

Basic information	
<p>2011/0029(NLE)</p> <p>NLE - Non-legislative enactments Decision</p>	Procedure completed
<p>EU/New Zealand Agreement: modification of concessions in the schedules of Bulgaria and Romania in the course of their accession to the EU</p> <p>Subject</p> <p>2.10.01 Customs union, tax and duty-free, Community transit 6.20.03 Bilateral economic and trade agreements and relations 6.20.04 Union Customs Code, tariffs, preferential arrangements, rules of origin</p> <p>Geographical area</p> <p>New Zealand</p>	

Key players			
European Parliament	<p>Committee responsible</p> <p>INTA International Trade</p>	<p>Rapporteur</p> <p>MOREIRA Vital (S&D)</p>	<p>Appointed</p> <p>16/03/2011</p>
		<p>Shadow rapporteur</p> <p>ŠŤASTNÝ Peter (PPE)</p> <p>KAZAK Metin (ALDE)</p> <p>STURDY Robert (ECR)</p>	
Council of the European Union	<p>Council configuration</p> <p>Justice and Home Affairs (JHA)</p>	<p>Meetings</p> <p>3121</p>	<p>Date</p> <p>2011-10-27</p>
European Commission	<p>Commission DG</p> <p>Trade and Economic Security</p>	<p>Commissioner</p> <p>DE GUCHT Karel</p>	

Key events			
Date	Event	Reference	Summary
11/02/2011	Preparatory document	<p>COM(2011)0058</p> 	Summary
28/03/2011	Legislative proposal published	06536/2011	Summary

10/05/2011	Committee referral announced in Parliament		
31/08/2011	Vote in committee		Summary
01/09/2011	Committee report tabled for plenary, 1st reading/single reading	A7-0295/2011	
28/09/2011	Decision by Parliament	T7-0420/2011	Summary
28/09/2011	Results of vote in Parliament		
27/10/2011	Act adopted by Council after consultation of Parliament		
27/10/2011	End of procedure in Parliament		
30/11/2011	Final act published in Official Journal		

Technical information	
Procedure reference	2011/0029(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legislative instrument	Decision
Legal basis	Treaty on the Functioning of the European Union TFEU 207-p4 Treaty on the Functioning of the European Union TFEU 218-p6a
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	INTA/7/05364

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee draft report		PE465.056	30/05/2011	
Committee report tabled for plenary, 1st reading/single reading		A7-0295/2011	01/09/2011	
Text adopted by Parliament, 1st reading/single reading		T7-0420/2011	28/09/2011	Summary
Council of the EU				
Document type	Reference	Date	Summary	
Legislative proposal	06536/2011	28/03/2011	Summary	
Document attached to the procedure	06537/2011	28/03/2011		
European Commission				
Document type	Reference	Date	Summary	
Preparatory document	COM(2011)0058 	11/02/2011	Summary	

Additional information		
Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act
Decision 2011/0767 OJ L 317 30.11.2011, p. 0002 Summary

EU/New Zealand Agreement: modification of concessions in the schedules of Bulgaria and Romania in the course of their accession to the EU

2011/0029(NLE) - 28/03/2011 - Legislative proposal

PURPOSE: to conclude an Agreement in the form of an Exchange of Letters between the European Union and New Zealand pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of Bulgaria and Romania in the course of their accession to the European Union.

PROPOSED ACT: Council Decision.

BACKGROUND: on 29 January 2007, the Council authorised the Commission to open negotiations under Article XXIV:6 of GATT 1994. The Commission has negotiated with the Members of the WTO holding negotiating rights with respect to the withdrawal of specific concessions in relation to the withdrawal of the schedules of Bulgaria and Romania, in the course of their accession to the European Union.

Negotiations with New Zealand resulted in a draft Agreement in the form of an Exchange of Letters that was initialled on 7 September 2010 in Brussels.

The Agreement was signed, on behalf of the European Union, subject to its conclusion at a later date.

It is now necessary to approve the Agreement on behalf of the EU, following the European Parliament's consent.

IMPACT ASSESSMENT: no impact assessment was carried out.

LEGAL BASIS: Article 207(4), first subparagraph, in conjunction with Article 218(6)(a)(v) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: by this draft Decision, this Agreement in the form of an Exchange of Letters between the European Union and New Zealand pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of Bulgaria and Romania in the course of their accession to the European Union is hereby approved on behalf of the Union.

The text of the Agreement is attached to the proposal.

