Regulation (EU) 2017/354 of the European Parliament and of the Council of 15 February 2017 amending Regulation (EU) 2015/936 on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Union import rules

REGULATION (EU) 2017/354 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 15 February 2017

amending Regulation (EU) 2015/936 on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Union import rules

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 procedure[(1)],

Whereas:

(1) Regulation (EU) 2015/936 of the European Parliament and of the Council[(2)] lays down the common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Union import rules.

(2) The release of political prisoners in the Republic of Belarus on 22 August 2015 was an important step which, together with several positive initiatives undertaken by the Republic of Belarus over the last 2 years, such as resumption of the EU-Belarus Human Rights Dialogue, contributed to the improvement of relations between the Union and the Republic of Belarus.

(3) EU-Belarus relations should be based on common values, in particular with regard to human rights, democracy and the rule of law, and it should be recalled that the human rights situation in the Republic of Belarus remains of concern to the Union, in particular with regard to issues such as the death penalty, which should be abolished.

(4) Those positive political developments between the Union and the Republic of Belarus should be recognised and bilateral relations further improved. Accordingly, this Regulation should repeal the autonomous quotas on imports of textiles and clothing originating in the Republic of Belarus, provided for in Annexes II and III to Regulation (EU) 2015/936, without prejudice to the Union's ability to have recourse to quotas in the future should the human rights situation in the Republic of Belarus seriously deteriorate.

Changes to legislation: *There are currently no known outstanding effects for the Regulation (EU) 2017/354 of the European Parliament and of the Council. (See end of Document for details)*

(5) The removal of autonomous quotas on imports of textiles and clothing originating in the Republic of Belarus implies that the quotas on outward processing traffic are no longer necessary. As a result, Article 4(2) and Chapter V of Regulation (EU) 2015/936, together with Annex V thereto should be deleted. Article 31 of that Regulation concerning the adoption of delegated acts should also be amended accordingly. The limited use of autonomous and outward processing quotas on imports of textiles and clothing originating in the Republic of Belarus implies that the removal of those quotas would have a limited impact on Union trade.

(6) In order to correct erroneous Combined Nomenclature codes in categories 12, 13, 18, 68, 78, 83 (Group II B), 67, 70, 94, 96 (Group III B) and 161 (Group V), Annex I to Regulation (EU) 2015/936 should be amended.

(7) The official name of the Democratic People's Republic of Korea should be used in Annexes II, III and IV to Regulation (EU) 2015/936.

(8) In order to facilitate administrative procedures, the period of validity of import authorisations laid down in in Article 21(2) of Regulation (EU) 2015/936 should be increased from 6 to 9 months,

HAVE ADOPTED THIS REGULATION:

Article 1

Regulation (EU) 2015/936 is amended as follows:

(1) Article 4(2) is deleted.

(2) Article 21(2) is replaced by the following:

2. The period of validity of import authorisations issued by the competent authorities of the Member States shall be 9 months. That period of validity may be modified where necessary, in accordance with the examination procedure referred to in Article 30(3)..

(3) Chapter V is deleted.

(4) Article 31(2) and (3) are replaced by the following:

2. The power to adopt delegated acts referred to in Article 3(3), Article 5(2), Article 12(3), Article 13 and Article 35 shall be conferred on the Commission for a period of 5 years from 20 February 2014. The Commission shall draw up a report in respect of the delegation of power not later than 9 months before the end of the 5-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than 3 months before the end of each period.

3 The delegation of power referred to in Article 3(3), Article 5(2), Article 12(3), Article 13 and Article 35 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force..

(5) Article 31(6) is replaced by the following:

6. A delegated act adopted pursuant to Article 3(3) or Article 12(3) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of 2 months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by 4 months at the initiative of the European Parliament or of the Council..

(6) Section A of Annex I is amended in accordance with the Annex to this Regulation and Annexes II, III and IV are replaced by texts set out in the Annex to this Regulation.

(7) Annex V is deleted.

Article 2

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

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

Done at Strasbourg, 15 February 2017.

For the European Parliament

The President

A. TAJANI

For the Council

The President

I. BORG

Changes to legislation: *There are currently no known outstanding effects for the Regulation (EU) 2017/354 of the European Parliament and of the Council. (See end of Document for details)*

ANNEX

Annexes I, II, III and IV to Regulation (EU) 2015/936 are amended as follows:

1. Section A of Annex I is replaced by the following:

A. **TEXTILE PRODUCTS REFERRED TO IN ARTICLE 1**

1. Without prejudice to the rules for the interpretation of the Combined Nomenclature (CN), the wording of the description of goods is considered to be of indicative value only since the products covered by each category are determined, within this Annex, by CN codes. Where there is an "ex" symbol in front of a CN code, the products covered in each category are determined by the scope of the CN code and by that of the corresponding description.

2. Garments which are not recognisable as being garments for men or boys or as being garments for women or girls are classified with the latter.

3. Where the expression "babies' garments" is used, this is meant to cover garments up to and including commercial size 86.

Category	**DescriptionCN code 2016**	**Table of equivalence**	
		pieces/kg	**g/piece**
GROUP I A			
1	Cotton yarn, not put up for retail sale		
	5204 11 005204 19 005205 11 005205 12 005205 13 005205 14 005205 15 105205 15 905205 21 005205 22 005205 23 005205 24 005205 26 005205 27 005205 28 005205 31 005205 32 005205 33 005205 34 005205 35 005205 41 005205 42 005205 43 005205 44 005205 46 005205 47 005205 48 005206 11 005206 12 005206 13 005206 14 005206 15 005206 21 005206 22 005206 23 005206 24 005206 25 005206 31 005206 32 005206		

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	33 005206 34 005206 35 005206 41 005206 42 005206 43 005206 44 005206 45 00ex 5604 90 90		
2	Woven fabrics of cotton, other than gauze, terry fabrics, narrow woven fabrics, pile fabrics, chenille fabrics, tulle and other net fabrics		
	5208 11 105208 11 905208 12 165208 12 195208 12 965208 12 995208 13 005208 19 005208 21 105208 21 905208 22 165208 22 195208 22 965208 22 995208 23 005208 29 005208 31 005208 32 165208 32 195208 32 965208 32 995208 33 005208 39 005208 41 005208 42 005208 43 005208 49 005208 51 005208 52 005208 59 105208 59 905209 11 005209 12 005209 19 005209 21 005209 22 005209 29 005209 31 005209 32 005209 39 005209 41 005209 42 005209 43 005209 49 005209 51 005209 52 005209 59 005210 11 005210 19 005210 21 005210 29 005210 31 005210 32 005210 39 005210 41 005210 49 005210 51 005210		