

Commission Delegated Regulation (EU) 2016/1237 of 18 May 2016 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to the rules for applying the system of import and export licences and supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to the rules on the release and forfeit of securities lodged for such licences, amending Commission Regulations (EC) No 2535/2001, (EC) No 1342/2003, (EC) No 2336/2003, (EC) No 951/2006, (EC) No 341/2007 and (EC) No 382/2008 and repealing Commission Regulations (EC) No 2390/98, (EC) No 1345/2005, (EC) No 376/2008 and (EC) No 507/2008 (Text with EEA relevance)

## CHAPTER I

### GENERAL PROVISIONS

#### *Article 2*

#### **Cases where a licence is required**

- 1 An import licence shall be presented for the following products:
  - a products listed in Part I of the Annex, when they are declared for release for free circulation under all conditions, other than tariff rate quotas, save as otherwise provided in that Part I;
  - b products declared for release for free circulation under tariff rate quotas administered by the simultaneous examination method or the traditional/newcomer method as referred to in Article 184(2)(b) and (c) of Regulation (EU) No 1308/2013 respectively, or a combination thereof or by another appropriate method;
  - c products for which Part I of the Annex refers to this provision when declared for release for free circulation under tariff rate quotas administered by the method of the ‘first come, first served’ principle referred to in Article 184(2)(a) of Regulation (EU) No 1308/2013;
  - d products referred to in Part I of the Annex when declared for release for free circulation under a preferential arrangement to be administered by licences;
  - e products that are covered by an outward processing procedure using an export licence and that return into release for free circulation as a product listed in Section A or B of Part I of the Annex;
  - f products declared for release for free circulation under Article 185 of Regulation (EU) No 1308/2013 in case an import duty reduction applies.
- 2 An export licence shall be presented for the following products:
  - a products listed in Part II of the Annex;
  - b Union products for which an export licence needs to be presented for admission under a quota that is administered by the Union or by a third country and has been opened in that country for those products;
  - c the following Union products referred to in Part II of the Annex to be exported:
    - (i) products that are under the customs procedure of inward processing;

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**Status:** Point in time view as at 31/12/2020.

**Changes to legislation:** There are outstanding changes not yet made to Commission Delegated Regulation (EU) 2016/1237. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

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- (ii) products that are basic products as listed in Annex III to Regulation (EU) No 510/2014 of the European Parliament and of the Council<sup>(1)</sup> and that are under the customs procedure of outward processing;
- (iii) [<sup>F1</sup>products that are subject to the repayment or remission of the amount of import or export duty as set out in Section 3 of Chapter 3 of Title III of Regulation (EU) No 952/2013 of the European Parliament and of the Council<sup>(2)</sup> in respect of which a final decision has not yet been taken.]

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#### Textual Amendments

- F1** Substituted by Commission Delegated Regulation (EU) 2017/1965 of 17 August 2017 amending Delegated Regulation (EU) 2016/1237 as regards the nature and type of information to be notified for licences in the rice sector (Text with EEA relevance).

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- (1) Regulation (EU) No 510/2014 of the European Parliament and of the Council of 16 April 2014 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products and repealing Council Regulations (EC) No 1216/2009 and (EC) No 614/2009 (OJ L 150, 20.5.2014, p. 1).
- (2) [<sup>F1</sup>Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).]

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#### **Textual Amendments**

- F1** Substituted by Commission Delegated Regulation (EU) 2017/1965 of 17 August 2017 amending Delegated Regulation (EU) 2016/1237 as regards the nature and type of information to be notified for licences in the rice sector (Text with EEA relevance).

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