



Plenary sitting

B8-0515/2016/rev.

2.5.2016

RECOMMENDATION FOR A DECISION

pursuant to Rule 105(6) of the Rules of Procedure

to raise no objections to the Commission Delegated Regulation of 8 April 2016 correcting Delegated Regulation (EU) 2016/341 as regards transitional rules for certain provisions of the Union Custom Code where the relevant electronic systems are not yet operational and amending Delegated Regulation (EU) 2015/2446 (2016/2656(DEA))

Vicky Ford

on behalf of the Committee on the Internal Market and Consumer Protection

Draft European Parliament decision to raise no objections to the Commission Delegated Regulation of 8 April 2016 correcting Delegated Regulation (EU) 2016/341 as regards transitional rules for certain provisions of the Union Custom Code where the relevant electronic systems are not yet operational and amending Delegated Regulation (EU) 2015/2446 (2016/2656(DEA))

The European Parliament,

- having regard to the Commission Delegated Regulation (C(2016)2002),
 - having regard to the Commission’s letter of 11 March 2016 asking Parliament to declare that it will raise no objections to the Delegated Regulation,
 - having regard to the letter from the Committee on the Internal Market and Consumer Protection to the Chair of the Conference of Committee Chairs of 21 April 2016,
 - having regard to Article 290 of the Treaty on the Functioning of the European Union,
 - having regard to Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code¹, and in particular Article 278, Article 279 and Article 284(5) thereof,
 - having regard to the recommendation for a decision of the Committee on the Internal Market and Consumer Protection,
 - having regard to Rule 105(6) of its Rules of Procedure,
- A. whereas following the adoption of the Delegated Regulation (EU) 2016/341², it was detected that some forms, in the part concerning simplifications, were erroneously omitted from Annex 12, which will have a very negative impact for customs authorities and traders if they are not added before 1 May 2016, when the relevant provisions of the Union Customs Code and its implementing provisions will become applicable;
- B. whereas regarding that same Annex 12, in the part concerning simplifications, certain errors were also detected concerning the terminology used in the forms, and whereas, if those errors are not corrected, they will affect the legal clarity and adequacy with the Union Customs Code and its implementing provisions;
- C. whereas the Delegated Regulation (EU) 2016/341 should therefore be corrected accordingly to include in Annex 12, in the part concerning simplifications, the forms that are missing and, in the same part of that Annex, to replace the existing forms;

¹ OJ L 269, 10.10.2013, p. 1.

² Delegated Regulation (EU) 2016/341 as regards transitional rules for certain provisions of the Union Customs Code where the relevant electronic systems are not yet operational and amending Delegated Regulation (EU) 2015/2446 (OJ L 69, 15.03.2016, p 1).

- D. whereas in order to ensure that the Customs Union functions smoothly and that there is no disruption of trade flows, the delegated regulation needs to be applied as from 1 May 2016;
- E. whereas the delegated regulation may only enter into force at the end of the period set for scrutiny by Parliament and the Council if no objection has been raised either by Parliament or by the Council or if, before the expiry of that period, both Parliament and the Council have informed the Commission that they will not object; whereas the scrutiny period is set under Article 284(5) of Regulation (EU) No 952/2013 as two months from the date of notification, that is to say, it runs until 9 June 2016 and may be extended by a further period of two months;
- F. whereas, however, on grounds of urgency, the Commission asked on 11 March 2016 for an early confirmation of the delegated regulation before 1 May 2016 by Parliament;
1. Declares that it has no objections to the delegated regulation;
 2. Instructs its President to forward this decision to the Council and the Commission.