

Commission Implementing Regulation (EU) No 1323/2011 of 16 December 2011 laying down rules for the management and distribution of textile quotas established for the year 2012 under Council Regulation (EC) No 517/94

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laying down rules for the management and distribution of textile quotas established for the year 2012 under Council Regulation (EC) No 517/94

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 517/94 of 7 March 1994 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 Community import rules⁽¹⁾, and in particular Article 17(3) and (6) and Article 21(2) thereof,

Whereas:

- (1) Regulation (EC) No 517/94 established quantitative restrictions on imports of certain textile products originating in certain third countries to be allocated on a first come, first served basis.
- (2) Under that Regulation it is possible, in certain circumstances, to use other allocation methods, to divide quotas into tranches, or to reserve a proportion of a specific quantitative limit exclusively for applications which are supported by evidence of the results of past import performance.
- (3) Rules for management of the quotas established for 2012 should be adopted before the quota year begins so that the continuity of trade flows is not affected unduly.
- (4) The measures adopted in previous years, such as those in Commission Regulation (EU) No 1159/2010 of 9 December 2010 laying down rules for the management and distribution of textile quotas established for the year 2011 under Council Regulation (EC) No 517/94⁽²⁾, proved to be satisfactory and it is therefore appropriate to adopt similar rules for 2012.
- (5) In order to satisfy the greatest possible number of operators it is appropriate to make the 'first come, first served' allocation method more flexible by placing a ceiling on the quantities which can be allocated to each operator by that method.
- (6) To guarantee a degree of continuity in trade and efficient quota administration, operators should be allowed to make their initial import authorisation application for 2012 equivalent to the quantity which they imported in 2011.
- (7) To achieve optimum use of the quantities, an operator who has used up at least one half of the amount already authorised should be permitted to apply for a further amount, provided that quantities are available in the quotas.

- (8) To secure a sound administration, import authorisations should be valid for 9 months from the date of issue but only until the end of the year at the latest. Member States should issue licences only after being notified by the Commission that quantities are available and only if an operator can prove the existence of a contract and can certify, in the absence of a specific provision to the contrary, that he has not already been allocated a Community import authorisation under this Regulation for the categories and countries concerned. The competent national authorities should, however, be authorised, in response to importers' applications, to extend by 3 months and up to 31 March 2013 licences of which at least one half has been used by the application date.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Textile Committee established by Article 25 of Regulation (EC) No 517/94,

HAS ADOPTED THIS REGULATION:

Article 1

The purpose of this Regulation is to lay down rules on the management of quantitative quotas for imports of certain textile products set out in Annex IV to Regulation (EC) No 517/94 for the year 2012.

Article 2

The quotas referred to in Article 1 shall be allocated according to the chronological order of receipt by the Commission of Member States' notifications of applications from individual operators, for amounts not exceeding the maximum quantities per operator set out in Annex I.

The maximum quantities shall not, however, apply to operators able to prove to the competent national authorities, when making their first application for 2012, that, in respect of given categories and given third countries, they imported more than the maximum quantities specified for each category pursuant to import licences granted to them for 2011.

In the case of such operators, the competent authorities may authorise imports not exceeding the quantities imported in 2011 from given third countries and in given categories, provided that enough quota capacity is available.

Article 3

Any importer who has already used up 50 percent or more of the amount allocated to him under this Regulation may make a further application, in respect of the same category and country of origin, for amounts not exceeding the maximum quantities laid down in Annex I.

Article 4

1 The competent national authorities listed in Annex II may, from 10 o'clock a.m. on 9 January 2012, notify the Commission of the amounts covered by requests for import authorisations.

The time fixed in the first subparagraph shall be understood as Brussels time.

2 The competent national authorities shall issue authorisations only after being notified by the Commission pursuant to Article 17(2) of Regulation (EC) No 517/94 that quantities are available for importation.

They shall issue authorisations only if an operator:

- a proves the existence of a contract relating to the provision of the goods; and
- b certifies in writing that, in respect of the categories and countries concerned:
 - (i) the operator has not already been allocated an authorisation under this Regulation; or
 - (ii) the operator has been allocated an authorisation under this Regulation but has used up at least 50 percent of it.

3 Import authorisations shall be valid for 9 months from the date of issue, but until 31 December 2012 at the latest.

The competent national authorities may, however, at the importer's request, grant a three-month extension for authorisations which are at least 50 percent used up at the time of the request. Such extension shall in no circumstances expire later than 31 March 2013.

Article 5

This Regulation shall enter into force on 1 January 2012.

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

Done at Brussels, 16 December 2011.

For the Commission

The President

José Manuel BARROSO

Status: This is the original version (as it was originally adopted).

