Apportionment of tariff rate quotas included in the WTO schedule of the Union following the withdrawal of the United Kingdom from the Union

2018/0158(COD) - 30/01/2019 - Final act

PURPOSE: to apportion the tariff rate quotas included in the WTO schedule of the Union following the withdrawal of the United Kingdom from the Union.

LEGISLATIVE ACT: Regulation (EU) 2019/216 of the European Parliament and of the Council on the apportionment of tariff rate quotas included in the WTO schedule of the Union following the withdrawal of the United Kingdom from the Union, and amending Council Regulation (EC) No 32/2000.

CONTENT: the United Kingdom’s withdrawal from the Union will have effects on the relations of the United Kingdom and the Union with third parties, in particular in the context of the World Trade Organisation (WTO) of which both are original members.

The Union is currently conducting negotiations with third countries under Article XXVIII of the GATT in order to amend the Union's schedule of concessions and commitments in the WTO where it includes tariff quota volumes.

However, given the time limits imposed on this process by the negotiations on the United Kingdom’s withdrawal from the Union, it is possible that agreements might not be concluded with all WTO Members concerned in relation to all of the tariff rate quotas on the date the Union’s WTO schedule of concessions and commitments on trade in goods ceases to apply to the United Kingdom.

In view of the need to ensure legal certainty and the continuous smooth operation of imports under the tariff rate quotas to the Union and to the United Kingdom, it is necessary for the Union to be able to proceed unilaterally to the apportionment of the tariff rate quotas.

The purpose of this Regulation is to allocate the tariff quotas in the WTO list of the Union after the United Kingdom's withdrawal from the Union for a number of processed agricultural, fisheries, industrial and agricultural products. It sets out the method by which the tariff quotas in the Union's schedule of concessions and commitments in the WTO shall be apportioned between the Union and the United Kingdom.

It also gives the Commission the power to modify this distribution by delegated acts if necessary following subsequent agreements with third countries. The power to adopt delegated acts is conferred on the Commission for a period of five years from 9 February 2019, which may be tacitly extended for periods of identical duration.

ENTRY INTO FORCE: 9.2.2019.