



Treaty Series No. 9 (2020)

Decision

No 1/2020 of the Joint Committee established by the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community

of 12 June 2020

amending the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community

[The Decision entered into force for the United Kingdom on 13 June 2020]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
July 2020*



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**DECISION No 1/2020 OF THE JOINT COMMITTEE ESTABLISHED BY THE
AGREEMENT ON THE WITHDRAWAL OF THE UNITED KINGDOM OF
GREAT BRITAIN AND NORTHERN IRELAND FROM THE EUROPEAN
UNION AND THE EUROPEAN ATOMIC ENERGY COMMUNITY**

of 12 June 2020

**amending the Agreement on the withdrawal of the United Kingdom of Great
Britain and Northern Ireland from the European Union and the European Atomic
Energy Community**

THE JOINT COMMITTEE,

Having regard to the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community¹ ('the Withdrawal Agreement'), and in particular Article 164(5)(d) thereof,

Whereas:

- (1) Article 164(5) point (d) of the Withdrawal Agreement enables the Joint Committee established under Article 164(1) thereof ('the Joint Committee') to adopt decisions amending that Agreement, provided that such amendments are necessary to correct errors, to address omissions or other deficiencies, or to address situations unforeseen when the Agreement was signed, and provided that such decisions do not amend the essential elements of that Agreement. Pursuant to Article 166(2) of the Withdrawal Agreement, the decisions adopted by the Joint Committee are binding on the Union and the United Kingdom. The Union and the United Kingdom must implement such decisions, which shall have the same legal effect as the Withdrawal Agreement,
- (2) In the interests of legal certainty and to reflect necessary adjustments as a result of the later date of entry into force of the Withdrawal Agreement than that initially foreseen, Articles 135, 137, 143, 144 and 150 of the Agreement should be amended,
- (3) Article 145 of the Withdrawal Agreement omits provisions governing grants under the Research Fund for Coal and Steel that were granted before the end of the transition period to beneficiaries established in the United Kingdom. Article 145 of the Withdrawal Agreement should therefore be amended to address this deficiency and to provide legal certainty as regards ongoing grants,

¹ [OJ L 29, 31.1.2020, p.7.](#)

- (4) Part I of Annex I to the Withdrawal Agreement should be amended by adding two decisions of the Administrative Commission for the Coordination of Social Security Systems which were not listed in Part I of Annex I to the Withdrawal Agreement,

HAS ADOPTED THIS DECISION:

Article 1

The Withdrawal Agreement shall be amended as follows:

- 1) In Article 135, in the title, the words “budgets for the years 2019 and 2020” shall be replaced by the words “budget for the year 2020” and, in paragraph 1, the words “years 2019 and” shall be replaced by the word “year” and the word “budgets” shall be replaced by the word “budget”;
- 2) In Article 137, in the title and in the first subparagraph of paragraph 1, the words “2019 and” shall be deleted;
- 3) Article 143 (1) shall be amended as follows:
 - (a) in the second subparagraph, “31 July 2019” shall be replaced by “31 July 2020”;
 - (b) the third subparagraph shall be replaced by the following:

“In the consolidated accounts of the Union relating to 2020, the payments made out of the provisions referred to in point (b) of the second subparagraph from the date of entry into force of this Agreement until 31 December 2020, shall be disclosed for the same financial operations as referred to in this paragraph but which are decided upon on or after the date of entry into force of this Agreement.”;
- 4) In Article 144(1), in the second subparagraph, “31 July 2019” shall be replaced by “31 July 2020”;
- 5) In Article 145, the following paragraph shall be added:

“In respect of the projects under the Research Fund for Coal and Steel established by Protocol 37 to the Treaty on the European Union and to the Treaty on the Functioning of the European Union under grant agreements signed before the end of the transition period, the applicable Union law shall continue to apply to and in the United Kingdom after the end of the transition period, until the closure of the projects. The applicable Union law shall include the following provisions in particular and any amendments to those provisions, irrespective of the date of adoption, entry into force or application of the amendment:

- (a) Council Decisions 2003/76/EC , 2003/77/EC and 2008/376/EC;
 - (b) the acts referred to in points (a), (c), (d) and (e) of Article 138(2).”;
- 6) Article 150 shall be amended as follows:
- (a) paragraph 4 shall be amended as follows:
 - (i) in the fourth sentence, “15 December” shall be replaced by “15 October” and “2019” shall be replaced by “2020”;
 - (ii) in the fifth sentence, “15 December 2030” shall be replaced by “15 October 2031”;
 - (b) paragraph 8 shall be amended as follows:
 - (i) in the first subparagraph, “2019” shall be replaced by “2020”;
 - (ii) in the first sentence of the second subparagraph, “2020” shall be replaced by “2021”;
- 7) In Part I of Annex I to the Withdrawal Agreement, the following acts shall be added:
- Under “Electronic Data Exchange (E series)”: Decision No E7 of the Administrative Commission for the Coordination of Social Security Systems concerning practical arrangements for cooperation and data exchange until the Electronic Exchange of Social Security Information (EESSI) is fully implemented in the Member States;
 - Under “Family Benefits (F series)”: Decision No F3 of the Administrative Commission for the Coordination of Social Security Systems concerning the interpretation of Article 68 of Regulation (EC) No 883/2004 relating to the method of calculation of the differential supplement.

Article 2

This Decision shall enter into force on the day following the day of its adoption.

Done at Brussels,

For the Joint Committee

The Co-chairs

Michael Gove

Maroš Šefčovič

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