ANNEX I

MAXIMUM AMOUNTS REFERRED TO IN ARTICLES 2 AND 3

Country concerned	Category	Unit	Maximum amount
Belarus	1	Kilograms	20 000
	2	Kilograms	80 000
	3	Kilograms	5 000
	4	Pieces	20 000
	5	Pieces	15 000
	6	Pieces	20 000
	7	Pieces	20 000
	8	Pieces	20 000
	15	Pieces	17 000
	20	Kilograms	5 000
	21	Pieces	5 000
	22	Kilograms	6 000
	24	Pieces	5 000
	26/27	Pieces	10 000
	29	Pieces	5 000
	67	Kilograms	3 000
	73	Pieces	6 000
	115	Kilograms	20 000
117	Kilograms	30 000	
118	Kilograms	5 000	
North Korea	1	Kilograms	10 000
	2	Kilograms	10 000
	3	Kilograms	10 000
	4	Pieces	10 000
	5	Pieces	10 000
	6	Pieces	10 000
	7	Pieces	10 000
	8	Pieces	10 000
	9	Kilograms	10 000
	12	Pairs	10 000
	13	Pieces	10 000

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14	Pieces	10 000
15	Pieces	10 000
16	Pieces	10 000
17	Pieces	10 000
18	Kilograms	10 000
19	Pieces	10 000
20	Kilograms	10 000
21	Pieces	10 000
24	Pieces	10 000
26	Pieces	10 000
27	Pieces	10 000
28	Pieces	10 000
29	Pieces	10 000
31	Pieces	10 000
36	Kilograms	10 000
37	Kilograms	10 000
39	Kilograms	10 000
59	Kilograms	10 000
61	Kilograms	10 000
68	Kilograms	10 000
69	Pieces	10 000
70	Pairs	10 000
73	Pieces	10 000
74	Pieces	10 000
75	Pieces	10 000
76	Kilograms	10 000
77	Kilograms	5 000
78	Kilograms	5 000
83	Kilograms	10 000
87	Kilograms	8 000
109	Kilograms	10 000
117	Kilograms	10 000
118	Kilograms	10 000
142	Kilograms	10 000

151A	Kilograms	10 000
151B	Kilograms	10 000
161	Kilograms	10 000

ANNEX II

List of licensing offices referred to in Article 4**1. Austria**

Bundesministerium für Wirtschaft, Familie und Jugend

Außenwirtschaftsadministration

Abteilung C2/2

Stubenring 1A

1011 Wien, Österreich

Tel.: +43 171100-0

Fax: +43 171100-8386

2. Belgium

FOD Economie, kmo, Middenstand en Energie

Algemene Directie Economisch Potentieel

Dienst Vergunningen

Vooruitganstraat 50

1210 Brussel

Tel. +32 22776713

Fax +32 22775063

SPF Économie, PME, classes moyennes et énergie

Direction générale potentiel économique

Service licences

Rue du Progrès 50

1210 Bruxelles

BELGIQUE

Tél. +32 22776713

Fax +32 22775063

3. Bulgaria

Министерство на икономиката, енергетиката и туризма

Дирекция „Регистриране, лицензиране и контрол“

ул. „Славянска“ № 8

1052 София

Тел.: +359 29 40 7008/+359 29 40 7673/+359 29 40 7800

Факс: +359 29 81 5041/+359 29 80 4710/+359 29 88 3654

4. **Cyprus**

Ministry of Commerce, Industry and Tourism

Trade Department

6 Andrea Araouzou Str.

CY-1421 Nicosia

Тηλ. +357 2 867100

Φαξ +357 2 375120

5. **Czech Republic**

Ministerstvo průmyslu a obchodu

Licenční správa

Na Františku 32

CZ-110 15 Praha 1

Tel.: (420) 22490 7111

Fax: (420) 22421 2133

6. **Denmark**

Erhvervs- og Byggestyrelsen

Økonomi- og Erhvervsministeriet

Langelinje Allé 17

DK – 2100 København

Tlf. (45) 35 46 60 30

Fax (45) 35 46 60 29

7. **Estonia**

Majandus- ja Kommunikatsiooniministeerium

Harju 11

15072 Tallinn

EESTI/ESTONIA

Tel: +372 6256400

Faks: +372 6313660

8. **Finland**

Tullihallitus

PL 512

FI-00101 Helsinki

SUOMI

Puhelin: +358 96141

Faksi: +358 204922852

Tullstyrelsen

PB 512

FI-00101 Helsingfors

FINLAND

Faksi: +358 204922852

9. **France**

Ministère de l'économie, de l'industrie et de l'emploi

Direction générale de la compétitivité, de l'industrie et des services

Sous-direction «industries de santé, de la chimie et des nouveaux matériaux»

Bureau «matériaux du futur et nouveaux procédés»

Le Bervil

12, rue Villiot

75572 Paris Cedex 12

FRANCE

Tél. + 33 153449026

Fax + 33 153449172

10. **Germany**

Bundesamt für Wirtschaft und Ausfuhrkontrolle (BAFA)

Frankfurter Str. 29-35

65760 Eschborn, Deutschland

Tel.: +49 6196-9080

Fax: +49 6196-908800

11. **Greece**

Υπουργείο Ανάπτυξης, Ανταγωνιστικότητας & Ναυτιλίας
Γενική Διεύθυνση Διεθνούς Οικονομικής Πολιτικής
Διεύθυνση Καθεστώτων Εισαγωγών-Εξαγωγών, Εμπορικής Άμυνας

Κορνάρου 1

GR-105 63 Αθήνα

Τηλ. +(30 210) 328 6021-22

Φαξ +(30 210) 328 60 94

12. **Hungary**

Magyar Kereskedelmi Engedélyezési Hivatal

Budapest

Németvölgyi út 37–39.

