

Rules of Origin

**Institutional, legal and
procedural aspects**

Rules of Origin

Legal aspects: General

- COUNCIL : legislative body
- COMMISSION :
 - right of proposal
 - delegated power for application Acts
- ORIGIN COMMITTEE :
 - assistance to the Commission

Rules of Origin

Legal Aspects: The COUNCIL

- Preferential Agreements:
 - Negotiating mandate /directives
 - Acceptance of Agreement
 - ⇒ Council Decision
- Origin Protocol Amendments
 - Commission proposal
 - Council Common Position
 - Adoption by Joint Bodies

Rules of Origin

Legal Aspects : The Council

- Autonomous Level
 - GSP Regulation (RO referred to IP)
 - Balkans (RO referred to IP)
 - OCT Decision (RO in Annex III)
 - Regulation Ceuta and Melilla
 - Regulation 1207/2001 (supplier's declaration, Certificate INF4, single authorisation)

Rules of Origin

Legal Aspects: The COMMISSION

- Right of proposal
- Negotiator of Agreements
- Acts of implementation
- Interpretation

Rules of Origin

Legal Aspects: ORIGIN COMMITTEE

- Established by Council Regulation 2913/92
Title IX
Final Provisions
Chapter I : Customs Code Committee
Art. 247 - Art. 249
- Committee Rules of Procedure

Rules of Origin

Origin Committee

- Regulatory Committee (qualified majority for)
 - Amendments to Implementing provisions
 - GSP derogations
- Management Committee (q. m. against)
 - ACP- OCT derogations
 - BOI's
- Assistant to the Commission
 - application "antifraud clause" (information, consultation)

Rules of Origin

Origin Committee : forum

- information MS
- consultation
- common interpretation
- harmonised application of provisions
- resolution of problems

Rules of Origin

Role COM / Member States

SHARE OF RESPONSABILITIES

- COM: - definition legislation
- interpretation
- coordination
- Member States:
 - application
 - enforcement