

COMMISSION REGULATION (EU) No 1159/2010**of 9 December 2010****laying down rules for the management and distribution of textile quotas established for the year 2011 under Council Regulation (EC) No 517/94**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 517/94 of 7 March 1994 on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Community import rules⁽¹⁾, and in particular Article 17(3) and (6) and Article 21(2) thereof,

Whereas:

- (1) Regulation (EC) No 517/94 established quantitative restrictions on imports of certain textile products originating in certain third countries to be allocated on a first come, first served basis.
- (2) Under that Regulation it is possible, in certain circumstances, to use other allocation methods, to divide quotas into tranches, or to reserve a proportion of a specific quantitative limit exclusively for applications which are supported by evidence of the results of past import performance.
- (3) Rules for management of the quotas established for 2011 should be adopted before the quota year begins so that the continuity of trade flows is not affected unduly.
- (4) The measures adopted in previous years, such as those in Commission Regulation (EU) No 1258/2009 of 18 December 2009 laying down rules for the management and distribution of textile quotas established for the year 2010 under Council Regulation (EC) No 517/94⁽²⁾, proved to be satisfactory and it is therefore appropriate to adopt similar rules for 2011.
- (5) In order to satisfy the greatest possible number of operators it is appropriate to make the 'first come, first served' allocation method more flexible by placing a ceiling on the quantities which can be allocated to each operator by that method.

- (6) To guarantee a degree of continuity in trade and efficient quota administration, operators should be allowed to make their initial import authorisation application for 2011 equivalent to the quantity which they imported in 2010.
- (7) To achieve optimum use of the quantities, an operator who has used up at least one half of the amount already authorised should be permitted to apply for a further amount, provided that quantities are available in the quotas.
- (8) For the sake of sound administration, import authorisations should be valid for nine months from the date of issue but only until the end of the year at the latest. Member States should issue licences only after being notified by the Commission that quantities are available and only if an operator can prove the existence of a contract and can certify, in the absence of a specific provision to the contrary, that he has not already been allocated a Community import authorisation under this Regulation for the categories and countries concerned. The competent national authorities should, however, be authorised, in response to importers' applications, to extend by three months and up to 31 March 2012 licences of which at least one half has been used by the application date.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Textile Committee established by Article 25 of Regulation (EC) No 517/94,

HAS ADOPTED THIS REGULATION:

Article 1

The purpose of this Regulation is to lay down rules on the management of quantitative quotas for imports of certain textile products set out in Annex IV to Regulation (EC) No 517/94 for the year 2011.

Article 2

The quotas referred to in Article 1 shall be allocated according to the chronological order of receipt by the Commission of Member States' notifications of applications from individual operators, for amounts not exceeding the maximum quantities per operator set out in Annex I.

⁽¹⁾ OJ L 67, 10.3.1994, p. 1.

⁽²⁾ OJ L 338, 19.12.2009, p. 24.

The maximum quantities shall not, however, apply to operators able to prove to the competent national authorities, when making their first application for 2011, that, in respect of given categories and given third countries, they imported more than the maximum quantities specified for each category pursuant to import licences granted to them for 2010.

In the case of such operators, the competent authorities may authorise imports not exceeding the quantities imported in 2010 from given third countries and in given categories, provided that enough quota capacity is available.

Article 3

Any importer who has already used up 50 percent or more of the amount allocated to him under this Regulation may make a further application, in respect of the same category and country of origin, for amounts not exceeding the maximum quantities laid down in Annex I.

Article 4

1. The competent national authorities listed in Annex II may, from 10.00 o'clock a.m. on 7 January 2011, notify the Commission of the amounts covered by requests for import authorisations.

The time fixed in the first subparagraph shall be understood as Brussels time.

2. The competent national authorities shall issue authorisations only after being notified by the Commission pursuant

to Article 17(2) of Regulation (EC) No 517/94 that quantities are available for importation.

They shall issue authorisations only if an operator:

- (a) proves the existence of a contract relating to the provision of the goods; and
- (b) certifies in writing that, in respect of the categories and countries concerned:
 - (i) he has not already been allocated an authorisation under this Regulation; or
 - (ii) he has been allocated an authorisation under this Regulation but has used up at least 50 percent of it.

