Protocol 21

on the economic and industrial development of Portugal

THE HIGH CONTRACTING PARTIES,

Desiring to settle certain special problems of concern to Portugal and,

HAVING AGREED THE FOLLOWING PROVISIONS,

Recall that the fundamental objectives of the European Economic Community include the steady improvement of the living standards and working conditions of the peoples of the Member States and the harmonious development of their economies by reducing the differences existing between the various regions and the backwardness of the less-favoured regions:

Take note of the fact that the Portuguese Government has embarked upon the implementation of a policy of industrialization and economic development designed to align the standard of living in Portugal with that of the other European nations and to eliminate underemployment while progressively evening out regional differences in levels of development;

Recognize it to be in their common interest that the objectives of this policy be attained;

Agree to recommend to this end that the Community institutions use all the means and procedures laid down by the EEC Treaty, particularly by making adequate use of the Community resources intended for the realization of the Community's abovementioned objectives;

Recognize in particular that, in the application of Articles 92 and 93 of the EEC Treaty, it will be necessary to take into account the objectives of economic expansion and the raising of the standard of living of the population.

Protocol 22

on the exchange of information with the Portuguese Republic in the field of nuclear energy

Article 1

1. From the date of accession, such information as has been communicated to Member States, persons and undertakings in accordance with Article 13 of the Euratom Treaty, shall be placed at the disposal of the Portuguese Republic which shall give it limited distribution within its territory under the conditions laid down in that Article.

2. From the date of accession, the Portuguese Republic shall place at the disposal of the European Atomic Energy Community information obtained in the nuclear field in Portugal which is given limited distribution, in so far as strictly commercial applications are not involved. The commission shall communicate this information to Community undertakings under the conditions laid down in paragraph 1.

3. This information shall mainly concern:

— reactor dynamics,

— radiation protection,

— application of nuclear measuring techniques (in the industrial, agricultural, archeological and geological fields),

— atomic physics (effective measuring of cross sections, pipeline techniques),

— extractive metallurgy of uranium.

Article 2

1. In those sectors in which the Portuguese Republic places information at the disposal of the Community, the competent authorities shall grant upon request licences on commercial terms to Member States, persons and undertakings of the Community where they possess exclusive rights to patents filed in Member States of the Community and in so far as they have no obligation or commitment in respect of third parties to grant or offer to grant an exclusive or partially exclusive licence to the rights in these patents.

2. Where an exclusive or partially exclusive licence has been granted, the Portuguese Republic shall encourage and facilitate the granting of sub-licences on commercial terms to Member States, persons and undertakings of the Community by the holders of such licences.

Such exclusive or partially exclusive licences shall be granted on a normal commercial basis.
