



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 28.11.2006
COM(2006)737 final

2006/0242 (ACC)

Proposal for a

COUNCIL REGULATION

amending Regulation (EEC) No 3030/93 on common rules for imports of certain textile products from third countries

(presented by the Commission)

EXPLANATORY MEMORANDUM

1) CONTEXT OF THE PROPOSAL

- **Grounds for and objectives of the proposal**

As from 1 January 2007, the European Union will include 2 new Member States, Romania and Bulgaria. Article 6(7) of the Act of Accession provides that the quantitative restrictions applied by the Community on imports of textile and clothing products are to be adjusted to take account of the accession of the new Member States to the Community. The quantitative restrictions applicable to imports of certain textile products from third countries into the enlarged Community must consequently be adjusted so as to cover actual imports into the new Member States. This necessitates amendments to Council Regulation (EEC) No 3030/93.

- **General context**

In order to prevent that the enlargement of the Community would have restrictive effects on trade in an enlarged EU, it is appropriate to adjust the quota levels. The methodology used takes into account the traditional imports into the new Member States, as the EU did for the previous enlargements.

- **Existing provisions in the area of the proposal**

OJ L 79, 17.3.2004, p. 1, OJ L 177, 8.7.2005, p. 19, OJ L 7, 12.1.2006, p. 8.

2) CONSULTATION OF INTERESTED PARTIES AND IMPACT ASSESSMENT

- **Consultation of interested parties**

No formal consultation is necessary within the enlargement process.

- **Collection and use of expertise**

There was no need for external expertise.

- **Impact assessment**

No impact assessment needed as Regulation is direct consequence of Enlargement decision.

3) LEGAL ELEMENTS OF THE PROPOSAL

- **Summary of the proposed action**

The proposal is an amendment of Council Regulation (EEC) No 3030/93 on common rules for imports of certain textile products from third countries. The amendment must enter into force on 1 January 2007.

- **Legal basis**

Article 133 of the Treaty establishing the EC

- **Choice of instruments**

Proposed instruments: regulation.

Other means would not be adequate for the following reason(s).

Other means would not be adequate because there are no other means available to amend Regulation (EEC) No 3030/93.

4) BUDGETARY IMPLICATION

The proposal has no implication for the Community budget.

Proposal for a

COUNCIL REGULATION

amending Regulation (EEC) No 3030/93 on common rules for imports of certain textile products from third countries

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) As from 1 January 2007, the European Union will include two new Member States, Romania and Bulgaria. Article 6(7) of the Act of Accession provides that the quantitative restrictions applied by the Community on imports of textile and clothing products are to be adjusted to take account of the accession of the new Member States to the Community. The quantitative restrictions applicable to imports of certain textile products from third countries into the enlarged Community should consequently be adjusted so as to cover imports into the two new Member States. This necessitates amendments to Council Regulation (EEC) No 3030/93 of 12 October 1993 on common rules for imports of certain textile products from third countries¹.
- (2) In order to prevent the enlargement of the Community from having restrictive effects on trade, it is appropriate, when amending the quantities, to use a methodology which takes into account, for the purpose of adjusting the new quota levels, the traditional imports into the new Member States. A formula consisting of the average of the last three years' imports into the two new Member States originating in third countries, provides an adequate measurement of those historical flows. The years 2003 to 2005 have been selected as the most significant, as they represent the latest available information about the two new Member States' imports in textiles and clothing.
- (3) Accordingly, Annexes V and VII to Regulation (EEC) No 3030/93 should be amended to list quota levels applicable from the date of the enlargement, namely 1 January 2007.
- (4) All provisions of Regulation (EEC) No 3030/93 should be adapted so as to apply to imports into the new Member States. Consequently, the initials of the new Member States should be inserted in Annex III.

¹ OJ L 275, 8.11.1993, p. 1. Regulation as last amended by Commission Regulation (EC) No 35/2006 (OJ L 7, 12.1.2006, p. 8).

(5) Regulation (EEC) No 3030/93 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3030/93 is amended as follows:

1. In Article 2, paragraph 9 is replaced by the following:

“9. The release for free circulation in one of the new Member States acceding to the European Communities on 1 January 2007, namely Romania and Bulgaria, of textile products which are subject to quantitative limits or to surveillance in the Community and which have been shipped before 1 January 2007 and enter the two new Member States on or after 1 January 2007 shall be subject to presentation of an import authorisation. Such import authorisation shall be granted automatically and without quantitative limitation by the competent authorities of the Member State concerned, upon adequate proof, such as the bill of lading, that the products have been shipped before 1 January 2007.

Such licences shall be communicated to the Commission.”

2. In Article 5, the second paragraph is replaced by the following:

“The release for free circulation of textile products sent from one of the Member States acceding to the European Union on 1 January 2007 to a destination outside the Community for processing before 1 January 2007, and re-imported into the same Member State on or after that date, shall upon adequate proof, such as the export declaration, not be subject to quantitative limits or import authorisation requirements. The competent authorities of the Member State concerned shall provide information on those imports to the Commission.”