3. Import authorisations shall be valid for nine months from the date of issue, but until 31 December 2011 at the latest.

The competent national authorities may, however, at the importer's request, grant a three-month extension for authorisations which are at least 50 percent used up at the time of the request. Such extension shall in no circumstances expire later than 31 March 2012.

Article 5

This Regulation shall enter into force on 1 January 2011.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 9 December 2010.

For the Commission
The President
José Manuel BARROSO

ANNEX I

Maximum amounts referred to in Articles 2 and 3:

| Country concerned | Category | Unit | Maximum amount |
|-------------------|-----------|-----------|----------------|
| Belarus | 1 | Kilograms | 20 000 |
| | 2 | Kilograms | 80 000 |
| | 3 | Kilograms | 5 000 |
| | 4 | Pieces | 20 000 |
| | 5 | Pieces | 15 000 |
| | 6 | Pieces | 20 000 |
| | 7 | Pieces | 20 000 |
| | 8 | Pieces | 20 000 |
| | 15 | Pieces | 17 000 |
| | 20 | Kilograms | 5 000 |
| | 21 | Pieces | 5 000 |
| | 22 | Kilograms | 6 000 |
| | 24 | Pieces | 5 000 |
| | 26/27 | Pieces | 10 000 |
| | 29 | Pieces | 5 000 |
| | 67 | Kilograms | 3 000 |
| | 73 | Pieces | 6 000 |
| | 115 | Kilograms | 20 000 |
| 117 | Kilograms | 30 000 | |
| 118 | Kilograms | 5 000 | |
| North Korea | 1 | Kilograms | 10 000 |
| | 2 | Kilograms | 10 000 |
| | 3 | Kilograms | 10 000 |
| | 4 | Pieces | 10 000 |
| | 5 | Pieces | 10 000 |
| | 6 | Pieces | 10 000 |
| | 7 | Pieces | 10 000 |
| | 8 | Pieces | 10 000 |
| | 9 | Kilograms | 10 000 |

| Country concerned | Category | Unit | Maximum amount |
|-------------------|----------|-----------|----------------|
| | 12 | Pairs | 10 000 |
| | 13 | Pieces | 10 000 |
| | 14 | Pieces | 10 000 |
| | 15 | Pieces | 10 000 |
| | 16 | Pieces | 10 000 |
| | 17 | Pieces | 10 000 |
| | 18 | Kilograms | 10 000 |
| | 19 | Pieces | 10 000 |
| | 20 | Kilograms | 10 000 |
| | 21 | Pieces | 10 000 |
| | 24 | Pieces | 10 000 |
| | 26 | Pieces | 10 000 |
| | 27 | Pieces | 10 000 |
| | 28 | Pieces | 10 000 |
| | 29 | Pieces | 10 000 |
| | 31 | Pieces | 10 000 |
| | 36 | Kilograms | 10 000 |
| | 37 | Kilograms | 10 000 |
| | 39 | Kilograms | 10 000 |
| | 59 | Kilograms | 10 000 |
| | 61 | Kilograms | 10 000 |
| | 68 | Kilograms | 10 000 |
| | 69 | Pieces | 10 000 |
| | 70 | Pairs | 10 000 |
| | 73 | Pieces | 10 000 |
| | 74 | Pieces | 10 000 |
| | 75 | Pieces | 10 000 |
| | 76 | Kilograms | 10 000 |
| | 77 | Kilograms | 5 000 |
| | 78 | Kilograms | 5 000 |
| | 83 | Kilograms | 10 000 |

| Country concerned | Category | Unit | Maximum amount |
|-------------------|----------|-----------|----------------|
| | 87 | Kilograms | 8 000 |
| | 109 | Kilograms | 10 000 |
| | 117 | Kilograms | 10 000 |
| | 118 | Kilograms | 10 000 |
| | 142 | Kilograms | 10 000 |
| | 151A | Kilograms | 10 000 |
| | 151B | Kilograms | 10 000 |
| | 161 | Kilograms | 10 000 |

