

Regulation (EU) 2016/1076 of the European Parliament and of the Council of 8 June 2016 applying the arrangements for products originating in certain states which are part of the African, Caribbean and Pacific (ACP) Group of States provided for in agreements establishing, or leading to the establishment of, economic partnership agreements (recast)

## CHAPTER IV

### GENERAL SAFEGUARD PROVISIONS

#### *Article 12*

#### **Initiation of proceedings**

1 An investigation shall be initiated upon request by a Member State or on the Commission's own initiative if it is apparent to the Commission that there is sufficient evidence to justify such initiation.

2 The Member States shall inform the Commission if trends in imports from any of the regions or states listed in Annex I appear to call for safeguard measures. That information shall include the evidence available, as determined on the basis of the criteria laid down in Article 11. The Commission shall pass that information on to all Member States within three working days of receipt thereof.

3 Where it is apparent that there is sufficient evidence to justify the initiation of proceedings, the Commission shall publish a notice in the *Official Journal of the European Union*. Proceedings shall be initiated within one month of the date of receipt of information from a Member State.

The Commission shall inform the Member States of its analysis of the information normally within 21 days of the date on which the information was provided to the Commission.

4 If the Commission takes the view that any of the circumstances set out in Article 10 exist, it shall immediately notify the region or state listed in Annex I concerned of its intention to initiate an investigation. The notification may be accompanied by an invitation for consultations with a view to clarifying the situation and arriving at a mutually satisfactory solution.

**Changes to legislation:**

There are currently no known outstanding effects for the Regulation (EU) 2016/1076 of the European Parliament and of the Council, Article 12.