












Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed 2014/0177(COD)
Imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Union import rules. Recast Amended by 2016/0029(COD)	
Subject 3.40.10 Textile and clothing industry, leathers 6.20.02 Export/import control, trade defence, trade barriers	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 International Trade	 WAŁĘSA Jarosław	03/09/2014
		Shadow rapporteur	
		 MOSCA Alessia Maria	
		 LOONES Sander	
		 DE SARNEZ Marielle	
		 SCHAAKE Marietje	
		 KELLER Ska	
	Committee for opinion	Rapporteur for opinion	Appointed
	 Legal Affairs	The committee decided not to give an opinion.	
	Committee for opinion on the recast technique	Rapporteur for opinion	Appointed
	 Legal Affairs		14/10/2014
		 DUDA Andrzej	
Council of the European Union	Council configuration	Meeting	Date
	Competitiveness (Internal Market, Industry, Research and Space)	3392	28/05/2015
European Commission	Commission DG Legal Service	Commissioner JUNCKER Jean-Claude	

Key events			
12/06/2014	Legislative proposal published	COM(2014)0345	Summary
22/01/2015	Vote in committee, 1st reading		

22/01/2015	Committee decision to open interinstitutional negotiations with report adopted in committee		
28/01/2015	Committee referral announced in Parliament, 1st reading		
29/01/2015	Committee report tabled for plenary, 1st reading	A8-0016/2015	Summary
29/04/2015	Results of vote in Parliament		
29/04/2015	Decision by Parliament, 1st reading	T8-0171/2015	Summary
28/05/2015	Act adopted by Council after Parliament's 1st reading		
28/05/2015	End of procedure in Parliament		
09/06/2015	Final act signed		
25/06/2015	Final act published in Official Journal		

Technical information

Procedure reference	2014/0177(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Recast
Legislative instrument	Regulation
	Amended by 2016/0029(COD)
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/8/00575

Documentation gateway

Legislative proposal		COM(2014)0345	12/06/2014	EC	Summary
Opinion on the recast technique		PE539.814	14/10/2014	EP	
Committee draft report		PE541.634	14/11/2014	EP	
Economic and Social Committee: opinion, report		CES6121/2014	10/12/2014	ESC	
Amendments tabled in committee		PE544.369	16/12/2014	EP	
Committee report tabled for plenary, 1st reading/single reading		A8-0016/2015	29/01/2015	EP	Summary
Commission response to text adopted in plenary		SP(2015)362	14/04/2015	EC	
Text adopted by Parliament, 1st reading/single reading		T8-0171/2015	29/04/2015	EP	Summary
Draft final act		00012/2015/LEX	09/06/2015	CSL	
Follow-up document		COM(2019)0079	13/02/2019	EC	

Additional information

Final act

[Regulation 2015/936](#)[OJ L 160 25.06.2015, p. 0001](#) Summary

Final legislative act with provisions for delegated acts

Delegated acts

[2017/2995\(DEA\)](#)

Examination of delegated act

Imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Union import rules. Recast

PURPOSE: codification of Council Regulation (EC) No 517/94 of 7 March 1994 on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Community import rules.

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

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: Council Regulation (EC) No 517/94 has been substantially amended several times. It is recalled that on 1 April 1987, the Commission decided to instruct its staff that all acts should be codified after no more than ten amendments, stressing that this is a minimum requirement. The Conclusions of the Presidency of the Edinburgh European Council (December 1992) confirmed this requirement, stressing the importance of codification.

The European Parliament, the Council and the Commission have agreed, by an interinstitutional agreement dated 20 December 1994, that an accelerated procedure may be used for the fast-track adoption of codification instruments.

CONTENT: in the interests of clarity and rationality, the purpose of this proposal is to **undertake a codification of Council Regulation (EC) No 517/94** on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Community import rules.

The new Regulation will **supersede the various acts incorporated in it; fully preserving the content of the acts being codified.**

At the same time, it is also appropriate to introduce certain slight substantive amendments in Articles 4(2) (Chapter I - General Principles), 6(4) (Chapter II - Union information and investigation procedure) and 23 (Chapter IV- Management of Union import restrictions) of that Regulation. Therefore, the proposal is being presented in the form of a **recast**.

The proposal is part of an alignment exercise following the entry into force of the Treaty of Lisbon to ensure that the previous decision making procedures in trade policy were **aligned to the new regime of delegated and implementing acts.**

Currently, the only countries the EU is importing textiles from that are not covered by bilateral agreements, protocols or other arrangements or by other specific EU import rules including the Generalised Scheme of Preferences and the Everything but Arms arrangement are Belarus and North Korea.

The proposed Regulation:

- **sets annual quantitative limits for the imports** of a number of textile products from these two countries, the management and distribution of which is done through a Commission Implementing Regulation, and it allows for the establishment of Union surveillance and safeguard measures;
- **allows for the imposition of surveillance measures** on other third countries where textile imports originating in them cause or threaten to cause serious injury to EU production of like or directly competitive products.

