Basic information

2022/0098(NLE) NLE - Non-legislative enactments Decision	Procedure completed
EU/New Zealand Agreement: modification of concessions on all the tariff rate quotas included in the EU Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union **Subject** 6.20.03 Bilateral economic and trade agreements and relations 6.20.04 Union Customs Code, tariffs, preferential arrangements, rules of origin **Geographical area** New Zealand	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
INTA International Trade	CASPARY Daniel (EPP)	20/04/2022

Committee for opinion	Rapporteur for opinion	Appointed
AGRI Agriculture and Rural Development	The committee decided not to give an opinion.	

Council of the European Union

European Commission

Commission DG	Commissioner
European External Action Service	BORRELL FONTELLES Josep

Key events

Date	Event	Reference	Summary
04/04/2022	Preparatory document	COM(2022)0149	
20/07/2022	Legislative proposal published	07910/2022	Summary
12/09/2022	Committee referral announced in Parliament		
14/11/2022	Vote in committee		
16/11/2022	Committee report tabled for plenary, 1st reading/single reading	A9-0273/2022	
22/11/2022	Decision by Parliament	T9-0398/2022	Summary

22/11/2022	Results of vote in Parliament		
12/12/2022	Act adopted by Council after consultation of Parliament		
22/12/2022	Final act published in Official Journal		

Technical information

Procedure reference	2022/0098(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/9/08770

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE735.764	26/09/2022	
Committee report tabled for plenary, 1st reading/single reading		A9-0273/2022	16/11/2022	
Text adopted by Parliament, 1st reading/single reading		T9-0398/2022	22/11/2022	Summary

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	07910/2022	20/07/2022	Summary

European Commission

Document type	Reference	Date	Summary
Preparatory document	COM(2022)0149	04/04/2022	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Decision 2022/2524
OJ L 328 22.12.2022, p. 0059

EU/New Zealand Agreement: modification of concessions on all the tariff rate quotas included in the EU Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union

2022/0098(NLE) - 20/07/2022 - Legislative proposal

PURPOSE : to conclude, on behalf of the Union, of the Agreement between the European Union and New Zealand pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions on all the tariff-rate quotas included in the EU Schedule CLXXV as a consequence of the United Kingdom’s withdrawal from the European Union.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: on 15 June 2018, the Council authorised the Commission to open negotiations pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 on the apportionment of the tariff-rate quotas included in the EU Schedule CLXXV as a consequence of the United Kingdom’s withdrawal from the Union.

Negotiations with New Zealand were successfully concluded on 20 December 2021 with the initialling of the agreement between the European Union and New Zealand.

The agreement, signed on behalf of the Union subject to its conclusion at a later date, must now be approved.

CONTENT: the draft Council Decision concerns the approval, on behalf of the Union, of the Agreement between the European Union and New Zealand pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions on all tariff quotas in EU Schedule CLXXV consequent on the withdrawal of the United Kingdom from the Union.

For the purpose of the withdrawal of the United Kingdom from the Union, the objective of the Agreement is to agree on the modification of tariff rate quota concessions and resulting quantitative commitments on the part of the Union which no longer includes the United Kingdom in respect of those tariff quotas for which New Zealand has negotiating or consultation rights under Article XXVIII of GATT 1994.

Regarding the following tariff quotas, New Zealand and the Union have agreed the following changes to the commitments provided for as follows:

- tariff rate quota 006 (high quality meat of bovine animals, fresh, chilled or frozen): the Union volume of this New Zealand specific quota is adjusted to 1 102 tonnes;

- tariff rate quota 020 (sheep meat): the Union amount of this specific quota for New Zealand is adjusted to 125.769 tonnes;

- tariff rate quota 030 (skimmed milk powder): the Union amount of this erga omnes quota will be adjusted to 62 917 tonnes.

For the following tariff rate quotas, New Zealand and the Union agree to the following changes to the commitments provided for in order to facilitate the utilisation of certain tariff rate quotas:

- tariff rate quota 011 (meat of bovine animals, frozen; edible offal of bovine animals, frozen): the Union will reduce the *ad valorem* part of the in-quota duty from 20% to 15%;

- tariff rate quota 032 (butter): the Union will: (i) remove the specific product specifications that have been applied under this tariff quota, (ii) align the product specifications to the Combined Nomenclature definition for butter and (iii) extend eligibility to the entire HS code 0405 10; the Union will also repeal the monitoring obligation set out in Article 51 of the Implementing Regulation (EU) 2020/761, currently in force for the weight and fat content of products imported under this tariff quota;

- tariff rate quota 040 (whole cheddar cheese): the Union will remove the specific product specifications that have been applied under this tariff rate quota and extend the eligibility to benefit from this tariff rate quota to the entire CN code 0406 90 21.

The Parties recognise that the Union continues to conduct negotiations and consultations with other WTO Members holding negotiating or consultation rights under Article XXVIII of the GATT 1994 following the withdrawal of the United Kingdom from the Union.

EU/New Zealand Agreement: modification of concessions on all the tariff rate quotas included in the EU Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union

2022/0098(NLE) - 22/11/2022 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 572 votes to 37, with 21 abstentions, a legislative resolution on the draft Council decision on the conclusion, on behalf of the Union, of the Agreement between the European Union and New Zealand pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions on all the tariff-rate quotas included in the EU Schedule CLXXV as a consequence of the United Kingdom’s withdrawal from the European Union.

Parliament **gave its consent** to the conclusion of the agreement.

In October 2018, in the run-up to the UK's withdrawal from the EU, the EU formally opened negotiations under Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 with several members of the World Trade Organisation (WTO), including New Zealand. The negotiations are based on a ‘joint approach’ developed in 2017 by the EU and the UK on how to ‘apportion’ the quantitative commitments contained in the EU28 WTO schedule for the 143 EU agricultural, fish and industrial WTO tariff rate quotas (TRQs).

The agreements negotiated under Article XXVIII of GATT need to ensure that recently observed trade flows into the EU and the UK are not disrupted for the respective trade under the tariff rate quotas.

Negotiations with New Zealand were successfully concluded on 20 December 2021 with the initialling of the agreement between the EU and New Zealand.

Negotiations with New Zealand covered tariff rate quotas on sensitive products such as sheep meat, bovine meat and dairy products, including butter, cheese for processing and cheddar cheese. In the end, the tariff rate quotas volumes as defined with the ‘joint approach’ method remained unchanged, expect for two country-specific meat tariff rate quotas which were adjusted based on more recent data, and two country-specific dairy tariff quotas which were adapted with a view to improving the management of these quotas.