ANNEX II

List of Licensing offices referred to in Article 4:

1. Austria

Bundesministerium für Wirtschaft, Familie und Jugend
Außenwirtschaftsadministration
Abteilung C2/2
Stubenring 1A-1011 Wien
Tel.: (43 1) 71100-0
Fax: (43 1) 71100-8386

2. Belgium

FOD Economie, KMO, Middenstand en Energie
Algemene Directie Economisch Potentieel
Dienst Vergunningen
Vooruitganstraat 50
B-1210 Brussel
Tel: + 32 (0) 2 277 67 13
Fax: + 32 (0) 2 277 50 63

SPF Economie, PME, Classes moyennes et Energie
Direction générale Potentiel économique
Service Licences
Rue du Progrès 50
B-1210 Bruxelles
Tél: + 32 (0) 2 277 67 13
Fax: + 32 (0) 2 277 50 63

3. Bulgaria

Министерство на икономиката, енергетиката и туризма
Дирекция 'Регистриране, лицензиране и контрол'
ул. 'Славянска' № 8
1052 София
Тел.: +359 29 40 7008 / +359 29 40 7673 /
+359 29 40 7800
Факс: +359 29 81 5041 / +359 29 80 4710 /
+359 29 88 3654

4. Cyprus

Ministry of Commerce, Industry and Tourism
Trade Department
6 Andrea Araouzou Str.
CY-1421 Nicosia
Tel: ++357 2 867100
Fax: ++357 2 375120

5. Czech Republic

Ministerstvo průmyslu a obchodu
Licenční správa
Na Frantisku 32
CZ-110 15 Praha 1
Tel: (420) 22490 7111
Fax: (420) 22421 2133

6. Denmark

Erhvervs- og Byggestyrelsen
Økonomi- og Erhvervsministeriet
Langelinje Allé 17
DK - 2100 København
Tel.: (45) 35 46 60 30
Fax: (45) 35 46 60 29

7. Estonia

Majandus- ja Kommunikatsiooniministeerium
Harju 11
EST-15072 Tallinn
Estonia
Tel.: (372) 6256 400
Fax: (372) 6313 660

8. Finland

Tullihallitus
PL 512
FIN-00101 Helsinki
Tel.: (358 9) 61 41
Fax: (358 20) 492 2852

Tullstyrelsen
PB 512
FIN-00101 Helsingfors
Fax (358-20) 492 28 52

9. France

Ministère de l'économie, de l'Industrie et de l'emploi
Direction générale de la compétitivité, de l'industrie et des services
Sous-direction «industries de santé, de la chimie et des nouveaux matériaux»
Bureau «matériaux du futur et nouveaux procédés»
Le Bervil
12, rue Villiot
F-75572 Paris Cedex 12
tel (+33) 1 53 44 90 26
Fax (33) 1 53 44 91 72

10. Germany

Bundesamt für Wirtschaft und Ausfuhrkontrolle (BAFA)
Frankfurter Str. 29-35
D-65760 Eschborn
Tel.: (49 61 96) 908-0
Fax: (49 61 96) 908 800

11. Greece

Υπουργείο Οικονομίας, Ανταγωνιστικότητας & Ναυτιλίας
Γενική Διεύθυνση Διεθνούς Οικονομικής Πολιτικής
Διεύθυνση Καθεστώτων Εισαγωγών-Εξαγωγών, Εμπορικής
Άμυνας
Κορνάρου 1
GR-105 63 Αθήνα
Τηλ. (30210) 328 6021-22
Fax: 210 328 60 94

12. Hungary

Magyar Kereskedelmi Engedélyezési Hivatal
Budapest
Németvölgyi út 37-39.
1124
MAGYARORSZÁG
Tel. +36 1458 5503
Fax +36 1458 5814
E-mail: mkeh@mkeh.gov.hu

13. Ireland

Department of Enterprise, Trade and Employment
Internal Market
Kildare Street
IRL-Dublin 2
Tel.: (353 1) 631 21 21
Fax: (353 1) 631 28 26

