Commission Implementing Regulation (EU) No 974/2013 of 11 October 2013 on the derogations from the rules of origin laid down in Annex II to the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other, that apply within quotas for certain products from Nicaragua

COMMISSION IMPLEMENTING REGULATION (EU) No 974/2013

of 11 October 2013

on the derogations from the rules of origin laid down in Annex II to the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other, that apply within quotas for certain products from Nicaragua

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Decision 2012/734/EU of 25 June 2012 on the signing, on behalf of the European Union, of the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other, and the provisional application of Part IV thereof concerning trade matters[(1)], and in particular Article 6 thereof,

Whereas:

(1) By Decision 2012/734/EU, the Council authorised the signing, on behalf of the Union, of the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other (hereinafter referred to as 'the Agreement'). Pursuant to Decision 2012/734/EU, the Agreement is to be applied on a provisional basis, pending the completion of the procedures for its conclusion.

(2) Annex II to the Agreement concerns the definition of the concept of 'originating products' and methods of administrative cooperation. For a number of products, Appendix 2A to that Annex provides for the possibility of derogations from the rules of origin set out in Appendix 2 to Annex II in the framework of annual quotas. As the Union has decided to use that possibility, it is necessary to provide the conditions for the application of those derogations for imports from Nicaragua.

(3) The quotas set out in Appendix 2A to Annex II should be managed on a first-come, first-served basis in accordance with Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code[(2)].

(4) Entitlement to benefit from the tariff concessions should be subject to the presentation of the relevant proof of origin to the customs authorities, as provided for in the Agreement.

(5) Since the Agreement applies on a provisional basis as of 1 August 2013, this Regulation should apply from the same date.

(6) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

1 The rules of origin set out in Appendix 2A to Annex II to the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other (hereinafter referred to as 'the Agreement'), shall apply to the products listed in the Annex to this Regulation.

2 The rules of origin referred to in paragraph 1 shall apply by derogation from the rules of origin set out in Appendix 2 to Annex II to the Agreement, within the quotas set out in the Annex to this Regulation.

Article 2

To benefit from the derogation set out in Article 1, the products listed in the Annex shall be accompanied by a proof of origin as set out in Annex II to the Agreement.

Article 3

The quotas set out in the Annex shall be managed in accordance with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93.

Article 4

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

It shall apply from 1 August 2013.

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

Done at Brussels, 11 October 2013.

For the Commission

The President

José Manuel BARROSO

ANNEX

NICARAGUA

Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording of the description of the products is to be considered as having no more than an indicative value, the scope of the preferential scheme being determined, within the context of this Annex, by CN codes as they exist at the time of adoption of this Regulation.

For the tariff quotas with quota order numbers from 09.7105 to 09.7138, the global yearly quota volume may not exceed the following number of items (pairs) for the respective calendar year:

HS	2013	2014	2015	2016	2017	From 2018
Total Units per year (global quota per year, caps per subheading)	3 645 833	9 537 500	10 325 000	11 112 500	11 900 000	12 687 500

Order No	CN code	Description of goods	Quota period	Annual quota volume (in items (pairs) if not otherwise specified)
09.7105	6104 23 00	Women's or girls' ensembles, of synthetic fibres	From 1.8.2013 to 31.12.2013	20 833
			From 1.1.2014 to 31.12.2014	54 000
			From 1.1.2015 to 31.12.2015	58 000
			From 1.1.2016 to 31.12.2016	62 000
			From 1.1.2017 to 31.12.2017	66 000
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	70 000
09.7106	6104 42 00	Women's or girls' dresses, of cotton	From 1.8.2013 to 31.12.2013	81 250
			From 1.1.2014 to 31.12.2014	210 600
			From 1.1.2015 to 31.12.2015	226 200

			From 1.1.2016 to 31.12.2016	241 800
			From 1.1.2017 to 31.12.2017	257 400
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	273 000
09.7107	6104 43 00	Women's or girls' dresses, of synthetic fibres	From 1.8.2013 to 31.12.2013	31 250
			From 1.1.2014 to 31.12.2014	81 000
			From 1.1.2015 to 31.12.2015	87 000
			From 1.1.2016 to 31.12.2016	93 000
			From 1.1.2017 to 31.12.2017	99 000
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	105 000
09.7108	6104 53 00	Women's or girls' skirts and divided skirts, of synthetic fibres	From 1.8.2013 to 31.12.2013	12 500
			From 1.1.2014 to 31.12.2014	32 400
			From 1.1.2015 to 31.12.2015	34 800
			From 1.1.2016 to 31.12.2016	37 200
			From 1.1.2017 to 31.12.2017	39 600
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	42 000
09.7109	6104 63 00	Women's or girls' trousers, bib and brace overalls, breeches and	From 1.8.2013 to 31.12.2013	125 000
			From 1.1.2014 to 31.12.2014	324 000

		shorts, of synthetic fibres	From 1.1.2015 to 31.12.2015	348 000
			From 1.1.2016 to 31.12.2016	372 000
			From 1.1.2017 to 31.12.2017	396 000
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	420 000
09.7110	6105 10 00	Men's or boys' shirts, knitted or crocheted, of cotton	From 1.8.2013 to 31.12.2013	320 833
			From 1.1.2014 to 31.12.2014	831 600
			From 1.1.2015 to 31.12.2015	893 200
			From 1.1.2016 to 31.12.2016	954 800
			From 1.1.2017 to 31.12.2017	1 016 400
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	1 078 000
09.7111	6106 10 00	Women's or girls' blouses, shirts and shirt-blouses, knitted or crocheted, of cotton	From 1.8.2013 to 31.12.2013	245 833
			From 1.1.2014 to 31.12.2014	637 200
			From 1.1.2015 to 31.12.2015	684 400
			From 1.1.2016 to 31.12.2016	731 600
			From 1.1.2017 to 31.12.2017	778 800
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	826 000
09.7112	6106 20 00	Women's or girls' blouses, shirts and shirt-	From 1.8.2013 to 31.12.2013	166 667