



# Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	2010/0140(COD) Procedure completed
System of generalised tariff preferences (GSP): extension of the validity of the current scheme to 31 December 2013	
Amending Regulation (EC) No 732/2008	<a href="#">2007/0289(CNS)</a>
Subject	6.30.01 Generalised scheme of tariff preferences (GSP), rules of origin

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>INTA</b> International Trade	Shadow rapporteur	
		PPE <a href="#">GLATTFELDER Béla</a>	
		S&D <a href="#">MOREIRA Vital</a>	
	Committee for opinion	ALDE <a href="#">RINALDI Niccolò</a>	
	<b>DEVE</b> Development	Rapporteur for opinion	Appointed
			22/06/2010
		Verts/ALE <a href="#">JOLY Eva</a>	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Agriculture and Fisheries</a>	<a href="#">3084</a>	14/04/2011
European Commission	Commission DG	Commissioner	
	<a href="#">Trade</a>	DE GUCHT Karel	

Key events			
14/04/2010	Legislative proposal published	<a href="#">COM(2010)0142</a>	Summary
15/06/2010	Committee referral announced in Parliament, 1st reading		
03/03/2011	Vote in committee, 1st reading		Summary
07/03/2011	Committee report tabled for plenary, 1st reading	<a href="#">A7-0051/2011</a>	
23/03/2011	Debate in Parliament		
24/03/2011	Results of vote in Parliament		
24/03/2011	Decision by Parliament, 1st reading		
14/04/2011	Act adopted by Council after Parliament's 1st reading		
11/05/2011	Final act signed		
11/05/2011	End of procedure in Parliament		
31/05/2011	Final act published in Official Journal		

Technical information	
Procedure reference	2010/0140(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amending Regulation (EC) No 732/2008 <a href="#">2007/0289(CNS)</a>
Legal basis	Treaty on the Functioning of the EU TFEU 207-p2
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	INTA/7/03027

Documentation gateway					
Legislative proposal		<a href="#">COM(2010)0142</a>	14/04/2010	EC	Summary
Committee opinion	DEVE	<a href="#">PE450.668</a>	10/11/2010	EP	
Committee draft report		<a href="#">PE452.776</a>	18/11/2010	EP	
Amendments tabled in committee		<a href="#">PE454.600</a>	13/12/2010	EP	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A7-0051/2011</a>	07/03/2011	EP	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T7-0105/2011</a>	24/03/2011	EP	Summary
Draft final act		<a href="#">00010/2011/LEX</a>	11/05/2011	CSL	

Additional information	
National parliaments	<a href="#">IPEX</a>
European Commission	<a href="#">EUR-Lex</a>

Final act
<a href="#">Regulation 2011/512</a> <a href="#">OJ L 145 31.05.2011, p. 0028</a> Summary

## System of generalised tariff preferences (GSP): extension of the validity of the current scheme to 31 December 2013

PURPOSE: to extend Council Regulation (EC) No 732/2008 until 31 December 2013.

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

LEGAL BASE: Article 207(2) of the Treaty on the Functioning of the EU.

BACKGROUND: the European Union grants trade preferences to developing countries in the framework of the generalised system of preferences (the GSP). The GSP is implemented through successive Regulations applying a scheme of generalised tariff preferences with a period of application of three years at a time. The current scheme is established by Council Regulation (EC) No

[732/2008](#) which will expire on 31 December 2011. After this date operation of the GSP will lapse unless appropriate legislative action is taken to ensure continuity. The remaining period of application of the GSP Regulation is insufficient to permit the preparation of a Commission proposal on a successor regulation through the ordinary legislative procedure. It is, however, desirable to ensure continuity in the operation of

the scheme beyond 31 December 2011. The consequences of any discontinuity in legal cover for GSP would be that all imports under GSP would revert to standard most favoured nation treatment, except for those from least developed countries which would be covered by the Everything But Arms (EBA) regime.

**IMPACT ASSESSMENT:** no impact assessment was carried out.

**CONTENT:** in parallel to the work on the next GSP Regulation, it is proposed to maintain the current Regulation beyond 31 December 2011 with minimum changes until such time as a successor Regulation is agreed and enters into force. Given prevailing uncertainties about the time it will take to complete the legislative process on a successor Regulation, it is proposed to extend the validity of the current GSP Regulation until 31 December 2013. This should create an adequate window for the successor Regulation to be prepared and agreed with sufficient notice for economic operators and beneficiary countries to make themselves ready for any changes made without running the risk that an open-ended extension would in effect perpetuate the status quo and delay opportune reforms in the scheme.

