

# Arrangements for products originating in certain states which are part of the African, Caribbean and Pacific (ACP) Group of States provided for in economic partnership agreements. Recast

2015/0128(COD) - 08/06/2016 - Final act

**PURPOSE:** to recast Council Regulation (EC) No 1528/2007 applying to products originating in certain states that are part of the African, Caribbean and Pacific (ACP) Group of States provided for in agreements establishing, or leading to the establishment of, economic partnership agreements.

**LEGISLATIVE ACT:** Regulation (EU) 2016/1076 of the European Parliament and of the Council applying the arrangements for products originating in certain states which are part of the African, Caribbean and Pacific (ACP) Group of States provided for in agreements establishing, or leading to the establishment of, economic partnership agreements (recast).

**CONTENT:** in the interests of legal clarity, this Regulation consists of a **recast of Council Regulation (EC) No 1528/2007, ("Market Access Regulation") governing imports of products originating in certain ACP countries**. This temporary instrument provides duty-free, quota-free access to the EU market for products originating in countries that are not part of the Least Developed Countries (LDC) of the ACP countries in the run-up to the conclusion and application of WTO-compatible Economic Partnership Agreements (EPAs). Annex I of the Market Access Regulation includes **27 countries**.

Duty-free and quota-free access is subject to certain **general safeguard measures**. In view of the particular sensitivity of agricultural products, the Regulation allows safeguard measures to be taken when imports cause or threaten to cause disturbances in the markets for such products or disturbances in the mechanisms regulating those markets.

**The rules of origin** applicable to imports made under the Regulation are, for a transitional period, those laid down in Annex II. Those rules of origin should be superseded by those annexed to any agreement with the regions or states listed in Annex I when that agreement is either provisionally applied, or enters into force, whichever is the earliest.

**Delegated acts:** the Commission may adopt delegated acts with a view to:

- amending Annex I to the Regulation in order to **add or to remove regions or states**, and in respect of introducing technical amendments to Annex II to this Regulation that are necessary as a result of the application of that Annex;
- adding an Annex to this Regulation which sets out the regime applicable to **products originating in South Africa** once the relevant trade provisions of the Agreement on Trade, Development and Cooperation (TDCA) have been superseded by the relevant provisions of an agreement establishing, or leading to the establishment of, an EPA.

The power to adopt delegated acts is conferred on the Commission for a period of **five years from 21 June 2013** (which may be tacitly extended for the same period). Parliament or Council may raise objections 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 may not enter into force.

ENTRY INTO FORCE: 28.7.2016.