1124

MAGYARORSZÁG

Tel. +36 1458 5503

Fax + 36 1458 5814

E-mail: mkeh@mkeh.gov.hu

13. **Ireland**

Department of Enterprise, Trade and Employment

Internal Market

Kildare Street

IRL-Dublin 2

Tel. (353 1) 631 21 21

Fax (353 1) 631 28 26

14. **Italy**

Ministero dello Sviluppo economico

Dipartimento per l'impresa e l'internazionalizzazione

Direzione generale per la Politica commerciale internazionale

Divisione III — Politiche settoriali

Viale Boston, 25

I-00144 Roma

Tel. (39 06) 5964 7517, 5993 2202, 5993 2198

Fax (39 06) 5993 2263, 5993 2636

E-mail: polcom3@sviluppoeconomico.gov.it

15. **Latvia**

Ekonomikas ministrija

Brīvības iela 55

LV-1519 Rīga

Tālr.: + 371 670 132 99/+ 371 670 132 48

Fakss: + 371 672 808 82

16. **Lithuania**

Lietuvos Respublikos Ūkio ministerija

Gedimino pr. 38, Vasario 16-osios g. 2

LT-01104 Vilnius

Tel.: + 370 706 64 658/+ 370 706 64 808

Faks. + 370 706 64 762

17. **Luxembourg**

Ministère de l'économie et du commerce

Office des licences

Boîte postale 113

2011 Luxembourg

LUXEMBOURG

Tél. + 352 4782371

Fax + 352 466138

18. **Malta**

Il-Ministeru tal-Finanzi, l-Ekonomija u l-Investment

Id-Dipartiment tal-Kummerċ, Id-Direttorat tas-Servizzi Kummerċjali

Lascaris

Valletta VLT 2000

Malta

Tel. 00 356 256 90 202

Fax 00 356 212 37 112

19. **Netherlands**

Belastingdienst/Douane

Centrale dienst voor in- en uitvoer

Kempkensberg 12
Postbus 30003
9700 RD Groningen
Tel. +31 881512122
Fax +31 881513182

20. Poland

Ministerstwo Gospodarki
Pl. Trzech Krzyży 3/5
PL-00-950 Warszawa
Tel.: 0048/22/693 55 53
Faks: 0048/22/693 40 21

21. Portugal

Ministério das Finanças
Direcção-Geral das Alfândegas e dos Impostos Especiais sobre o Consumo
Rua Terreiro do Trigo
Edifício da Alfândega
P-1149-060 LISBOA
Tel. (351-1) 218 814 263
Fax: (351-1) 218 814 261
E-mail: dsl@dgaiec.min-financas.pt

22. Romania

Ministerul Economiei,
Comerțului și Mediului de Afaceri
Direcția Generală Politici Comerciale
Str. Ion Câmpineanu, nr. 16
București, sector 1
Cod poștal 010036
Tel. +40 213150081
Fax +40 213150454
e-mail: clc@dce.gov.ro

23. Slovakia

Ministerstvo hospodárstva SR

Oddelenie licencií

Mierová 19

SK-827 15 Bratislava

Tel.: +421 24854 2021 / +421 2 4854 7119

Fax: + 421 24342 3919

24. Slovenia

Ministrstvo za finance

Carinska uprava Republike Slovenije

Carinski urad Jesenice

Center za TARIC in kvote

Spodnji plavž 6c

SLO-4270 Jesenice

Slovenija

Telefon: +386-4 2974470

Telefaks: +386-4 2974472

E-naslov: taric.cuje@gov.si

25. Spain

Ministerio de Industria, Turismo y Comercio

Dirección General de Comercio e Inversiones

Paseo de la Castellana nº 162

E-28046 Madrid

Tel. (34 91) 349 38 17 / 349 38 74

Fax (34 91) 349 38 31

E-mail: sgindustrial.sccc@comercio.mityc.es

26. Sweden

National Board of Trade (Kommerskollegium)

Box 6803

113 86 Stockholm

Tfn +46 86904800

Fax +46 8306759

E-post: registrator@kommers.se

27. United Kingdom

Department for Business, Innovation and Skills

Import Licensing Branch

Queensway House – West Precinct

Billingham

UK-TS23 2NF

Tel. (44-1642) 36 43 33

Fax (44-1642) 36 42 69

E-mail: enquiries.ilb@bis.gsi.gov.uk

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- (1) OJ L 67, 10.3.1994, p. 1.
- (2) OJ L 326, 10.12.2010, p. 25.