Basic information

2016/0229(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Union Customs Code: goods that have temporarily left the customs territory by sea or air Amending Regulation (EU) No 952/2013 2012/0027(COD) **Subject** 2.10.01 Customs union, tax and duty-free, Community transit 6.20.04 Union Customs Code, tariffs, preferential arrangements, rules of origin	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
IMCO Internal Market and Consumer Protection	GRAPINI Maria (S&D)	26/09/2016
	Shadow rapporteur JUVIN Philippe (PPE) DALTON Daniel (ECR) KALLAS Kaja (ALDE) DE JONG Dennis (GUE/NGL) REDA Felix (Verts/ALE) IWASZKIEWICZ Robert Jarosław (EFDD)	

Committee for opinion	Rapporteur for opinion	Appointed
INTA International Trade	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Employment, Social Policy, Health and Consumer Affairs	3507	2016-12-08

European Commission

Commission DG	Commissioner
Taxation and Customs Union	MOSCOVICI Pierre

Key events

Date	Event	Reference	Summary
19/07/2016	Legislative proposal published	COM(2016)0477	Summary
12/09/2016	Committee referral announced in Parliament, 1st reading		
10/11/2016	Vote in committee, 1st reading		
14/11/2016	Committee report tabled for plenary, 1st reading	A8-0329/2016	Summary
01/12/2016	Decision by Parliament, 1st reading	T8-0457/2016	Summary
01/12/2016	Results of vote in Parliament		
08/12/2016	Act adopted by Council after Parliament's 1st reading		
12/12/2016	End of procedure in Parliament		
14/12/2016	Final act signed		
23/12/2016	Final act published in Official Journal		

Technical information

Procedure reference	2016/0229(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Amending Regulation (EU) No 952/2013 2012/0027(COD)
Legal basis	Treaty on the Functioning of the European Union TFEU 207
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	IMCO/8/07282

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A8-0329/2016	14/11/2016	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0457/2016	01/12/2016	Summary

Council of the EU

Document type	Reference	Date	Summary
Draft final act	00050/2016/LEX	14/12/2016	

European Commission			
Document type	**Reference**	**Date**	**Summary**
Legislative proposal	COM(2016)0477	19/07/2016	Summary

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Final act	
Regulation 2016/2339 OJ L 354 23.12.2016, p. 0032	Summary

Union Customs Code: goods that have temporarily left the customs territory by sea or air

2016/0229(COD) - 14/12/2016 - Final act

PURPOSE: to amend the Union Customs Code as regards goods that have temporarily left the customs territory of the Union by sea or air in order to ensure effective customs supervision.

LEGISLATIVE ACT: Regulation (EU) 2016/2339 of the European Parliament and of the Council amending Regulation (EU) No 952/2013 laying down the Union Customs Code, as regards goods that have temporarily left the customs territory of the Union by sea or air.

CONTENT: this Regulation amends the Union Customs Code in order to **improve customs supervision for goods that have temporarily left the EU's customs territory** while moving between two Union ports or airports, without stopping outside the EU's customs territory.

The Regulation seeks to ensure the correct application of Regulation (EU) No 952/2013. It amends Article 136 UCC in order to ensure the effective application of other UCC provisions, notably those on customs supervision by establishing a distinction between the situation of non-Union and Union goods.

Under the Regulation, the only provisions not applying when non-Union goods re-enter the Union customs territory after having temporarily left it by direct sea or air route, should be:

- the rules governing the obligation to lodge the entry summary declaration (Articles 127 to 130 UCC);
- the rules governing the obligation to notify the arrival of a sea-going vessel or aircraft to the customs office of first entry to the Union customs territory (Article 133 UCC).

By contrast, the provisions governing the obligation to convey the goods to a certain place, to present them to customs upon unloading or transhipment, to wait for authorisation before unloading or transhipping, and the provisions on temporary storage should apply in these situations, thereby allowing appropriate customs supervision.

The situation should be similar for Union goods whose status needs to be proven pursuant to Article 153(2) UCC, to the extent that the customs authorities must be able to check the proof of their Union status.

ENTRY INTO FORCE: 24.12.2016.

Union Customs Code: goods that have temporarily left the customs territory by sea or air

2016/0229(COD) - 14/11/2016 - Committee report tabled for plenary, 1st reading/single reading

The Committee on the Internal Market and Consumer Protection adopted the report by Maria GRAPINI (S&D, RO) on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) No 952/2013 laying down the Union Customs Code, as regards goods that have temporarily left the customs territory of the Union by sea or air.

The committee recommended that Parliament adopt its position in first reading, taking over the Commission proposal.

To recall, Article 136 of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code (UCC) excludes the application of certain provisions of that Regulation to goods that have temporarily left the customs territory of the Union while moving between two Union ports or airports without stopping outside the Union.

Those provisions are the rules governing: (i) the obligation to lodge the entry summary declaration, (ii) the obligation to notify the arrival of a sea-going vessel or an aircraft, (iii) the obligation to convey the goods to certain places and to present them to the customs authorities at the point in which they are unloaded or transhipped, and (iv) temporary storage.

