

**Decision No 01/2020 of the Joint Committee established by the Separation Agreement
of 18 December 2020**

Adopting the Rules of Procedure of the Joint Committee

THE JOINT COMMITTEE,

Having regard to the Separation Agreement, and in particular Article 65(4)(d) thereof,

HAS ADOPTED THIS DECISION:

Article 1

The Rules of Procedure of the Joint Committee are set out in the Annex to this Decision.

Article 2

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

Done at London, 18 December 2020



For the Joint Committee

The Chair

Wendy Morton MP

Minister for the European Neighbourhood and the Americas

Annex

RULES OF PROCEDURE

Rule 1

Composition and chair

The Joint Committee shall be composed of representatives of the Parties at ministerial level or by high-level officials and chaired in accordance with Article 65(1) of the Agreement.

Rule 2

Secretariat

The Secretariat of the Joint Committee (the "Secretariat") shall be composed of a representative of the United Kingdom and a representative of the EFTA Secretariat, acting on behalf of the EEA EFTA States. The Secretariat shall perform the tasks conferred on it by these Rules of Procedure.

Rule 3

Participation in meetings

1. Before each meeting, the Parties shall inform each other through the Secretariat of the intended composition of the delegations.
2. Where appropriate and by agreement of the Parties, experts or other persons who are not members of delegations may be invited to attend meetings of the Joint Committee in order to provide information on a particular subject.

Rule 4

Meetings

1. The Joint Committee shall hold its meetings alternately in Brussels and London, unless the Parties agree otherwise.
2. By way of derogation from paragraph 1, where agreed by all the Parties, a meeting of the Joint Committee may be held by videoconference or teleconference.
3. Each meeting of the Joint Committee shall be convened in accordance with Article 65(2) of the Agreement.

Rule 5

Documents

Written documents on which the deliberations of the Joint Committee are based shall be numbered and circulated to the Parties by the Secretariat in electronic format as documents of the Joint Committee.

Rule 6

Correspondence

1. The Parties shall send their correspondence addressed to the Joint Committee to the Secretariat. Such correspondence may be sent in any form of written communication, including by electronic mail.
2. The Secretariat shall ensure that correspondence addressed to the Joint Committee is forwarded to all Parties in accordance with Rule 5.
3. All correspondence from or addressed directly to the chair shall be forwarded to the Secretariat and shall be circulated to all Parties in accordance with Rule 5.

Rule 7

Agenda for the meetings

1. For each meeting a draft provisional agenda shall be drawn up by the Secretariat. It shall be transmitted, together with the relevant documents, to the Parties no later than 15 days before the date of the meeting.
2. The provisional agenda shall include those items, the inclusion of which in the agenda has been requested by the Parties. Any such request, together with any relevant document, shall be submitted to the Secretariat no later than 21 days before the beginning of the meeting.
3. The agenda shall be adopted by the Joint Committee at the beginning of each meeting. Additional items may be included in the agenda if the Parties so agree.
4. In exceptional cases, the Parties may agree to derogate from the time limits specified in paragraphs 1 and 2.

Rule 8

Minutes

1. Draft minutes of each meeting shall be drawn up by the Secretariat, within 21 days from the end of the meeting, unless the Parties agree otherwise.

2. The minutes shall, as a rule, summarise each item on the agenda, specifying where applicable: (a) the documents submitted to the Joint Committee; (b) any statement that one of the Parties requested to be entered in the minutes; and (c) the decisions adopted, recommendations made, joint statements decided upon and operational conclusions adopted on specific items.
3. The minutes shall include a list of the names, titles and capacity of all individuals who attended the meeting.
4. The minutes shall be approved in writing by the Parties within 28 days of the date of the meeting or by any other date agreed by the Parties. Once approved, the minutes shall be forwarded to the Parties as electronic copies.
5. The Secretariat shall also prepare a summary of the minutes which shall be forwarded to the Parties for approval. The summary shall be made public unless the Parties agree otherwise.

Rule 9

Decisions and Recommendations

1. In the period between meetings, the Joint Committee may adopt decisions or recommendations by written procedure, if the Parties agree to use this procedure. In such cases, the Secretariat shall circulate the proposed draft decisions or recommendations for approval and adoption.
2. Where the Joint Committee adopts decisions or recommendations, the words "Decision" or "Recommendation", respectively, shall be inserted in the title of such acts. The Secretariat shall record any decision or recommendation under a serial number and with a reference to the date of its adoption.
3. Decisions adopted by the Joint Committee shall specify the date at which they take effect.
4. The decisions and recommendations adopted by the Joint Committee shall be signed (or electronically signed) by the Chair of the Joint Committee and forwarded to the Parties as electronic copies.

Rule 10

Publicity and Confidentiality

1. Meetings of the Joint Committee shall not be public unless the Committee decides otherwise.
2. Where a Party submits information considered as confidential or protected from disclosure under their laws and regulations to the Joint Committee or any specialised committee, the other Parties shall treat that information received as confidential.
3. Decisions amending Annex I to the Agreement shall be published. Without prejudice to paragraph 2, the Parties may each decide individually on whether to publish other

decisions and recommendations adopted by the Joint Committee in their respective official publication journals.

Rule 11

Languages

The working language of the Joint Committee shall be English.

Rule 12

Expenses

1. The Parties shall each meet any expenses they incur as a result of participating in the meetings of the Joint Committee.
2. Expenditure in connection with the organisation of meetings and reproduction of documents shall be borne by the United Kingdom, in respect to meetings held in London, and the EEA EFTA States, in respect to meetings held in Brussels, unless the Parties agree otherwise.

Rule 13

Specialised committees

1. Without prejudice to paragraphs 2 to 3 of this Rule, Rules 1 to 12 shall apply mutatis mutandis to any specialised committees established under paragraph 5(a) of Article 65 of the Agreement, unless agreed otherwise by the Joint Committee.
2. The specialised committees, comprising representatives of each of the Parties, shall be chaired on a rotating basis by one of the Parties.
3. The specialised committee shall inform the Joint Committee of their meeting schedules and agenda sufficiently in advance of their meetings, and shall report to the Joint Committee on the results and conclusions of each of their meetings without undue delay. The creation or existence of a specialised committee shall not prevent the Parties from bringing any matter directly to the Joint Committee.

Rule 14

Annual report

For each calendar year, the annual report on the functioning of the Agreement provided for in Article 65(6) of the Agreement shall be drawn up by the Secretariat by 1 May of the following year. It shall be adopted and signed by the Parties. The annual report shall be made public unless the Parties agree otherwise.