



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 25 April 2013

8932/13

**Interinstitutional Files:
2013/0104 (COD)**

**UD 95
ENFOCUSTOM 78
MI 335
COMER 103
TRANS 187
CODEC 926
OC 258**

"I" ITEM NOTE

from : General Secretariat of the Council

to : Permanent Representatives Committee

No. Cion prop.: 8355/13 UD 78 ENFOCUSTOM 66 MI 278 COMER 78 TRANS 151 CODEC 785

Subject : Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 450/2008 laying down the Community Customs Code (Modernised Customs Code) as regards the date of its application
(First reading) (Legislative deliberation)
- Approval of the final compromise text
- **COMMON GUIDELINES**
Consultation deadline: 26.04.2013

1. On 11 April 2013, the Commission submitted to the Council and European Parliament a proposal based on Articles 33, 104 and 207 of the Treaty on the Functioning of the European Union and aiming at postponing to 1 November 2013 the date of application of Regulation (EC) No. 450/2008 in order to provide the legislature with adequate time to complete the process of adoption of the Union Customs Code, which repeals Regulation (EC) No. 450/2008.

2. The Working Party on Customs Union reached an agreement on this proposal at its meeting on 24 April 2013.
3. The Economic and Social Committee has been consulted on this proposal on 18 April 2013.
4. An agreement on the text of the proposal was reached within the framework of an informal meeting between the European Parliament, the Council and the Commission on 23 April 2013. The IMCO Committee of the European Parliament is expected to adopt at its meeting on 7 May 2013 a report approving the proposal without any amendments.
5. **Against this background, the Permanent Representatives Committee is invited to:**
 - **approve the draft Regulation as set out in doc. 8355/13, with a view to reaching an agreement at first reading with the European Parliament; and**
 - **give to the Chairman of the Permanent Representatives Committee the mandate to inform the Chair of the European Parliament's IMCO Committee that, should the European Parliament adopt the Commission proposal in the exact form as set out in doc. 8355/13, the Council would adopt the Regulation in the form of the Commission proposal, subject to legal-linguistic verification by both Institutions.**

=====