

Imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Union import rules. Recast

2014/0177(COD) - 09/06/2015 - Final act

PURPOSE: to recast Council Regulation (EC) No 517/94 on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Community import rules.

LEGISLATIVE ACT: Regulation (EU) 2015/936 of the European Parliament and of the Council on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Union import rules (recast).

CONTENT: the Regulation aims to recast Council Regulation No 517/94 which had been substantially amended on several occasions.

The Regulation **applies to imports of textile products** falling within Section XI of Part Two of the Combined Nomenclature set out in Annex I to Council Regulation (EEC) No 2658/87 and of other textile products, as listed in Annex I to this Regulation, originating in third countries and not covered by bilateral agreements, protocols or other arrangements, or by other specific Union import rules.

Currently, the only countries the EU is importing textiles from that are not covered by bilateral agreements, protocols or other arrangements or by other specific EU import rules – including the Generalised Scheme of Preferences and the Everything but Arms arrangement – are **Belarus and North Korea**.

The new Regulation:

- sets **annual quantitative limits for the imports of a number of textile products from these two countries**, the management and distribution of which is done through a Commission Implementing Regulation, and it allows for the establishment of Union surveillance and safeguard measures;
- allows for the **imposition of surveillance measures on other third countries** where textile imports originating in them cause or threaten to cause serious injury to EU production of like or directly competitive products.
- stipulates that if Union surveillance is applied, release for free circulation of the products in question should be made subject to presentation of a **surveillance document** meeting uniform criteria. That document should, on simple application by the importer, be issued by the authorities of the Member States within a certain period but without the importer thereby acquiring any right to import;
- adopts **precise criteria for assessing possible injury** and initiating an investigations procedure while still allowing the Commission to introduce appropriate measures in urgent cases;
- lays down **detailed provisions in respect of the initiation of investigations**, the checks and inspections required, the hearing of those concerned, the treatment of information obtained and the criteria for assessing injury;
- provides for an **appropriate system for administering Union quantitative restrictions**;

- in the interests of uniformity of rules for imports, ensures that the **formalities** to be carried out by importers are simple and identical regardless of the place where the goods clear customs. Formalities are carried out using forms corresponding to the specimen set out in Annex VI to this Regulation;
- authorises **surveillance or safeguard measures confined to one or more regions rather than the whole of the Union**. However, such measures should be authorised only exceptionally and cause the minimum of disruption to the operation of the internal market.

ENTRY INTO FORCE: 15.7.2015.

DELEGATED ACT: the Commission may adopt delegated acts in respect of amending the Annexes to this Regulation, altering the import rules and applying safeguard measures and surveillance measures in the Regulation. The power to adopt such acts is conferred on the Commission for a period of **5 years (which may be tacitly extended) from 20 February 2014**. The European Parliament or 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 come into force.