Commission Implementing Regulation (EU) No 498/2012 of 12 June 2012 on the allocation of tariff-rate quotas applying to exports of wood from the Russian Federation to the European Union

CHAPTER 2

ALLOCATION PRINCIPLES

[F1Article 3

The method for allocating the tariff quota shall depend on the date of submission of the application by the importer, as follows:

(a)   for any application submitted by 31 May of each year (hereinafter referred to as 'first part of the quota period'), the Commission shall allocate tariff quotas in accordance with the 'traditional' or 'new' categories of importers, pursuant to Article 5(2)(b) of the Protocol; and

(b)   for any application submitted from 1 June (hereinafter referred to as 'second part of the quota period'), the Commission shall allocate the remaining quantities of the tariff quotas in accordance with the chronological order of receipt by the Commission of notifications from the competent authorities of Member States (hereinafter referred to as 'Licence Office(s)') of applications submitted by individual importers, pursuant to Article 5(2)(a) of the Protocol.**]**

Textual Amendments

F1   Substituted by Commission Implementing Regulation (EU) 2016/623 of 21 April 2016 amending Implementing Regulation (EU) No 498/2012 on the allocation of tariff-rate quotas applying to exports of wood from the Russian Federation to the European Union.

Article 4

1   During the first part of the quota period:
  a   70 % of each tariff quota per product group shall be allocated to traditional importers (hereinafter referred to as 'quota for traditional importers'); and
  b   30 % of each tariff quota per product group shall be allocated to new importers (hereinafter referred to as 'quota for new importers').

2   The quota for new importers shall be allocated in accordance with the chronological order of receipt by the Commission of notifications from the Licence Offices of applications for a quota authorisation from such importers.

3   Each new importer shall be granted a maximum of 1,5 % of the tariff quota for each product group in accordance with the allocation procedure referred to in paragraph 2.

Article 5

During the second part of the quota period, each importer shall be granted a maximum of 5 % of the remaining tariff quota for each product group.

Article 6

1   During the first part of the quota period, each traditional importer shall only be entitled to request quota authorisations for a specific share of the quota for traditional importers for each product group (hereinafter referred to as 'ceiling'), calculated in accordance with paragraph 2. All the quota authorisations granted to a traditional importer during the first part of the quota period shall be counted against such importer's ceilings.

[F1 2   The ceiling for each product group of a traditional importer applicable in the following quota period ('quota period n+1') shall be calculated in accordance with the average of such importer's actual imports of the product group concerned during the two quota periods preceding the year of calculation of such ceiling, on the basis of the following formula:

$$C_i = T * (\bar{I}_i/\Sigma\bar{I}_i)$$

where:

'Ci' represents the ceiling for the product group concerned (spruce or pine) for importer i during quota period n+1;

'T' represents the quota for traditional importers available for the product group concerned during the year of calculation of the ceiling ('quota period n');

'$\bar{I}_i$' represents the average of the actual imports by the traditional importer i of the product group concerned, in the two quota periods preceding the calculation ('quota period n-2' and 'quota period n-1', respectively), as follows:

[(actual imports of importer i in quota period n-2) + (actual imports of importer i in quota period n-1)]/2

'$\Sigma\bar{I}_i$' represents the sum of all traditional importers' average imports $\bar{I}_i$ for the product group concerned.]

Textual Amendments

F1   Substituted by Commission Implementing Regulation (EU) 2016/623 of 21 April 2016 amending Implementing Regulation (EU) No 498/2012 on the allocation of tariff-rate quotas applying to exports of wood from the Russian Federation to the European Union.

[F1 *Article 7*

1   Every year, the Commission shall calculate ceilings applicable to each traditional importer for the following quota period in accordance with the method established in Article 6(2). If the calculated ceiling of a traditional importer for a given product group is higher than 0 %, but lower than the maximum of 1,5 % of the tariff quota granted to new importers in accordance with Article 4(3), the ceiling of the traditional importer concerned shall be established at a level of 1,5 % of the tariff quota for the respective product group.

2   Licence Offices shall provide the Commission, by 31 March of quota period n at the latest, with information on actual imports of covered products in quota period n-1 notified to them in accordance with Article 11(1). Such summary shall be submitted in an electronic format, in conformity with the information technology system established by the Commission.

3   The Commission shall inform the Licence Offices of ceilings resulting from the calculations made in accordance with Articles 6(2) and 7(1) by 30 April of quota period n at the latest.]

__Changes to legislation:__ There are currently no known outstanding effects for the Commission
Implementing Regulation (EU) No 498/2012, CHAPTER 2. (See end of Document for details)

Textual Amendments

F1   Substituted by Commission Implementing Regulation (EU) 2016/623 of 21 April 2016 amending Implementing Regulation (EU) No 498/2012 on the allocation of tariff-rate quotas applying to exports of wood from the Russian Federation to the European Union.

Changes to legislation:
There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 498/2012, CHAPTER 2.