

Council Decision of 10 November 2009 on the procedure
concerning derogations from the rules of origin set out in the Origin
Protocols annexed to Economic Partnership Agreements with
ACP States, and repealing Decision 2000/399/EC (2009/832/EC)

Article 2

1 The Commission shall be assisted by the Customs Code Committee set up by Article 248a(1) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽¹⁾.

2 The representative of the Commission shall submit to the Customs Code Committee a draft Community position, within 25 working days from the receipt of a request for derogation by the Community. The Customs Code Committee shall deliver an opinion on the draft within a time limit determined by its Chairman according to the urgency of the matter concerned. The opinion shall be delivered by the majority laid down in Article 205(2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States shall be weighted in the manner set out in that Article. The Chairman shall not vote.

3 The Commission shall adopt the Community position and transmit it immediately to the competent Committee set up by the relevant EPA. However, if the Community position is not in accordance with the opinion of the Customs Code Committee, it shall be submitted by the Commission to the Council forthwith. In that event, the Commission shall defer its transmission to the competent Committee set up in the framework of the relevant EPA for a period of 25 working days from the date of the vote in the Customs Code Committee.

4 The Council, acting by a qualified majority, may adopt a different Community position within the period provided for in paragraph 3.

Changes to legislation: There are currently no known outstanding effects for the Council Decision of 10 November 2009 on the procedure concerning derogations from the rules of origin set out in the Origin Protocols annexed to Economic Partnership Agreements with ACP States, and repealing Decision 2000/399/EC (2009/832/EC), Article 2. (See end of Document for details)

(1) [OJ L 302, 19.10.1992, p. 1.](#)

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