

Procedure file

Basic information			
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	2020/0176(COD)	Procedure completed	
Application of Union tariff rate quotas and other import quotas Amended by 2023/0063(COD)			
Subject 6.20.01 Agreements and relations in the context of the World Trade Organization (WTO) 6.20.05 Multilateral and plurilateral economic and trade agreements and relations			
Key players			
European Parliament	Committee responsible INTA International Trade	Rapporteur  HANSEN Christophe Shadow rapporteur  DE CASTRO Paolo  SCHREINEMACHER Liesje  HAUTALA Heidi  BUCHHEIT Markus  BOURGEOIS Geert	Appointed 10/09/2020
	Committee for opinion IMCO Internal Market and Consumer Protection	Rapporteur for opinion The committee decided not to give an opinion.	Appointed
Council of the European Union European Commission	Commission DG Trade	Commissioner DOMBROVSKIS Valdis	
Key events			
14/08/2020	Legislative proposal published	COM(2020)0375	Summary
14/09/2020	Committee referral announced in Parliament, 1st reading		

10/11/2020	Vote in committee, 1st reading		
12/11/2020	Committee report tabled for plenary, 1st reading	A9-0216/2020	
25/11/2020	Results of vote in Parliament		
26/11/2020	Decision by Parliament, 1st reading	T9-0324/2020	Summary
16/12/2020	Act adopted by Council after Parliament's 1st reading		
16/12/2020	Final act signed		
17/12/2020	End of procedure in Parliament		
21/12/2020	Final act published in Official Journal		

Technical information

Procedure reference	2020/0176(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amended by 2023/0063(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/9/03988

Documentation gateway

Legislative proposal	COM(2020)0375	14/08/2020	EC	Summary
Committee draft report	PE657.408	22/09/2020	EP	
Committee report tabled for plenary, 1st reading/single reading	A9-0216/2020	12/11/2020	EP	
Text adopted by Parliament, 1st reading/single reading	T9-0324/2020	26/11/2020	EP	Summary
Draft final act	00043/2020/LEX	16/12/2020	CSL	
Commission response to text adopted in plenary	SP(2020)694	08/01/2021	EC	

Final act

Regulation 2020/2170 OJ L 432 21.12.2020, p. 0001
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Delegated acts

2023/2893(DEA)	Examination of delegated act
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PURPOSE: to address the consequences of the United Kingdom's withdrawal from the EU and in particular to prepare for the implementation of the Withdrawal Agreement and the Protocol on Ireland and Northern Ireland as regards the application of tariff and other quotas on imports from the Union.

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: the Protocol on Ireland/Northern Ireland annexed to the Withdrawal Agreement reiterates that Northern Ireland is part of the customs territory of the United Kingdom, and that nothing in the Protocol prevents the United Kingdom from including Northern Ireland in the territorial scope of its Schedules of Concessions annexed to the General Agreement on Tariffs and Trade 1994 (GATT 1994).

This means that despite Northern Ireland being formally in the United Kingdom's customs territory, the United Kingdom, in respect of Northern Ireland, is obliged to apply the Union's customs legislation as if Northern Ireland were still in the Union's customs territory.

The bilateral arrangements between the Union and the United Kingdom under the Protocol do not give rise to rights and obligations for third countries.

Consequently, any imports pursuant to Union import tariff rate quotas or other import quotas applying to goods originating in a third country brought into Northern Ireland could not be counted towards that third country's rights vis-à-vis the Union, unless agreed by the third country. That situation poses a risk to the proper functioning of the Union's Single Market and the integrity of the Common Commercial Policy through the possible circumvention of the Union's tariff rate quotas or other import quotas.

To address that risk, the Union's import tariff rate quotas and other import quotas should be available only for goods imported and released into free circulation in the Union and not in Northern Ireland.

Any agreement of the Union with a third country providing for export tariff rate quotas applies only to goods imported within the Union. Therefore, that third country could refuse to issue export licenses for direct imports into Northern Ireland.

By virtue of the Protocol, this Regulation also applies to and in the United Kingdom in respect of Northern Ireland.

CONTENT: under the proposed Regulation, the Union's tariff rate quotas and other import quotas on imports should be available only for goods imported from outside of the Union and released into free circulation in the Union.

The proposal lists the relevant customs territories, which make up the Union's customs territory. This list does not include Northern Ireland, which has the effect that the Union's tariff rate quotas and other import quotas would not be available for imports into Northern Ireland.

The Regulation should start the day following the end of transition period, on 1 January 2021.

Application of Union tariff rate quotas and other import quotas

The European Parliament adopted by 686 votes to 3, with 7 abstentions, a legislative resolution on the proposal for a Regulation of the European Parliament and of the Council on the application of Union

tariff rate quotas and other import quotas.

Parliament adopted its position at first reading under the ordinary legislative procedure.

Members approved the proposal, which aims to address the consequences of the United Kingdom's withdrawal from the EU and in particular to prepare for the implementation of the Withdrawal Agreement and the Protocol on Ireland and Northern Ireland as regards the application of tariff and other quotas on imports from the Union.

The only notable provision of the proposal makes it clear that the tariff and other import quotas should be available only for goods imported and released into free circulation in the Union and not in Northern Ireland.

This is done by listing all EU territories where goods can be released into free circulation. This list does not include Northern Ireland.

In line with Members' wishes, the regulation should enter into force on the day following that of its publication in the Official Journal of the European Union. It should apply from 1 January 2021.