








# Procedure file

Basic information	
<p>COD - Ordinary legislative procedure (ex-codecision procedure) Regulation</p> <p>2018/0123(COD)</p> <p>Union Customs Code: inclusion of the municipality of Campione d'Italia and the Italian waters of Lake Lugano in the customs territory of the Union; aligning with the international trade agreements signed by the EU</p> <p>Amending Regulation (EU) No 952/2013 2012/0027(COD) See also 2018/0124(CNS)</p> <p>Subject 2.10.01 Customs union, tax and duty-free, Community transit 6.20.04 Union Customs Code, tariffs, preferential arrangements, rules of origin</p>	Procedure completed

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	IMCO Internal Market and Consumer Protection		19/06/2018
		 <a href="#">SELIMOVIC Jasenko</a>	
		Shadow rapporteur	
		 <a href="#">SCHWAB Andreas</a>	
		 <a href="#">KOHN Arndt</a>	
Council of the European Union		 <a href="#">DALTON Daniel</a>	
		 <a href="#">REDA Felix</a>	
		 <a href="#">PRETZELL Marcus</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
European Commission	INTA International Trade	The committee decided not to give an opinion.	
	Council configuration	Meeting	Date
European Economic and Social Committee	<a href="#">Competitiveness (Internal Market, Industry, Research and Space)</a>	<a href="#">3672</a>	18/02/2019
	Commission DG <a href="#">Taxation and Customs Union</a>	Commissioner MOSCOVICI Pierre	

Key events			
08/05/2018	Legislative proposal published	<a href="#">COM(2018)0259</a>	Summary
28/05/2018	Committee referral announced in Parliament, 1st reading		
12/11/2018	Vote in committee, 1st reading		

14/11/2018	Committee report tabled for plenary, 1st reading	<a href="#">A8-0368/2018</a>	Summary
22/11/2018	Committee decision to open interinstitutional negotiations with report adopted in committee		
28/11/2018	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 71)		
10/12/2018	Committee decision to enter into interinstitutional negotiations confirmed by plenary (Rule 71)		
21/01/2019	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	<a href="#">PE633.043</a> <a href="#">GEDA/A/(2019)000599</a>	
31/01/2019	Results of vote in Parliament		
31/01/2019	Decision by Parliament, 1st reading	<a href="#">T8-0047/2019</a>	Summary
18/02/2019	Act adopted by Council after Parliament's 1st reading		
19/03/2019	Final act signed		
19/03/2019	End of procedure in Parliament		
25/03/2019	Final act published in Official Journal		

#### Technical information

Procedure reference	2018/0123(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amending Regulation (EU) No 952/2013 <a href="#">2012/0027(COD)</a> See also <a href="#">2018/0124(CNS)</a>
Legal basis	Treaty on the Functioning of the EU TFEU 207; Treaty on the Functioning of the EU TFEU 033; Treaty on the Functioning of the EU TFEU 114
Other legal basis	Rules of Procedure EP 159
Mandatory consultation of other institutions	<a href="#">European Economic and Social Committee</a>
Stage reached in procedure	Procedure completed
Committee dossier	IMCO/8/13073

#### Documentation gateway

Legislative proposal	<a href="#">COM(2018)0259</a>	08/05/2018	EC	Summary
Committee draft report	<a href="#">PE629.562</a>	24/10/2018	EP	
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A8-0368/2018</a>	14/11/2018	EP	Summary
Coreper letter confirming interinstitutional agreement	<a href="#">GEDA/A/(2019)000599</a>	12/12/2018	CSL	

Text agreed during interinstitutional negotiations		<a href="#">PE633.043</a>	12/12/2018	EP	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T8-0047/2019</a>	31/01/2019	EP	Summary
Commission response to text adopted in plenary		SP(2019)150	27/02/2019	EC	
Draft final act		<a href="#">00080/2018/LEX</a>	13/03/2019	CSL	

## Final act

[Regulation 2019/474](#)

[OJ L 083 25.03.2019, p. 0038](#) Summary

## Union Customs Code: inclusion of the municipality of Campione d'Italia and the Italian waters of Lake Lugano in the customs territory of the Union; aligning with the international trade agreements signed by the EU

**PURPOSE** : to make technical amendments to the Union Customs Code (UCC) to ensure that the Code meets its objectives of improving the competitiveness of European businesses, but also better protecting the financial and economic interests of the Union and the Member States and the safety and security of EU consumers.

**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**: following the entry into force of the new substantial provisions of the [Regulation \(EU\) No 952/2013](#) of the European Parliament and the Council laying down Union Customs Code (UCC) in May 2016, the process of regular consultation with Member States and business has resulted in the identification of errors and technical anomalies that need to be corrected in order to ensure legal certainty and consistency.

The Commission has therefore prepared this proposal to amend the UCC with a view to correcting these technical errors and omissions, including the alignment of the UCC with an international agreement that was not in force at the time of adoption of the UCC, namely, the Canada-EU Comprehensive Economic and Trade Agreement (CETA).

The proposal also aims at addressing a request from Italy to include the municipality of Campione d'Italia and the Italian waters of Lake Lugano in the EU customs territory.

