Imports of rice originating from Bangladesh: aligning the Regulation with the TFEU; Commission delegated and implementing powers

2012/0085(COD) - 16/04/2014 - Final act

PURPOSE: to align Council Regulation (EEC) No 3491/90 on imports of rice originating in Bangladesh with the differentiation between delegated and implementing powers of the Commission introduced by Articles 290 and 291 of the Treaty on the Functioning of the European Union (TFEU).

LEGISLATIVE ACT: Regulation (EU) No 539/2014 of the European Parliament and of the Council on imports of rice originating in Bangladesh and repealing Council Regulation (EEC) No 3491/90.

CONTENT: the Regulation adapts the provisions on preferential imports of rice originating in Bangladesh to new requirements introduced by the Lisbon Treaty. It identifies the delegated and implementing powers of the Commission in Council Regulation (EEC) No 3491/90 and establish the corresponding procedure for adoption of these acts

Preferential import arrangements: this Regulation establishes a preferential import arrangement for **imports of rice originating in Bangladesh** falling within CN codes 1006 10 (excluding CN code 1006 10 10), 1006 20 and 1006 30. The preferential import arrangement shall be limited to a quantity equivalent to **4 000 tonnes of husked rice per calendar year**.

The Commission shall adopt an implementing act suspending the application of the preferential import arrangement once it ascertains that, during the year in progress, imports qualifying under the said arrangement have reached the quantity indicated in the Regulation. That implementing act shall be adopted without applying the examination procedure.

In order to ensure the reliability and the efficiency of the preferential import arrangement, the Commission shall be empowered to adopt **delegated acts** laying down rules making the participation in the preferential import arrangement established in Article 1 conditional upon the lodging of a security.

Implementing powers: the Commission shall adopt implementing acts determining the necessary measures in respect of: (a)

- the administrative method to be used for the management of the preferential import arrangement;
- the means for determining the origin of the product covered by the preferential import arrangement;
- the form and period of validity of the certificate of origin referred to in Article 2(2);
- the period of validity of the import licences, where appropriate;
- the amount of the security required to be lodge;
- the notifications to be made to the Commission by Member States.

Right of small farmers and rural workers to a decent income: a recital stipulates that this Regulation is also based on the recognition of the right of small farmers and rural workers to a decent income and to a safe and healthy working environment as a fundamental objective of trade preferences that are granted to developing countries and the least-developed countries in particular.

In this context, the ratification and effective implementation of core international conventions on human rights and labour rights, environmental protection and good governance are essential to support progress towards sustainable development in this country.

Repeal: Regulation (EEC) No 3491/90 is repealed.

ENTRY INTO FORCE: 28.05.2014.

DELEGATED ACTS: the Commission shall be empowered to adopt delegated acts in respect of the establishment of rules making participation in the arrangement conditional upon the lodging of a security. The power to adopt delegated acts shall be conferred on the Commission for a period of **five years from 28 May 2014**.

The European Parliament or the Council may raise objections with regard to a delegated act within two months of the date of notification (which may be extended by two months). If Parliament or Council raise objections, the delegated act will not enter into force.