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INFORMATION NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) No 978/2012 of the European Parliament and of the Council of 25 October 2012 applying a scheme of generalised tariff preferences and repealing Council Regulation (EC) No 732/2008 - Outcome of the European Parliament's first reading (Strasbourg, 2 to 5 October 2023)

I. INTRODUCTION

On 6 September 2023, the Permanent Representatives Committee confirmed that should the European Parliament approve the abovementioned Commission's proposal without amendments, the Council would approve the European Parliament's position.

On 19 September 2023, the rapporteur, Heidi HAUTALA (Greens/EFA, FI), presented a report on behalf of the Committee on International Trade (INTA) aiming at taking over the abovementioned proposal for a Regulation. No amendments were presented.

II. VOTE

The Parliament adopted its first-reading position on 5 October 2023 by taking over the Commission proposal. This position is contained in its legislative resolution.

The Council should therefore be in a position to approve the European Parliament's position as set out in the Annex hereto, thus bringing to a close the first reading for both Institutions.

The legislative act would then be adopted in the wording which corresponds to the European Parliament's position

P9_TA(2023)0353

Scheme of generalised tariff preferences

European Parliament legislative resolution of 5 October 2023 on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) No 978/2012 of the European Parliament and of the Council of 25 October 2012 applying a scheme of generalised tariff preferences and repealing Council Regulation (EC) No 732/2008 (COM(2023)0426 – C9-0226/2023 – 2023/0252(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2023)0426),
 - having regard to Article 294(2) and Article 207(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0226/2023),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the undertaking given by the Council representative by letter of 6 September 2023 to approve Parliament's position, in accordance with Article 294(4) 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 International Trade (A9-0267/2023),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Position of the European Parliament adopted at first reading on 5 October 2023 with a view to the adoption of Regulation (EU) 2023/... of the European Parliament and of the Council amending Regulation (EU) No 978/2012 applying a scheme of generalised tariff preferences

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207(2) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Acting in accordance with the ordinary legislative procedure¹,

¹ Position of the European Parliament of 5 October 2023.

Whereas:

- (1) Since 1971, the Union has granted trade preferences to developing countries under its scheme of generalised tariff preferences (the ‘scheme’).
- (2) Regulation (EU) No 978/2012 of the European Parliament and of the Council² provides for the application of the scheme until 31 December 2023, with the exception of the special arrangement for the least-developed countries, which continues to be applied without any expiry date.
- (3) On 22 September 2021, the Commission submitted a proposal for a regulation of the European Parliament and of the Council on applying a generalised scheme of tariff preferences and repealing Regulation (EU) No 978/2012 of the European Parliament and of the Council³ (the ‘proposed successor regulation’). The proposed successor regulation is set to enter into force on 1 January 2024. However, the relevant ordinary legislative procedure is ongoing and there is a risk that it will not be concluded by 31 December 2023. In order to ensure continuity of the application of the scheme, it is necessary to extend the period of application of Regulation (EU) No 978/2012 beyond 31 December 2023 until the moment the proposed successor regulation is adopted and applies.

² Regulation (EU) No 978/2012 of the European Parliament and of the Council of 25 October 2012 applying a scheme of generalised tariff preferences and repealing Council Regulation (EC) No 732/2008 (OJ L 303, 31.10.2012, p. 1).

³ COM(2021)0579.

- (4) The extension of the period of application of Regulation (EU) No 978/2012 should provide the time needed for the completion of the legislative procedure for the adoption of the proposed successor regulation. Accordingly, the period of application of Regulation (EU) No 978/2012 should be extended until 31 December 2027. In the event that the proposed successor regulation enters into force and applies before that date, the extension of the period of application of Regulation (EU) No 978/2012 should be shortened appropriately, while providing for an adequate transition period. For reasons of legal certainty, and in order to ensure the continued application of Regulation (EU) No 978/2012, this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union* and should apply from the day following that of its publication, or, if the publication takes place after 31 December 2023, with retroactive effect from 1 January 2024,

HAVE ADOPTED THIS REGULATION:

Article 1

In Article 43(3) of Regulation (EU) No 978/2012, the year “2023” is replaced by the year “2027”.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

This Regulation shall apply from the day following that of its publication in the *Official Journal of the European Union* or from 1 January 2024, whichever date is earlier.

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

Done at ...,

For the European Parliament

For the Council

The President

The President