14. Italy

Ministero dello Sviluppo Economico
Dipartimento per l'impresa e l'internazionalizzazione
Direzione Generale per la Politica Commerciale
Internazionale
Divisione III - Politiche settoriali
Viale Boston, 25
I - 00144 Roma
Tel.: (39 06) 5964 7517, 5993 2202, 5993 2198
Fax: (39 06) 5993 2263, 5993 2636
E-mail: polcom3@sviluppoeconomico.gov.it

15. Latvia

Ekonomikas ministrija
Brivibas iela 55
LV-1519 Riga
Tel: 00 371 670 132 99 / 00 371 670 132 48
Fax: 00 371 672 808 82

16. Lithuania

Lietuvos Respublikos Ūkio Ministerija
Gedimino pr. 38/2
LT-01104 Vilnius
Tel: 00 370 5 262 87 50 / 00370 5 261 94 88
Fax: 00 370 5 262 39 74

17. Luxembourg

Ministère de l'Economie et du Commerce
Office des licences
Boîte postale 113
L-2011 Luxembourg
Tel.: (352) 47 82 371
Fax: (352) 46 61 38

18. Malta

Ministry of Finance, Economy and Investment
Commerce Department, Trade Services Directorate
Lascaris
Valletta LTV2000
Malta
Tel: 00 356 256 90 202
Fax: 00 356 212 37 112

19. Netherlands

Belastingdienst/Douane
centrale dienst voor in- en uitvoer
Engelse Kamp 2
Postbus 30003
NL-9700 RD Groningen
Tel.: (31 50) 52 32 600
Fax: (31 50) 52 32 210

20. Poland

Ministerstwo Gospodarki
Pl.Trzech Krzyzy 3/5
PL-00-950 Warszawa
Tel: 0048/22/693 55 53
Fax: 0048/22/693 40 21

21. Portugal

Ministério das Finanças
Direcção Geral das Alfândegas e dos Impostos Especiais
sobre o Consumo
Rua Terreiro do Trigo
Edifício da Alfândega
P-1149-060 LISBOA
Tel.: (351-1) 218 814 263
Fax: (351-1) 218 814 261
E-mail: dsl@dgaiec.min-financas.pt

22. Romania

Ministerul Economiei
Comertului și Mediului de Afaceri
Direcția Generală Politici Comerciale
Str. Ion Câmpineanu, nr. 16
București, sector 1
Cod postal 010036
Tel: (40-21) 315.00.81
Fax: (40-21) 315.04.54
e-mail: clc@dce.gov.ro

23. Slovakia

Ministerstvo hospodárstva SR
Oddelenie licencií
Mierová 19
SK-827 15 Bratislava
Tel: 00 421 2 4854 2021/ 00 421 2 4854 7119
Fax: 00 421 2 4342 3919

24. Slovenia

Ministrstvo za finance
Carinska uprava Republike Slovenije
Carinski urad Jesenice
Center za TARIC in kvote
Spodnji Plavž 6c
SLO-4270 Jesenice
Slovenija
Tel: +386(0)4/297 44 70
Fax: +386(0)4/297 44 72
E-mail: taric.cuje@gov.si

25. Spain

Ministerio de Industria, Turismo y Comercio
Dirección General de Comercio e Inversiones
Paseo de la Castellana nº 162
E-28046 Madrid
Tel.: (34 91) 349 38 17, 349 38 74
Fax: (34 91) 349 38 31
e-mail: sgindustrial.sccc@comercio.mityc.es

26. Sweden

National Board of Trade (Kommerskollegium)
Box 6803
S-113 86 Stockholm
Tel.: (46 8) 690 48 00
Fax: (46 8) 30 67 59
e-mail: registrator@kommers.se

27. United Kingdom

Department for Business, Innovation and Skills
Import Licensing Branch
Queensway House – West Precinct
Billingham
UK-TS23 2NF
Tel.: (44-1642) 36 43 33
Fax: (44-1642) 36 42 69
E-mail: enquiries.ilb@bis.gsi.gov.uk
