Application of Union tariff rate quotas and other import quotas to certain products transferred to Northern Ireland

2023/0063(COD) - 27/02/2023 - Legislative proposal

PURPOSE: to amend Regulation (EU) 2020/2170 as regards the application of Union tariff rate quotas and other import quotas to certain products transferred to Northern Ireland.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: according to Article 1 of Regulation (EU) 2020/2170 of the European Parliament and of the Council, goods imported from outside the Union are eligible for treatment pursuant to Union import tariff rate quotas or other import quotas only if they are released for free circulation in the territories listed therein. The territories set out in that provision do not include Northern Ireland.

The Trade and Cooperation Agreement (TCA) between the United Kingdom and the European Union provides for the opening by the Union of quotas with regard to imports into the Union of certain products originating in the United Kingdom.

In addition, the TCA confers upon the Union the right to introduce other tariff rate quotas or import quotas with regard to imports of goods originating in the United Kingdom under certain circumstances, including as part of the application of multilateral safeguard measures in accordance with the WTO Agreement. It is necessary, therefore, to clarify whether goods originating in the United Kingdom and released for free circulation in Northern Ireland are eligible for treatment under those tariff rate quotas or other import quotas.

The United Kingdom has provided evidence showing that certain steel products originating in the United Kingdom that are currently subject to safeguard measures under Commission Implementing Regulation (EU) 2019/159 have been transferred in significant quantities to Northern Ireland from other parts of the United Kingdom. To ensure the economic viability of these transfers and in view of the specific circumstances in Northern Ireland, it is appropriate to allow for the products concerned to benefit from the respective Union’s tariff rate quotas when they are released for free circulation in Northern Ireland. In order to limit the risk of circumvention, these products concerned should be consigned directly from other parts of the United Kingdom.

CONTENT: the Commission proposes to amend Regulation 2020/2170 so as to allow that the Union’s tariff rate quotas be available for **certain steel products** (Non Alloy and Other Alloy Quarto Plates, and Angles, Shapes and Sections of Iron or Non Alloy Steel) originating in the United Kingdom and subject to safeguard measures and that are brought into Northern Ireland by direct transport from other parts of the United Kingdom should also be **eligible for treatment pursuant to Union import tariff rate quotas** if those goods are released for free circulation in the territory of Northern Ireland.

Since the need for importation under tariff rate quotas of steel of UK origin subject to safeguard measures into Northern Ireland may also vary over time, the proposal also provides for the Commission to **adjust, by way of delegated acts, the list of steel products** subject to safeguards for which Union's tariff rate quotas will be made available, where appropriate.