



Plenary sitting

A8-0329/2016

14.11.2016

*****I**
REPORT

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, as regards goods that have temporarily left the customs territory of the Union by sea or air
(COM(2016)0477 – C8-0328/2016 – 2016/0229(COD))

Committee on the Internal Market and Consumer Protection

Rapporteur: Maria Grapini

(Simplified procedure – Rule 50(1) of the Rules of Procedure)

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the **■** symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

CONTENTS

	Page
DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION.....	5
EXPLANATORY STATEMENT.....	6
PROCEDURE – COMMITTEE RESPONSIBLE.....	7

DRAFT EUROPEAN PARLIAMENT 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, as regards goods that have temporarily left the customs territory of the Union by sea or air (COM(2016)0477 – C8-0328/2016– 2016/0229(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2016)0477),
 - having regard to Article 294(2) and Article 207 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0328/2016),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the report of the Committee on the Internal Market and Consumer Protection (A8-0329/2016),
1. Adopts its position at first reading, taking over the Commission proposal;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

EXPLANATORY STATEMENT

The full entry into application on 1st May 2016 of the provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (UCC) and its subsequent implementing and delegated acts has brought to the spotlight certain shortcomings in its drafting.

The relevant authorities in the Member States do not have a legal basis, under the current article 136, to apply provisions related to:

- lodging the entry summary declaration,
- notifying the arrival of a sea-going vessel or an aircraft,
- conveying and present the goods to customs upon unloading or transshipment,
- to wait authorisation before unloading or transshipping the goods,
- as well as the provisions on temporary storage.

These provisions apply in the concrete case of goods that have temporarily left the Union customs territory while moving by direct route between two points of that territory by sea or air without a stop outside the Union.

In absence of a clear legal basis to require presentation of these goods to the customs authorities, they see their effective custom supervision duties hampered, in the sense that they will not be able to:

- correctly levy import duty and other charges,
- correctly apply non-fiscal measures such as sanitary controls,
- identify risks on goods arriving in their ports or airports.

The current proposal to amend Article 136 is aimed at closing this gap and thereby ensuring equal treatment of goods and providing again the legal basis that was already established through the old customs code.

PROCEDURE – COMMITTEE RESPONSIBLE

Title	Laying down the Union Customs Code, as regards goods that have temporarily left the customs territory of the Union by sea or air
References	COM(2016)0477 – C8-0328/2016 – 2016/0229(COD)
Date submitted to Parliament	19.7.2016
Committee responsible Date announced in plenary	IMCO 12.9.2016
Committees asked for opinions Date announced in plenary	INTA 12.9.2016
Not delivering opinions Date of decision	INTA 31.8.2016
Rapporteurs Date appointed	Maria Grapini 26.9.2016
Simplified procedure - date of decision	26.9.2016
Date tabled	14.11.2016