Given that the textile sector is a sensitive one for the EU, the proposal aims to ensure that the applicable rules are clear and user-friendly for the operators concerned, and that they ensure legal certainty.

Imports of textile products from certain third countries not covered by bilateral agreements,

protocols or other arrangements, or by other specific Union import rules. Recast

The Committee on International Trade adopted the report by Jarosław Wałęsa (EPP, PL) on the proposal for a regulation of the European Parliament and of the Council on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Union import rules (recast).

The proposal is part of an alignment exercise following the entry into force of the Treaty of Lisbon to ensure that the previous decision making procedures in trade policy were aligned to the new regime of delegated and implementing acts.

The committee recommended that the European Parliament's position adopted at first reading following the ordinary legislative procedure should amend the Commission proposal. The amendments aim to make the proposal clearer and enhance legal certainty. They aim to:

- stipulate that implementing acts are no longer adopted by the Council, but by the Commission following the new comitology procedure;
- keep in force, in its amended version, Annex VII on Outward Processing Traffic (OPT) from [Council Regulation \(EEC\) 3030/93](#), which is in the process of being repealed and transferred to the recast version as OPT is still in use;
- transfer CN code 3005 90 31 Gauze and articles of gauze from Council Regulation (EEC) 3030/93, which is in the process of being repealed, to Annex I.A under category 163 of the recast version. This specific product was used in the past with China and might be used again in future.

Imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Union import rules. Recast

The European Parliament adopted by 634 votes to 35, with 20 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Union import rules (recast).

Parliament adopted its position at first reading following the ordinary legislative procedure. The amendments adopted in plenary amend the Commission proposal so as to:

stipulate that implementing acts are no longer adopted by the Council, but by the Commission following the new comitology procedure;

keep in force, in its amended version, Annex VII on Outward Processing Traffic (OPT) from [Council Regulation \(EEC\) 3030/93](#), which is in the process of being repealed and transferred to the recast version as OPT is still in use; the Commission has been empowered to adopt delegated acts in this context;

transfer CN code 3005 90 31 Gauze and articles of gauze from Council Regulation (EEC) 3030/93, which is in the process of being repealed, to Annex I.A under category 163 of the recast version.

Imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Union import rules. Recast

PURPOSE: to recast Council Regulation (EC) No 517/94 on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Community import rules.

LEGISLATIVE ACT: Regulation (EU) 2015/936 of the European Parliament and of the Council on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Union import rules (recast).

CONTENT: the Regulation aims to recast Council Regulation No 517/94 which had been substantially amended on several occasions.

The Regulation applies to imports of textile products falling within Section XI of Part Two of the Combined Nomenclature set out in Annex I to Council Regulation (EEC) No 2658/87 and of other textile products, as listed in Annex I to this Regulation, originating in third countries and not covered by bilateral agreements, protocols or other arrangements, or by other specific Union import rules.

Currently, the only countries the EU is importing textiles from that are not covered by bilateral agreements, protocols or other arrangements or by other specific EU import rules including the Generalised Scheme of Preferences and the Everything but Arms arrangement are Belarus and North Korea.

The new Regulation:

- sets annual quantitative limits for the imports of a number of textile products from these two countries, the management and distribution of which is done through a Commission Implementing Regulation, and it allows for the establishment of Union surveillance and safeguard measures;
- allows for the imposition of surveillance measures on other third countries where textile imports originating in them cause or threaten to cause serious injury to EU production of like or directly competitive products.
- stipulates that if Union surveillance is applied, release for free circulation of the products in question should be made subject to presentation of a surveillance document meeting uniform criteria. That document should, on simple application by the importer, be issued by the authorities of the Member States within a certain period but without the importer thereby acquiring any right to import;
- adopts precise criteria for assessing possible injury and initiating an investigations procedure while still allowing the Commission to introduce appropriate measures in urgent cases;
- lays down detailed provisions in respect of the initiation of investigations, the checks and inspections required, the hearing of those concerned, the treatment of information obtained and the criteria for assessing injury;

- provides for an appropriate system for administering Union quantitative restrictions;
- in the interests of uniformity of rules for imports, ensures that the formalities to be carried out by importers are simple and identical regardless of the place where the goods clear customs. Formalities are carried out using forms corresponding to the specimen set out in Annex VI to this Regulation;
- authorises surveillance or safeguard measures confined to one or more regions rather than the whole of the Union. However, such measures should be authorised only exceptionally and cause the minimum of disruption to the operation of the internal market.

ENTRY INTO FORCE: 15.7.2015.

DELEGATED ACT: the Commission may adopt delegated acts in respect of amending the Annexes to this Regulation, altering the import rules and applying safeguard measures and surveillance measures in the Regulation. The power to adopt such acts is conferred on the Commission for a period of 5 years (which may be tacitly extended) from 20 February 2014. The European Parliament or Council may raise objections with regard to a delegated act within two months of the date of notification (which may be extended by two months). If Parliament or council raise objections, the delegated act will not come into force.