

Procedure file

Basic information	
NLE - Non-legislative enactments Decision	2011/0029(NLE) Procedure completed
EU/New Zealand 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 6.20.03 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	S&D MOREIRA Vital Shadow rapporteur PPE ŠŤASTNÝ Peter ALDE KAZAK Metin ECR STURDY Robert	16/03/2011
Council of the European Union	Council configuration Justice and Home Affairs (JHA)	Meeting 3121	Date 27/10/2011
European Commission	Commission DG Trade	Commissioner DE GUCHT Karel	

Key events			
11/02/2011	Preparatory document	COM(2011)0058	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	Results of vote in Parliament		
28/09/2011	Decision by Parliament	T7-0420/2011	Summary

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 EU TFEU 207-p4; Treaty on the Functioning of the EU TFEU 218-p6a
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	INTA/7/05364

Documentation gateway

Preparatory document	COM(2011)0058	11/02/2011	EC	Summary
Legislative proposal	06536/2011	28/03/2011	CSL	Summary
Document attached to the procedure	06537/2011	28/03/2011	CSL	
Committee draft report	PE465.056	30/05/2011	EP	
Committee report tabled for plenary, 1st reading/single reading	A7-0295/2011	01/09/2011	EP	
Text adopted by Parliament, 1st reading/single reading	T7-0420/2011	28/09/2011	EP	Summary

Additional information

National parliaments	IPEX
European Commission	EUR-Lex

Final act

[Decision 2011/767](#)
[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

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

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

The Committee on International Trade adopted the report drafted by Vital MOREIRA (S&D, PT) in which it recommends the European Parliament to give its consent to 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.

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

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

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.