

COMMISSION IMPLEMENTING REGULATION (EU) No 1366/2013

of 18 December 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 Guatemala

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:

(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 December 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:

(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 Guatemala.

(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⁾.

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 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 Annex to this Regulation.

Article 2

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

Article 3

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

⁽¹⁾ OJ L 346, 15.12.2012, p. 1.

⁽²⁾ OJ L 253, 11.10.1993, p. 1.

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 December 2013.

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

Done at Brussels, 18 December 2013.

For the Commission
The President
José Manuel BARROSO

ANNEX

GUATEMALA

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.

Order No	CN code	Description of goods	Quota period	Annual quota volume (in items (pairs) if not otherwise specified)
09.7047	6104 62 00	Women's or girls' trousers, bib and brace overalls, breeches and shorts, of cotton	From 1.12.2013 to 31.12.2013	87 500
			From 1.1.2014 to 31.12.2014	1 144 500
			From 1.1.2015 to 31.12.2015	1 239 000
			From 1.1.2016 to 31.12.2016	1 333 500
			From 1.1.2017 to 31.12.2017	1 428 000
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	1 522 500
09.7048	6105 20	Men's or boys' shirts, knitted or crocheted, of man-made fibres	From 1.12.2013 to 31.12.2013	291 667
			From 1.1.2014 to 31.12.2014	3 815 000
			From 1.1.2015 to 31.12.2015	4 130 000
			From 1.1.2016 to 31.12.2016	4 445 000
			From 1.1.2017 to 31.12.2017	4 760 000
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	5 075 000
09.7049	6203 42	Men's or boys' trousers, bib and brace overalls, breeches and shorts, of cotton	From 1.12.2013 to 31.12.2013	87 500
			From 1.1.2014 to 31.12.2014	1 144 500
			From 1.1.2015 to 31.12.2015	1 239 000
			From 1.1.2016 to 31.12.2016	1 333 500
			From 1.1.2017 to 31.12.2017	1 428 000
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	1 522 500
09.7050	6203 43	Men's or boys' trousers, bib and brace overalls, breeches and shorts, of synthetic fibres	From 1.12.2013 to 31.12.2013	58 334
			From 1.1.2014 to 31.12.2014	763 000
			From 1.1.2015 to 31.12.2015	826 000
			From 1.1.2016 to 31.12.2016	889 000
			From 1.1.2017 to 31.12.2017	952 000
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	1 015 000

Order No	CN code	Description of goods	Quota period	Annual quota volume (in items (pairs) if not otherwise specified)
09.7051	6204 62	Women's or girls' trousers, bib and brace overalls, breeches and shorts, of cotton	From 1.12.2013 to 31.12.2013	58 334
			From 1.1.2014 to 31.12.2014	763 000
			From 1.1.2015 to 31.12.2015	826 000
			From 1.1.2016 to 31.12.2016	889 000
			From 1.1.2017 to 31.12.2017	952 000
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	1 015 000