



Brussels, 18 January 2018  
(OR. en)

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SPG 1  
WTO 8  
DELECT 14

#### 'I/A' ITEM NOTE

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From: General Secretariat of the Council  
To: Permanent Representatives Committee/Council

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No. Cion doc.: 15821/17 SPG 26 WTO 316 DELACT 254 + ADD 1

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Subject: COMMISSION DELEGATED REGULATION (EU) .../... of 14.12.2017 amending Annexes V and IX to Regulation (EU) No 978/2012 of the European Parliament and of the Council applying a scheme of generalised tariff preferences  
*Delegated act - Intention not to raise objections*

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1. The Commission has submitted the above delegated act<sup>1</sup> to the Council in accordance with the procedure set out in Article 290 TFEU and with Articles 6(2) and 11(2) of the European Parliament and Council Regulation (EU) No 978/2012 of 25 October 2012 applying a scheme of generalised tariff preferences and repealing Council Regulation (EC) No 732/2008<sup>2</sup>, empowering the Commission to adopt delegated acts in order to amend Annexes V and IX to that Regulation.
2. Annex V contains the list of products included in the general arrangement of GSP. This list is based on the Combined Nomenclature ('CN'). Article 6(2) of the GSP Regulation provides that the Commission shall be empowered to adopt delegated acts to amend Annex V in order to incorporate changes made necessary by subsequent amendments to the CN.

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<sup>1</sup> doc. 15821/17 SPG 26 WTO 316 DELACT 254 + ADD 1

<sup>2</sup> OJ L 303, 31.10.2012, p.1

3. Annex IX establishes the list of products included in the special incentive arrangement for sustainable development and good governance (GSP+). This list is also based on the CN. Article 11(2) of the GSP Regulation provides that the Commission shall be empowered to adopt delegated acts to amend Annex IX to take into account amendments to the CN affecting the products listed in that Annex.
4. The Combined Nomenclature as established by Council Regulation (EEC) No 2658/87 had been amended by Commission Implementing Regulation (EU) 2016/1821, which entered into force on 1 January 2017. Therefore, Annex V and Annex IX to the GSP Regulation should be amended in order to ensure consistency with the CN product list.
5. As the Commission notified the delegated act on 15 December 2017, the Council may object to that delegated act within a period of two months, i.e. until 15 February 2018.
6. Within the framework of the Working Party on the Generalised System of Preferences, no objections were raised by delegations by the deadline of 17 January 2018.
7. It is therefore suggested to record that there is no objection to the delegated act and that the Commission and the European Parliament are to be informed thereof. This implies that, unless the European Parliament objects to it, the delegated act shall be published and enter into force in accordance with Article 36 of the European Parliament and Council Regulation (EU) No 978/2012 of 25 October 2012 applying a scheme of generalised tariff preferences and repealing Council Regulation (EC) No 732/2008.