**CONTENT**: the proposal provides for the following amendments to the provisions of the UCC:

- amend the definition of the customs territory of the Union to include the Italian municipality of Campione d'Italia and the Italian waters of Lake Lugano within its scope. The inclusion of these territories in the customs territory of the Union should apply from 1 January 2019;
- specify that the holder of a binding tariff information (BTI) decision may use that decision for up to six months after the decision has been revoked if the revocation results from the fact that the decision was not in conformity with customs legislation or that the conditions laid down for issuing the decision were not or no longer fulfilled;
- add temporary storage to the list of customs formalities covered by the provision that extinguishes a debt due to non-compliance in cases where there was no significant negative effect, no attempt at deception and the situation was subsequently regularised;
- clarify that, where customs authorities must invalidate an entry summary declaration due to the fact that the goods covered by the declaration have not been brought into the customs territory of the Union, the entry summary declaration should be invalidated without delay 200 days after the declaration was lodged rather than within 200 days as that is the period within which the goods must be brought into the customs territory of the Union;
- clarify that economic operators provide them with pre-arrival data concerning non-Union goods in the form of an entry summary declaration. Where an entry summary declaration has not been lodged before the arrival of the goods and the obligation to lodge it has not been waived, economic operators should submit the data normally included in entry summary declarations in their customs declarations or temporary storage declarations;
- clarify that, in cases where customs authorities have to invalidate a temporary storage declaration due to non-presentation of the relevant goods, the invalidation must happen once 30 days have elapsed since the declaration was lodged rather than "within" the period of 30 days;
- clarify that, in cases where customs authorities have to invalidate an exit summary declaration or reexport notification due to the non-export of the relevant goods, the invalidation must happen once 150 days have elapsed since the declaration or notification was lodged rather than "within" the period of 150 days;
- add a new provision in order to provide total relief from import duty for goods that have been repaired or altered under the outward processing procedure in a country with which the Union has concluded a preferential agreement (like CETA with Canada) providing for such relief.

## Union Customs Code: inclusion of the municipality of Campione d'Italia and the Italian waters of Lake Lugano in the customs territory of the Union; aligning with the international trade

## agreements signed by the EU

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The Committee on the Internal Market and Consumer Protection adopted the report by Jasenko SELIMOVIC (ALDE, SE) 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.

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

The proposal aims to make technical amendments to the Union Customs Code (UCC) to ensure that the Code meets its objectives of improving the competitiveness of European businesses, but also better protecting the financial and economic interests of the Union and the Member States and the safety and security of EU consumers.

The Commission proposes to amend the EU Customs Code in order to correct these technical errors and omissions, including the alignment harmonisation of the UCC with an international agreement that was not in force at the time of adoption of the Code, the Canada-EU Comprehensive Economic and Trade Agreement (CETA).

In addition, the proposal aims to respond to a request from Italy to include the Italian municipality of Campione d'Italia and the Italian waters of Lake Lugano in the customs territory of the Union.

## Union Customs Code: inclusion of the municipality of Campione d'Italia and the Italian waters of Lake Lugano in the customs territory of the Union; aligning with the international trade agreements signed by the EU

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The European Parliament adopted by 520 votes to 29, with 48 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.

Parliament adopted its position at first reading in accordance with the ordinary legislative procedure.

The proposal makes technical amendments to the Union Customs Code (UCC) to ensure that the Code meets its objectives of improving the competitiveness of European businesses, but also better protecting the financial and economic interests of the Union and the Member States and the safety and security of EU consumers.

The amendments introduced aim to (i) implement the basic objectives of enabling the Customs Union to function effectively and to implement the common commercial policy, (ii) solve a number of technical issues that have been identified in the implementation of the Code since its entry into force and (iii) align the Code with international trade agreements that were not in force at the time of its adoption.

In addition, the proposal amends the definition of the customs territory of the Union to include the Italian municipality of Campione d'Italia and the Italian waters of Lake Lugano within its scope. The inclusion of these two territories in the customs territory of the Union shall apply from 1 January 2020.

## Union Customs Code: inclusion of the municipality of Campione d'Italia and the Italian waters of Lake Lugano in the customs territory of the Union; aligning with the international trade agreements signed by the EU

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**PURPOSE:** to make technical amendments to the Union Customs Code (UCC) to ensure that the Code meets its objectives of improving the competitiveness of European businesses, but also better protecting the financial and economic interests of the Union and the Member States and the safety and security of EU consumers.

**LEGISLATIVE ACT:** Regulation (EU) 2019/474 of the European Parliament and of the Council amending Regulation (EU) No 952/2013 laying down the Union Customs Code.

**CONTENT:** the amendments to the EU Customs Code aim to (i) implement the fundamental objectives of enabling the Customs Union to function effectively and to implement the Common Commercial Policy, (ii) resolve a number of technical problems that have been identified in the implementation of the Code since its entry into force and (iii) harmonise the Code with international trade agreements that were not in force when it was adopted.

In concrete terms, the amendments aim in particular to:

- specify that the holder of a binding tariff information (BTI) decision may use that decision for up to six months after the decision has been revoked if the revocation results from the fact that the decision was not in conformity with customs legislation or that the conditions laid down for issuing the decision were not or no longer fulfilled;
- add temporary storage to the list of customs formalities covered by the provision that extinguishes a debt due to non-compliance in cases where there was no significant negative effect, no attempt at deception and the situation was subsequently regularised;
- add a new provision in order to provide total relief from import duty for goods that have been repaired or altered under the outward processing procedure in a country with which the Union has concluded a preferential agreement (like CETA with Canada) providing for such relief.

In addition, the Regulation amends the definition of the customs territory of the Union to include the Italian municipality of Campione d'Italia (an Italian enclave located on the territory of Switzerland) and the Italian waters of Lake Lugano within its scope. The inclusion of these two territories in the customs territory of the Union shall apply from 1 January 2020.

**ENTRY INTO FORCE:** 14.4.2019.

