

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 3

BUSINESS CONTINUITY

Article 8

1 Where an importer claiming status of traditional importer under Article 5(4) of the Protocol (hereinafter referred to as ‘the applicant’) does not provide satisfactory evidence that it is the same natural or legal person that imported the covered products during the reference period retained pursuant to Article 17(2) (hereinafter referred to as ‘the predecessor’), it shall provide the Licence Office with the necessary evidence to prove that it has business continuity with the activities of the predecessor.

2 Business continuity as referred to in paragraph 1 shall be deemed to exist where:

- a the applicant and the predecessor are under the control of the same legal entity within the meaning of Council Regulation (EC) No 139/2004⁽¹⁾; or
- b the economic activity of the predecessor, as regards the covered products, has been legally transferred to the applicant, for instance as a result of a merger or acquisition within the meaning of Regulation (EC) No 139/2004.

3 Importers that do not provide evidence of business continuity shall be considered as new importers.

Article 9

The provisions of Article 8 shall apply *mutatis mutandis* where an importer claims status of traditional importer under Article 5(3) of the Protocol.

Changes to legislation: There are currently no known outstanding effects for the Commission
Implementing Regulation (EU) No 498/2012, CHAPTER 3. (See end of Document for details)

- (1) [OJ L 24, 29.1.2004, p. 1.](#)

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There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 498/2012, CHAPTER 3.