As a result, there is no clear legal basis for requiring the presentation of the goods that are unloaded or transhipped at the point where the goods re-enter the customs territory of the Union after having temporarily left it. In absence of a clear legal basis to require presentation of these goods to the customs authorities, it is more difficult for customs authorities to ensure the supervision of those goods.

The current proposal to amend Article 136 is aimed at closing this gap and thereby ensuring equal treatment of goods and providing again the legal basis that was already established through the old customs code.

Union Customs Code: goods that have temporarily left the customs territory by sea or air

2016/0229(COD) - 01/12/2016 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 621 votes to 20, with 2 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) No 952/2013 laying down the Union Customs Code, as regards goods that have temporarily left the customs territory of the Union by sea or air.

Parliament adopted its position at first reading following the ordinary legislative procedure by approving the Commission proposal unamended.

As a reminder, Article 136 of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code (UCC) excludes the application of certain provisions of that Regulation to goods that have temporarily left the customs territory of the Union while moving between two Union ports or airports without stopping outside the Union.

Those provisions are the rules governing: (i) the obligation to lodge the entry summary declaration, (ii) the obligation to notify the arrival of a sea-going vessel or an aircraft, (iii) the obligation to convey the goods to certain places and to present them to the customs authorities at the point in which they are unloaded or transhipped, and (iv) temporary storage.

The proposal aims to **modify Article 136 UCC in order to ensure the effective application of other UCC provisions**, notably those on customs supervision by establishing a distinction between the situation of non-Union and Union goods.

Under the proposal, the only provisions not applying when non-Union goods re-enter the Union customs territory after having temporarily left it by direct sea or air route, should be:

- the rules governing the obligation to lodge the entry summary declaration (Articles 127 to 130 UCC);
- the rules governing the obligation to notify the arrival of a sea-going vessel or aircraft to the customs office of first entry to the Union customs territory (Article 133 UCC).

By contrast, the provisions governing the obligation to convey the goods to a certain place, to present them to customs upon unloading or transhipment, to wait for authorisation before unloading or transhipping, and the provisions on temporary storage should apply in these situations, thereby allowing appropriate customs supervision.

The situation should be similar for Union goods whose status needs to be proven pursuant to Article 153(2) UCC, to the extent that the customs authorities must be able to check the proof of their Union status.

Union Customs Code: goods that have temporarily left the customs territory by sea or air

2016/0229(COD) - 19/07/2016 - Legislative proposal

PURPOSE: to amend Regulation (EU) No 952/2013 laying down the Union Customs Code, as regards goods that have temporarily left the customs territory of the Union by sea or air in order to ensure effective customs supervision.

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

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: with a view to facilitating trade flows, Article 136 of Regulation (EU) No 952/2013 excludes the application of certain provisions of that Regulation to goods that have temporarily left the customs territory of the Union while moving between two Union ports or airports without stopping outside the Union.

Those provisions are the rules governing the obligation to lodge the entry summary declaration, the rules governing the obligation to notify the arrival of a sea-going vessel or an aircraft, the rules governing the obligation to convey the goods to certain places and to present them to the customs authorities at the point in which they are unloaded or transhipped, and the rules governing temporary storage.

As a result, there is no legal basis for requiring the presentation of the goods that are unloaded or transhipped at the point where the goods re-enter the customs territory of the Union after having temporarily left it. Without presentation, it may be more difficult for customs authorities to ensure the supervision of those goods, and there is a risk both, that import duty and other charges are not correctly levied, and that non-fiscal measures such as veterinary and phytosanitary controls are not properly applied.

CONTENT: the proposal aims to modify Article 136 UCC in order to **ensure the effective application of other UCC provisions, notably those on customs supervision**.

Under the proposal, the only provisions not applying when non-Union goods re-enter the Union customs territory after having temporarily left it by direct sea or air route, should be:

- the rules governing the obligation to lodge the entry summary declaration (Articles 127 to 130 UCC) and (2) The rules governing the obligation to notify the arrival of a sea-going vessel or aircraft to the customs office of first entry to the Union customs territory (Article 133 UCC).
- by contrast, the provisions governing the obligation to convey the goods to a certain place, to present them to customs upon unloading or transhipment, to wait for authorisation before unloading or transhipping, and the provisions on temporary storage should apply in these situations, thereby allowing appropriate customs supervision.

The situation should be similar for Union goods whose status needs to be proven pursuant to Article 153(2) UCC, to the extent that the customs authorities must be able to check the proof of their Union status.

Lastly, the rules governing the obligation to present the goods to customs upon unloading or transhipment and the obligation to wait for authorisation before unloading or transhipping the goods should not apply to Union goods that have retained their status by virtue of the Regulation having regard to the fact that, even if the goods have temporarily left the Union customs territory, their status has not been altered and does not need to be proven.

This amendment should enter into force as soon as possible so as to contribute to effective customs supervision.