



Treaty Series No.7 (2021)

# Exchange of Notes

to amend the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America for the Sharing of Visa, Immigration, and Nationality Information, done at Queenstown on 18 April 2013, as amended by an Exchange of Notes on 28 and 29 September 2016

London, 15 and 22 December 2020

[The Exchange of Notes entered into force on 31 December 2020]

*Presented to Parliament  
by the Secretary of State for Foreign, Commonwealth and Development Affairs  
by Command of Her Majesty  
February 2021*



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ISBN 978-1-5286-2432-9  
CCS0221071362 02/2021

Printed on paper containing 75% recycled fibre content minimum

Printed in the UK by the APS Group on behalf of the Controller of Her Majesty's Stationery Office

**EXCHANGE OF NOTES TO AMEND THE AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA FOR THE SHARING OF VISA, IMMIGRATION, AND NATIONALITY INFORMATION, DONE AT QUEENSTOWN ON 18 APRIL 2013, AS AMENDED BY AN EXCHANGE OF NOTES ON 28 AND 29 SEPTEMBER 2016**

**No.1**

*The Foreign, Commonwealth and Development Office to the Embassy of the United States of America.*

*London  
15<sup>th</sup> December 2020*

Note No. 024/2020

The Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland (hereinafter “the FCDO”) presents its compliments to the Embassy of the United States of America (hereinafter “the Embassy”) and has the honour to refer to the Agreement between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for the Sharing of Visa, Immigration, and Nationality Information, done at Queenstown on 18 April 2013 that entered into force on 8 November 2013, as amended by an Exchange of Notes on 28 and 29 September 2016 that entered into force on 29 September 2016 (hereinafter “the Agreement”). The FCDO has further the honour to refer to recent discussions between our two Governments concerning the Agreement.

Consistent with recent discussions, the FCDO has the honour to propose on behalf of the Government of the United Kingdom of Great Britain and Northern Ireland that the Agreement be amended, pursuant to Article 15 paragraph 1 of the Agreement, by replacing Article 1 with the attached amended Article 1. If the foregoing proposal is acceptable to the Government of the United States of America, the FCDO proposes that this note, including the attached amended Article 1, and the Embassy’s reply note together shall constitute an agreement between our two Governments in this matter, which shall enter into force at 2300 GMT on 31 December 2020.

The Foreign, Commonwealth and Development Office avails itself of the opportunity to renew to the Embassy of the United States of America the assurances of its highest consideration.

## ARTICLE 1

### DEFINITIONS

For purposes of this Agreement,

- (a) “Information” means data on Nationals of a Third Country seeking authorization to transit through, travel to, work in, live in, or take citizenship of, the United Kingdom (UK) or the United States (U.S.), and other immigration and nationality-related data about Nationals of a Third Country, including data from admissibility, immigration or nationality compliance actions and/or decisions rendered in accordance with the immigration and nationality laws of the respective Parties. Information may consist of personal data, statistical data, or both. The particular types of Information to be shared, and categories of Nationals of a Third Country about whom such Information is to pertain, shall be described in relevant implementing arrangements developed by the Parties pursuant to Article 4. In circumstances described in paragraphs 3 and 4 of Article 2, Information also includes such data that pertain to Nationals of a Party.
- (b) “National of a Third Country” means a person who is neither a UK nor a U.S. citizen or national.
- (c) “National” means a UK or U.S. citizen or national.

## No.2

*The Embassy of the United States of America to the Foreign, Commonwealth and Development Office*

*London  
22<sup>nd</sup> December 2020*

Note No.061

The Embassy of the United States of America (hereinafter “the Embassy”) presents its compliments to the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland (hereinafter “the FCDO”) and has the honor to acknowledge receipt of the FCDO’s note number 024/2020 dated 15<sup>th</sup> December 2020 proposing an amendment to the *Agreement between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for the Sharing of Visa, Immigration, and Nationality Information*, done at Queenstown on April 18, 2013 that entered into force on November 8, 2013, as amended by an Exchange of Notes on September 28 and 29, 2016 that entered into force September 29, 2016 (hereinafter “the Agreement”) that reads as follows:

[As in No.1]

In reply, the Embassy has the honor to confirm that the above mentioned proposal is acceptable to the Government of the United States of America and that the FCDO’s note and this note in reply, including the attached amended Article 1, together shall constitute an agreement between the two Governments in this matter that shall enter into force at 2300 GMT on December 31, 2020.

The Embassy of the United States of America avails itself of the opportunity to renew to the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland the assurances of its highest consideration.

CCS0221071362

978-1-5286-2432-9