For further details of the content of the Agreement, please refer to the summary of the previous initial legislative document dated 11/02/2011.

BUDGETARY IMPLICATION: the proposal has no implications for the Union's budget.

EU/New Zealand Agreement: modification of concessions in the schedules of Bulgaria and Romania in the course of their accession to the EU

2011/0029(NLE) - 28/09/2011 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted the legislative resolution on the draft Council decision on the conclusion of the Agreement in the form of an Exchange of Letters between the European Union and New Zealand pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of Bulgaria and Romania in the course of their accession to the European Union.

Parliament gave its consent to the conclusion of the Agreement.

EU/New Zealand Agreement: modification of concessions in the schedules of Bulgaria and Romania in the course of their accession to the EU

2011/0029(NLE) - 11/02/2011 - Preparatory document

PURPOSE: to conclude an Agreement in the form of an Exchange of Letters between the European Union and New Zealand pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of Bulgaria and Romania in the course of their accession to the European Union.

PROPOSED ACT: Council Decision.

BACKGROUND: with the accession of Bulgaria and Romania, the European Union enlarged its customs union. Consequently, the European Union was obliged under WTO rules (GATT Article XXIV:6) to enter into negotiations with WTO Members having negotiating rights in the schedules of any of the acceding Members in order to agree on compensatory adjustment. Such adjustment is due if the adoption of the EU's external tariff regime results in an increase in tariff beyond the level for which the acceding country has bound itself at the WTO, whilst taking 'due account of reductions of duties on the same tariff line made by other constituents of the customs union upon its formation'.

On 29 January 2007, the Council authorised the Commission to open negotiations under Article XXIV:6 of GATT 1994. The Commission has negotiated with the Members of the WTO holding negotiating rights with respect to the withdrawal of specific concessions in relation to the withdrawal of the schedules of Bulgaria and Romania, in the course of their accession to the European Union.

Negotiations with New Zealand resulted in a draft Agreement in the form of an Exchange of Letters that was initialled on 7 September 2010 in Brussels.

IMPACT ASSESSMENT: no impact assessment was carried out.

LEGAL BASIS: Article 207(4), first subparagraph, in conjunction with Article 218(6)(a)(v) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: this proposal asks the Council to adopt a decision concluding the Agreement in the form of an Exchange of Letters with New Zealand. In parallel, a separate proposal on the signature of this Agreement is also submitted.

The implementing Regulation will consequently be adopted by the Commission, pursuant to [Article 144 of the Single Common Market Organisation \(CMO\) Regulation](#).

BUDGETARY IMPLICATIONS: this proposal has no implications on the EU budget.

EU/New Zealand Agreement: modification of concessions in the schedules of Bulgaria and Romania in the course of their accession to the EU

2011/0029(NLE) - 27/10/2011 - Final act

PURPOSE: to conclude an Agreement in the form of an Exchange of Letters between the European Union and New Zealand pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of Bulgaria and Romania in the course of their accession to the European Union.

NON LEGISLATIVE ACT: Council Decision 2011/767/EU on the conclusion of the Agreement in the form of an Exchange of Letters between the European Union and New Zealand pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Republic of Bulgaria and Romania in the course of their accession to the European Union

BACKGROUND: with the accession of Bulgaria and Romania, the European Union has enlarged its customs union. Consequently, the EU was obliged under WTO rules (GATT Article XXIV:6) to enter into negotiations with WTO Members having negotiating rights in the schedules of any of the acceding Members in order to agree on compensatory adjustment. Such adjustment is due if the adoption of the EU's external tariff regime results in an increase in tariff beyond the level for which the acceding country has bound itself at the WTO.

These negotiations have been concluded and an Agreement in the form of an Exchange of Letters between the European Union and New Zealand pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of Bulgaria and Romania in the course of their accession to the European Union was signed on 28 April 2011, subject to its conclusion at a later date, in accordance with Council Decision 2011/256/EU.

The Agreement should now be approved on behalf of the European Union.

CONTENT: this Council Decision approves on behalf of the Union the Agreement in the form of an Exchange of Letters between the European Union and New Zealand pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of Bulgaria and Romania in the course of their accession to the European Union.

The implementing Regulation will be adopted by the Commission, pursuant to [Article 144 of the Single Common Market Organisation \(CMO\) Regulation](#)

ENTRY INTO FORCE: the Decision enters into force on 27 October 2011. The Agreement will enter into force when all the procedures to this effect have been completed.