

Commission Delegated Regulation (EU) 2016/1237 of 18 May 2016 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to the rules for applying the system of import and export licences and supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to the rules on the release and forfeit of securities lodged for such licences, amending Commission Regulations (EC) No 2535/2001, (EC) No 1342/2003, (EC) No 2336/2003, (EC) No 951/2006, (EC) No 341/2007 and (EC) No 382/2008 and repealing Commission Regulations (EC) No 2390/98, (EC) No 1345/2005, (EC) No 376/2008 and (EC) No 507/2008 (Text with EEA relevance)

CHAPTER I

GENERAL PROVISIONS

Article 7

Release and forfeit of securities

1 The release of security provided for in Article 24(2) of Commission Delegated Regulation (EU) No 907/2014⁽¹⁾ may be partial in proportion to the quantity of products for which the evidence of fulfilling the obligation to import or export has been furnished. That quantity shall not be less than 5 % of the total quantity specified on the licence.

However, if the quantity imported or exported amounts to less than 5 % of the quantity specified on the licence, the whole security shall be forfeit.

2 When calculating the part of the security to forfeit, where applicable, the licence issuing authority shall deduct an amount corresponding to the quantitative tolerance referred to in Article 5(4).

3 Where the licence issuing authority waives the security requirement where the value of the sum secured is less than EUR 500, as provided for in Article 18(2) of Delegated Regulation (EU) No 907/2014, the amount of the sum equal to the security to forfeit shall be paid by the party concerned on expiry of 60 days following the date on which the validity of the licence expires.

4 If the total amount of the security which would be forfeit comes to EUR 100 or less for a given licence, the licence issuing authority shall release the whole security.

Changes to legislation: There are outstanding changes not yet made to Commission Delegated Regulation (EU) 2016/1237. 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](#)

- (1) Commission Delegated Regulation (EU) No 907/2014 of 11 March 2014 supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to paying agencies and other bodies, financial management, clearance of accounts, securities and use of euro ([OJ L 255, 28.8.2014, p. 18](#)).

Changes to legislation:

There are outstanding changes not yet made to Commission Delegated Regulation (EU) 2016/1237. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- Art. 7(3) sum substituted by S.I. 2020/1452 reg. 4(2)(a)
- Art. 7(4) sum substituted by S.I. 2020/1452 reg. 4(2)(b)

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

- Signature words omitted by S.I. 2019/1409 Sch. 1 para. 13
- Annex Pt. 1 s. B omitted by S.I. 2019/1409 Sch. 1 para. 14(a)
- Annex Pt. 1 s. E omitted by S.I. 2019/1409 Sch. 1 para. 14(a)
- Annex Pt. 1 s. F omitted by S.I. 2019/1409 Sch. 1 para. 14(a)
- Annex Pt. 2 s. B omitted by S.I. 2019/1409 Sch. 1 para. 14(b)
- Art. 1(b) words substituted by S.I. 2019/1409 Sch. 1 para. 1
- Art. 2(1)(b) omitted by S.I. 2019/1409 Sch. 1 para. 2(2)(c)
- Art. 2(1)(c) words omitted by S.I. 2019/1409 Sch. 1 para. 2(2)(a)
- Art. 2(1)(d) omitted by S.I. 2019/1409 Sch. 1 para. 2(2)(c)
- Art. 2(1)(e) words omitted by S.I. 2019/1409 Sch. 1 para. 2(2)(b)
- Art. 2(1)(f) omitted by S.I. 2019/1409 Sch. 1 para. 2(2)(c)
- Art. 2(2)(b) words substituted by S.I. 2019/1409 Sch. 1 para. 2(3)(a)(i)
- Art. 2(2)(b) words substituted by S.I. 2019/1409 Sch. 1 para. 2(3)(a)(ii)
- Art. 2(2)(c) words substituted by S.I. 2019/1409 Sch. 1 para. 2(3)(b)(i)
- Art. 2(2)(c)(iii) words substituted by S.I. 2019/1409 Sch. 1 para. 2(3)(b)(ii)
- Art. 3(1)(b) words substituted by S.I. 2019/1409 Sch. 1 para. 3(2)(a)
- Art. 3(1)(d) words omitted by S.I. 2019/1409 Sch. 1 para. 3(2)(b)
- Art. 3(1)(e) words substituted by S.I. 2019/1409 Sch. 1 para. 3(2)(c)
- Art. 4(4)(b) words substituted by S.I. 2019/1409 Sch. 1 para. 4(3)
- Art. 5(2)(c) word substituted by S.I. 2019/1409 Sch. 1 para. 5(2)(a)
- Art. 5(2)(c) words substituted by S.I. 2019/1409 Sch. 1 para. 5(2)(b)