3. In Annex III, the second indent of Article 28(6) is replaced by the following:

- "two letters identifying the intended Member State of destination, or group of such Member States, as follows:
 - AT = Austria
 - BG = Bulgaria
 - BL = Benelux
 - CY = Cyprus
 - CZ = Czech Republic
 - DE = Federal Republic of Germany
 - DK = Denmark
 - EE = Estonia

- GR = Greece
- ES = Spain
- FI = Finland
- FR = France
- GB = United Kingdom
- HU = Hungary
- IE = Ireland
- IT = Italy
- LT = Lithuania
- LV = Latvia
- MT = Malta
- PL = Poland
- PT = Portugal
- RO = Romania
- SE = Sweden
- SI = Slovenia
- SK = Slovakia"

4. Annex V is replaced by the text set out in the Annex part A to this Regulation.
5. In Annex VII, the table is replaced by the table set out in the Annex Part B to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 2007.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council
The President

ANNEX

PART A

Annex V is replaced by the following:

“ANNEX V

COMMUNITY QUANTITATIVE LIMITS

Applicable for the year 2007

(The complete description of the goods is shown in Annex I)			Community quantitative limits
Third country	Category	Unit	2007
BELARUS	GROUP IA		
	1	Tonnes	1 586
	2	Tonnes	6 643
	3	Tonnes	242
	GROUP IB		
	4	1 000 pieces	1 839
	5	1 000 pieces	1 105
	6	1 000 pieces	1 705
	7	1 000 pieces	1 377
	8	1 000 pieces	1 160
	GROUP IIA		
	9	Tonnes	363
	20	Tonnes	329
	22	Tonnes	524
	23	Tonnes	255
	39	Tonnes	241
	GROUP IIB		
	12	1 000 pairs	5 959
	13	1 000 pieces	2 651
	15	1 000 pieces	1 726
	16	1 000 pieces	186
21	1 000 pieces	930	

	24	1 000 pieces	844
	26/27	1 000 pieces	1 117
	29	1 000 pieces	468
	73	1 000 pieces	329
	83	Tonnes	184
	GROUP IIIA		
	33	Tonnes	387
	36	Tonnes	1 312
	37	Tonnes	463
	50	Tonnes	207
	GROUP IIIB		
	67	Tonnes	359
	74	1 000 pieces	377
	90	Tonnes	208
	GROUP IV		
	115	Tonnes	268
	117	Tonnes	2 312
	118	Tonnes	471
CHINA	GROUP IA		
	2 (including 2a)	tonnes	70 636
	GROUP IB		
	4 ²	1 000 pieces	595 624
	5	1 000 pieces	220 054
	6	1 000 pieces	388 528
	7	1 000 pieces	90 829
	GROUP IIA		
	20	tonnes	18 518
	39	tonnes	14 862
	GROUP IIB		
	26	1 000 pieces	29 736

² See Appendix A.

	31	1 000 pieces	250 209
	GROUP IV		
	115	tonnes	5 347

Appendix A to Annex V

Category	Third Country	Remarks
4	China	<p>For the purpose of setting off exports against the agreed levels a conversion rate of five garments (other than babies' garments) of a maximum commercial size of 130 cm for three garments whose commercial size exceeds 130 cm may be applied for up to 5 % of the agreed levels.</p> <p>The export licence concerning these products must bear, in box 9, the words "The conversion rate for garments of a commercial size of not more than 130 cm must be applied"</p>

“

PART B

In Annex VII the table is replaced by the following:

“TABLE

COMMUNITY QUANTITATIVE LIMITS

FOR GOODS RE-IMPORTED UNDER OUTWARD PROCESSING TRAFFIC

(The complete description of the goods is shown in Annex I)			Community quantitative limits
Third country	Category	Unit	2007
BELARUS	GROUP IB		
	4	1 000 pieces	5 796
	5	1 000 pieces	8 079
	6	1 000 pieces	10 775
	7	1 000 pieces	8 088
	8	1 000 pieces	2 754
	GROUP IIB		
	12	1 000 pairs	5 445
	13	1 000 pieces	853
	15	1 000 pieces	4 723
	16	1 000 pieces	962
	21	1 000 pieces	3 142
	24	1 000 pieces	809
	26/27	1 000 pieces	3 938
	29	1 000 pieces	1 596
	73	1 000 pieces	6 119
	83	Tonnes	813
	GROUP IIIB		
	74	1 000 pieces	1 067
	CHINA	GROUP IB	
4		1 000 pieces	450
5		1 000 pieces	977
6		1 000 pieces	3 589

7	1 000 pieces	970
GROUP IIB		
26	1 000 pieces	1 707
31	1 000 pieces	13 681

“