

Regulation (EU) No 608/2013 of the European Parliament and of the Council of 12 June 2013 concerning customs enforcement of intellectual property rights and repealing Council Regulation (EC) No 1383/2003

CHAPTER VI

COMMITTEE, DELEGATION AND FINAL PROVISIONS

Article 34

Committee procedure

- 1 The Commission shall be assisted by the Customs Code Committee established by Articles 247a and 248a of Regulation (EEC) No 2913/92. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.
- 2 Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.
- 3 Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

Article 35

Exercise of the delegation

- 1 The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
- 2 The power to adopt delegated acts referred to in Article 26(10) shall be conferred on the Commission for an indeterminate period of time from 19 July 2013.
- 3 The delegation of power referred to in Article 26(10) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
- 4 As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
- 5 A delegated act adopted pursuant to Article 26(10) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months on the initiative of the European Parliament or of the Council.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 608/2013 of the European Parliament and of the Council. 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) View outstanding changes

Article 36

Mutual administrative assistance

The provisions of Regulation (EC) No 515/97 shall apply *mutatis mutandis* to this Regulation.

Article 37

Reporting

By 31 December 2016, the Commission shall submit to the European Parliament and to the Council a report on the implementation of this Regulation. If necessary, that report shall be accompanied by appropriate recommendations.

That report shall refer to any relevant incidents concerning medicines in transit across the customs territory of the Union that might occur under this Regulation, including an assessment of its potential impact on the Union commitments on access to medicines under the 'Declaration on the TRIPS Agreement and Public Health' adopted by the Doha WTO Ministerial Conference on 14 November 2001, and the measures taken to address any situation creating adverse effects in that regard.

Article 38

Repeal

Regulation (EC) No 1383/2003 is repealed with effect from 1 January 2014.

References to the repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table set out in the Annex.

Article 39

Transitional provisions

Applications granted in accordance with Regulation (EC) No 1383/2003 shall remain valid for the period specified in the decision granting the application during which the customs authorities are to take action and shall not be extended.

Article 40

Entry into force and application

1 This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

2 It shall apply from 1 January 2014, with the exception of:

- a Article 6, Article 12(7) and Article 22(3), which shall apply from 19 July 2013;

Changes to legislation: *There are outstanding changes not yet made to Regulation (EU) No 608/2013 of the European Parliament and of the Council. 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) [View outstanding changes](#)*

- b Article 31(1) and (3) to (7) and Article 33, which shall apply from the date on which the central database referred to in Article 32 is in place. The Commission shall make that date public.

Changes to legislation:

There are outstanding changes not yet made to Regulation (EU) No 608/2013 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

View outstanding changes

Changes and effects yet to be applied to :

- Regulation applied (with modifications) by S.I. 2023/959 reg. 4(a)Sch. 1

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Signature words omitted by S.I. 2019/514 reg. 27
- Art. 1(1)(b) words substituted by S.I. 2019/514 reg. 3(a)(ii)
- Art. 2(A1) inserted by S.I. 2019/514 reg. 4(2)
- Art. 2(1)(c) words omitted by S.I. 2019/514 reg. 4(3)(a)
- Art. 2(1)(e) words omitted by S.I. 2019/514 reg. 4(3)(b)
- Art. 2(1)(f) words substituted by S.I. 2019/514 reg. 4(3)(c)
- Art. 2(1)(g) words substituted by S.I. 2019/514 reg. 4(3)(d)
- Art. 2(1)(h) omitted by S.I. 2019/514 reg. 4(3)(e)
- Art. 2(1)(i) words substituted by S.I. 2019/514 reg. 4(3)(g)
- Art. 2(1)(j) words omitted by S.I. 2019/514 reg. 4(3)(h)
- Art. 2(1)(k) omitted by S.I. 2019/514 reg. 4(3)(f)
- Art. 2(1)(l) words omitted by S.I. 2019/514 reg. 4(3)(h)
- Art. 2(2)(3) substituted by S.I. 2019/514 reg. 4(4)
- Art. 2(4) substituted by S.I. 2019/514 reg. 4(5)
- Art. 2(5)(a) words substituted by S.I. 2019/514 reg. 4(6)
- Art. 2(5)(b) words substituted by S.I. 2019/514 reg. 4(6)
- Art. 2(6) words substituted by S.I. 2019/514 reg. 4(7)
- Art. 2(7) words substituted by S.I. 2019/514 reg. 4(8)(a)
- Art. 2(7)(a) words omitted by S.I. 2019/514 reg. 4(8)(b)
- Art. 2(7)(b) words omitted by S.I. 2019/514 reg. 4(8)(b)
- Art. 2(7)(c) words omitted by S.I. 2019/514 reg. 4(8)(b)
- Art. 2(10) words substituted by S.I. 2019/514 reg. 4(9)
- Art. 2(11) omitted by S.I. 2019/514 reg. 4(10)
- Art. 2(15) words substituted by S.I. 2019/514 reg. 4(11)
- Art. 2(17) omitted by S.I. 2019/514 reg. 4(12)
- Art. 2(18) words substituted by S.I. 2019/514 reg. 4(13)
- Art. 2(19) words substituted by S.I. 2019/514 reg. 4(14)(a)
- Art. 2(19) words substituted by S.I. 2019/514 reg. 4(14)(b)
- Art. 3(1)-(3) substituted by S.I. 2019/514 reg. 5(b)
- Art. 5(3)(b) omitted by S.I. 2019/514 reg. 7(b)
- Art. 6(3)(d) words substituted by S.I. 2019/514 reg. 8(c)(ii)
- Art. 6(3)(f) omitted by S.I. 2019/514 reg. 8(c)(iii)
- Art. 6(3)(j) words omitted by S.I. 2019/514 reg. 8(c)(iv)
- Art. 6(3)(p) words substituted by S.I. 2019/514 reg. 8(c)(v)
- Art. 16(1)(a) word substituted by S.I. 2019/514 reg. 13(a)(ii)
- Art. 16(1)(b) omitted by S.I. 2019/514 reg. 13(a)(iii)
- Art. 21(b) words substituted by S.I. 2019/514 reg. 14
- Art. 25(1)(b) words substituted by S.I. 2019/514 reg. 18