

GSP

Regulation (EU) No 978/2012 Of The European Parliament And Of The Council Of 25 October 2012 Applying A Scheme Of Generalised Tariff Preferences And Repealing Council Regulation (EC) ([OJ L 303, 31.10.2012](#))

Article 21

1. The preferential arrangements provided for in this Regulation may be withdrawn temporarily, in respect of all or of certain products originating in a beneficiary country, in cases of fraud, irregularities or systematic failure to comply with or to ensure compliance with the rules concerning the origin of the products and with the procedures related thereto, or failure to provide administrative cooperation as required for the implementation and policing of the preferential arrangements referred to in Article 1(2).

2. The administrative cooperation referred to in paragraph 1 requires, inter alia, that a beneficiary country:

(a) communicate to the Commission and update the information necessary for the implementation of the rules of origin and the policing thereof;

(b) assist the Union by carrying out, at the request of the customs authorities of the Member States, subsequent verification of the origin of the goods, and communicate its results in time to the Commission;

(c) assist the Union by allowing the Commission, in coordination and close cooperation with the competent authorities of the Member States, to conduct the Union administrative and investigative cooperation missions in that country, in order to verify the authenticity of documents or the accuracy of information relevant for granting the preferential arrangements referred to in Article 1(2);

(d) carry out or arrange for appropriate inquiries to identify and prevent contravention of the rules of origin;

(e) comply with or ensure compliance with the rules of origin in respect of regional cumulation, within the meaning of Regulation (EEC) No 2454/93, if the country benefits therefrom; and

(f) assist the Union in the verification of conduct where there is a presumption of origin-related fraud, whereby the existence of fraud may be presumed where imports of products under the preferential arrangements provided for in this Regulation massively exceed the usual levels of the beneficiary country's exports.

3. Where the Commission considers that there is sufficient evidence to justify temporary withdrawal for the reasons set out in paragraphs 1 and 2 of this Article, it shall decide in accordance with the urgency procedure referred to in Article 39(4) to temporarily withdraw the tariff preferences provided under the preferential arrangements referred to in Article 1(2), in respect of all or certain products originating in a beneficiary country.

4. Before taking such decision, the Commission shall first publish a notice in the Official Journal of the European Union, stating that there are grounds for reasonable doubt about compliance with paragraphs 1 and 2 which may call into question the right of the beneficiary country to continue to enjoy the benefits granted by this Regulation.

5. The Commission shall inform the beneficiary country concerned of any decision taken in accordance with paragraph 3, before it becomes effective.

6. The period of temporary withdrawal shall not exceed six months. At the latest on the conclusion of that period, the Commission shall decide in accordance with the urgency procedure referred to in Article 39(4) either to terminate the temporary withdrawal or to extend the period of temporary withdrawal.

7. Member States shall communicate to the Commission all relevant information that may justify temporary withdrawal of the tariff preferences or its extension.