laws including regulations and other legislative instruments and actions based thereon or resulting therefrom affect or are likely to affect the established legal order and have adverse affects on the interests of the European Union, and the interests of the said natural and legal persons;

Whereas the Council has adopted Regulation (EC) No 2271/96 [1] in order to protect the interests of the Community and of natural and legal persons exercising rights under the Treaty establishing the European Community;

Whereas, in these exceptional circumstances, the Member States should take the necessary measures in order to ensure protection for the interests of the said natural and legal persons insofar as such protection is not provided under Regulation (EC) No 2271/96;

Whereas this Joint Action and Regulation (EC) No 2271/96 constitute together an integrated system involving the Community and the Member States each in accordance with its own powers,

HAS ADOPTED THE FOLLOWING JOINT ACTION:

Article 1

Each Member State shall take the measures it deems necessary to protect the interests of any person referred to in Article 11 of Regulation (EC) No 2271/96 and affected by the extra-territorial application of laws including regulations and other legislative instruments referred to in Annex to Regulation (EC) No 2271/96, and actions based thereon or resulting therefrom, insofar as these interests are not protected under that Regulation.

Article 2

This Joint Action shall enter into force on the day of its adoption.

Article 3

This Joint Action shall be published in the Official Journal.

Done at Brussels, 22 November 1996.

For the Council

The President

S. BARRETT

[1] See page 1 of this Official Journal.