Basic information

2011/0032(NLE) NLE - Non-legislative enactments Decision	Procedure completed
EU/Australia Agreement: modification of concessions in the schedules of Bulgaria and Romania in the course of their accession to the EU **Subject** 2.10.01 Customs union, tax and duty-free, Community transit 6.20.01 Agreements and relations in the context of the World Trade Organization (WTO) 6.20.03 Bilateral economic and trade agreements and relations 6.20.04 Union Customs Code, tariffs, preferential arrangements, rules of origin **Geographical area** Australia	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
INTA International Trade	MOREIRA Vital (S&D)	16/03/2011
	Shadow rapporteur ŠŤASTNÝ Peter (PPE) KAZAK Metin (ALDE) STURDY Robert (ECR)	

Council of the European Union

Council configuration	Meetings	Date
Justice and Home Affairs (JHA)	3121	2011-10-27

European Commission

Commission DG	Commissioner
Trade and Economic Security	DE GUCHT Karel

Key events

Date	Event	Reference	Summary
14/02/2011	Preparatory document	COM(2011)0054	Summary
28/03/2011	Legislative proposal published	06603/2011	Summary

07/06/2011	Committee referral announced in Parliament		
31/08/2011	Vote in committee		Summary
01/09/2011	Committee report tabled for plenary, 1st reading/single reading	A7-0296/2011	
28/09/2011	Decision by Parliament	T7-0419/2011	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	2011/0032(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/7/05368

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE465.058	30/05/2011	
Committee report tabled for plenary, 1st reading/single reading		A7-0296/2011	01/09/2011	
Text adopted by Parliament, 1st reading/single reading		T7-0419/2011	28/09/2011	Summary

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	06603/2011	28/03/2011	Summary
Document attached to the procedure	06604/2011	28/03/2011	

European Commission

Document type	Reference	Date	Summary
Preparatory document	COM(2011)0054	14/02/2011	Summary

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

Final act	
Decision 2011/0768 OJ L 317 30.11.2011, p. 0006	Summary

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

2011/0032(NLE) - 27/10/2011 - Final act

PURPOSE: to conclude an Agreement in the form of an Exchange of Letters between the European Union and Australia 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 2011/768/EU on the conclusion of the Agreement in the form of an Exchange of Letters between the European Union and Australia 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 Australia 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 24 May 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 Australia 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.

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

2011/0032(NLE) - 14/02/2011 - Preparatory document

PURPOSE: to conclude an Agreement in the form of an Exchange of Letters between the European Union and Australia 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 Australia resulted in a draft Agreement in the form of an Exchange of Letters that was initialled on 15 June 2010 in Geneva.

IMPACT ASSESSMENT: no impact assessment was carried out.

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

COTNENT: this proposal asks the Council to adopt a decision concluding the Agreement in the form of an Exchange of Letters with Australia. 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/Australia Agreement: modification of concessions in the schedules of Bulgaria and Romania in the course of their accession to the EU

2011/0032(NLE) - 28/03/2011 - Legislative proposal

PURPOSE: to conclude an Agreement in the form of an Exchange of Letters between the European Union and Australia 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 with certain other Members of the World Trade Organization under Article XXIV:6 of the General Agreement on Tariffs and Trade (GATT) 1994 in the course of the accessions to the European Union of Bulgaria and Romania.

Negotiations were conducted by the Commission within the framework of the negotiating directives adopted by the Council. They were concluded and the Agreement was initialled on 15 June 2010.

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

It is now necessary to approve the Agreement on behalf of the European Union.

IMPACT ASSESSMENT: no impact assessment was carried out.

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

CONTENT: by this proposal, the Agreement in the form of an Exchange of Letters between the European Union and Australia 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 this Decision. For further details on the content of the Agreement, please refer to the summary of the previous initial legislative document dated 14/02/2011.

BUDGETARY IMPLICATION: the proposal has no implication for the Union budget.

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

2011/0032(NLE) - 28/09/2011 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a 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 Australia 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.