II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION

of 18 July 2011

on the conclusion of the Agreement between the European Union and Australia amending the Agreement on mutual recognition in relation to conformity assessment, certificates and markings between the European Community and Australia

(2012/837/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4), in conjunction with Article 218(6)(a)(v) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament,

Whereas:

(1) The Agreement on mutual recognition in relation to conformity assessment, certificates and markings between the European Community and Australia [1] entered into force on 1 January 1999 [2].

(2) In accordance with Council Decision 2011/456/EU [3], the Agreement between the European Union and Australia amending the Agreement on mutual recognition in relation to conformity assessment, certificates and markings between the European Community and Australia ('the Agreement') was signed by the Commission on 23 February 2012, subject to its conclusion.

(3) As a consequence of the entry into force of the Treaty of Lisbon on 1 December 2009, the European Union has replaced and succeeded the European Community.

(4) The Agreement should be concluded,

HAS ADOPTED THIS DECISION:

Article 1

The Agreement between the European Union and Australia amending the Agreement on mutual recognition in relation to conformity assessment, certificates and markings between the European Community and Australia ('the Agreement') is hereby approved on behalf of the Union.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council shall designate the person empowered to proceed, on behalf of the Union, to transmitting the diplomatic notes provided for in Article 2 of the Agreement, in order to express the consent of the Union to be bound by the Agreement [4].

Article 3

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

Done at Brussels, 18 July 2011.

For the Council

The President

M. DOWGIELEWICZ

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[1] OJ L 229, 17.8.1998, p. 3.
[2] OJ L 5, 9.1.1999, p. 74.
[3] OJ L 194, 26.7.2011, p. 1.

[4] The date of entry into force of the Agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.