This proposal amends only those elements of Regulation (EC) No 732/2008 which are necessary for the extension of its validity to 31 December 2013. No changes are proposed to the graduation of specific product sections in respect of individual beneficiaries as already provided for in the current Regulation. The proposal introduces adjustments to permit developing countries which fulfil the criteria for being eligible for the special incentive arrangement for sustainable development and good governance (GSP+) to benefit from the additional tariff preferences under this agreement if, upon their request by 31 October 2011 or 30 April 2013, the Commission decides to grant them the special incentive arrangement respectively by 15 December 2011 or 15 June 2013. Developing countries which have already been granted benefits under the special incentive arrangement as a result of the relevant Commission Decisions of December 2008 and June 2010 should retain that status during the extension of the present scheme. Commission Decision 2008/938/EC on the list of beneficiary countries which qualify for GSP+ limited the period of validity of this preferential treatment from 1 January 2009 to 31 December 2011.

**Comitology:** Council Regulation (EC) No 732/2008 contains certain powers reserved to the Council which are not based on Council Decision 1999/468/EC laying down the procedures for the exercise of implementing powers conferred on the Commission<sup>2</sup>. The Commission will make a proposal which will revise all such procedures in the common commercial policy in the light of the system of implementing acts set out in Article 291 of the Treaty on the Functioning of the European Union and the regulation on the rules and general principles concerning the Commission's exercise of the implementing powers adopted on the basis of Article 291(3).

That proposal will also address Articles 16(4), 19(4) and (5) and 22(2) of the present Regulation. It will be presented as soon as possible and will follow the adoption by the Commission on 9 March 2010 of its proposal on the rules and general principles concerning the Commission's exercise of its implementing powers.

**FINANCIAL IMPLICATIONS:** the proposal on the extension of the current GSP Regulation does not incur costs charged to the EU budget. Its application would also not entail any loss of customs revenue compared to the current situation.

## System of generalised tariff preferences (GSP): extension of the validity of the current scheme to 31 December 2013

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The Committee on International Trade adopted the report drafted by Helmut SCHOLZ (GUE/NGL, DE) on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 732/2008 applying a scheme of generalised tariff preferences for the period from 1 January 2009 to 31 December 2011.

It recommended that the European Parliament adopt its position at first reading, under the ordinary legislative procedure, taking over the Commission proposal.

## System of generalised tariff preferences (GSP): extension of the validity of the current scheme to 31 December 2013

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The European Parliament adopted by 598 votes to 5, with 16 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 732/2008 applying a scheme of generalised tariff preferences for the period from 1 January 2009 to 31 December 2011.

It adopted its position at first reading, under the ordinary legislative procedure, taking over the Commission proposal.

## System of generalised tariff preferences (GSP): extension of the validity of the current scheme to 31 December 2013

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**PURPOSE:** to extend Council Regulation (EC) No 732/2008 applying a system of generalised scheme of preferences (GSP) until 31 December 2013.

**LEGISLATIVE ACT:** Regulation (EU) No 512/2011 of the European Parliament and of the Council amending Council Regulation (EC) No 732/2008 applying a scheme of generalised tariff preferences for the period from 1 January 2009 to 31 December 2011.

**BACKGROUND:** since 1971, the Union has granted trade preferences to developing countries in the framework of its Generalised Scheme of Preferences (?GSP?). The GSP has been implemented through successive Regulations applying a scheme of generalised tariff preferences (?the scheme?) with periods of application usually of three years at a time. The current scheme was established by Council [Regulation \(EC\) No 732/2008](#) and applies until 31 December 2011.

Future improvements to the scheme should be based on a Commission proposal for a new regulation (?the next Regulation?) which should take into account relevant considerations relating to the effectiveness of Regulation (EC) No 732/2008 in achieving the objectives of the scheme. The remaining period of application of Regulation (EC) No 732/2008 is insufficient to allow for the Commission to draw up a proposal

and the subsequent adoption of the next Regulation in accordance with the ordinary legislative procedure. It is however desirable to ensure continuity in the operation of the scheme beyond 31 December 2011 until such time as the next Regulation is adopted and applies.

CONTENT: this Regulation amends those aspects Of Regulation (EC) No 732/2008 that are necessary for the extension of it period of application until 31 December 2013.

The Regulation also contains provisions that have been amended whereby developing countries that fulfil the criteria for being eligible for the special incentive arrangement for sustainable development and good governance (GSP+) should be able to benefit from the additional tariff preferences under that arrangement if, upon their request by 31 October 2011 or 30 April 2013, the Commission decides to grant them the special incentive arrangement by 15 December 2011 or 15 June 2013 respectively. Developing countries which have already been granted benefits under the special incentive arrangement as a result of Commission Decisions of 9 December 2008 and 9 June 2010 on the beneficiary countries should keep this statute through the period of the extension of the current scheme. Commission Decision 2008/938/EC of 9 December 2008 concerns a list of the beneficiary countries which qualify for GSP+ had limited the validity of this preferential regime from 1 January 2009 to 31 December 2011.

ENTRY INTO FORCE : 20.06.2011.