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LIMITE

WTO 180  
AGRI 257  
UD 193  
UK 50

#### **LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

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Subject: Agreement in the form of an exchange of letters between the European Union and the Kingdom of Norway pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions on all the tariff-rate quotas included in in the EU Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union

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AGREEMENT  
IN THE FORM OF AN EXCHANGE OF LETTERS  
BETWEEN THE EUROPEAN UNION  
AND THE KINGDOM OF NORWAY  
PURSUANT TO ARTICLE XXVIII OF THE GENERAL AGREEMENT  
ON TARIFFS AND TRADE (GATT) 1994  
RELATING TO THE MODIFICATION OF CONCESSIONS  
ON ALL THE TARIFF-RATE QUOTAS INCLUDED IN IN THE EU SCHEDULE CLXXV  
AS A CONSEQUENCE OF THE UNITED KINGDOM'S WITHDRAWAL  
FROM THE EUROPEAN UNION

A. Letter from the European Union

Dear Sir/Madam

Following negotiations under Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions on all the tariff-rate quotas included in the European Union Tariff Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union as communicated to WTO Members in document G/SECRET/42/Add.2, Norway and the European Union agree to conclude the negotiations on the following basis:

Norway agrees with the principle and methodology of apportioning the scheduled quantitative commitments in the form of tariff-rate quotas of the European Union that included the United Kingdom whereby there is an apportioned quantity taken on by the European Union that no longer includes the United Kingdom, with the remainder of the quantity taken on by the United Kingdom.

In respect of the tariff-rate quotas where Norway has negotiating rights under Article XXVIII of the GATT 1994, Norway expresses that it agrees and is satisfied with the proposed apportionment as set out in document G/SECRET/42/Add.2 and the resulting quantitative commitments taken on by the European Union that no longer includes the United Kingdom.

Notwithstanding the previous paragraph, with respect to tariff-rate quota 002 (herring) Norway and the European Union agree as follows: based on exports to the European Union in a more recent representative reference period of 2015-2017, Norway and the European Union confirm that the scheduled quantitative commitment for herring of the European Union that includes the United Kingdom of 34000t will be apportioned so that the quantity scheduled for the European Union that no longer includes the United Kingdom will be 33496t.

The European Union and Norway shall notify each other of the completion of their internal procedures for the entry into force of this Agreement. This Agreement shall enter into force on the date of the last notification. It shall apply from that date or from the date when the United Kingdom ceases to be covered by the schedule of concessions and commitments of the European Union CLXXV, whichever the latest.

I should be obliged if you would confirm that your Government is in agreement with the above. I have the honour to propose that, if the above is acceptable to your Government, this letter and your confirmation shall together constitute an Agreement in the form of an Exchange of Letters between the European Union and Norway, including for the purposes of Article XXVIII:3(a) and (b) of the GATT 1994.

Please accept, Sir/Madam, the assurances of my highest consideration.

For the European Union

B. Letter from Norway

Sir/Madam,

I have the honour to acknowledge the receipt of your letter of today's date, which reads as follows:

"Following negotiations under Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions on all the tariff-rate quotas included in the European Union Tariff Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union as communicated to WTO Members in document G/SECRET/42/Add.2, Norway and the European Union agree to conclude the negotiations on the following basis:

Norway agrees with the principle and methodology of apportioning the scheduled quantitative commitments in the form of tariff-rate quotas of the European Union that included the United Kingdom whereby there is an apportioned quantity taken on by the European Union that no longer includes the United Kingdom, with the remainder of the quantity taken on by the United Kingdom.

In respect of the tariff-rate quotas where Norway has negotiating rights under Article XXVIII of the GATT 1994, Norway expresses that it agrees and is satisfied with the proposed apportionment as set out in document G/SECRET/42/Add.2 and the resulting quantitative commitments taken on by the European Union that no longer includes the United Kingdom.

Notwithstanding the previous paragraph, with respect to tariff-rate quota 002 (herring) Norway and the European Union agree as follows: based on exports to the European Union in a more recent representative reference period of 2015-2017, Norway and the European Union confirm that the scheduled quantitative commitment for herring of the European Union that includes the United Kingdom of 34000t will be apportioned so that the quantity scheduled for the European Union that no longer includes the United Kingdom will be 33496t.

The European Union and Norway shall notify each other of the completion of their internal procedures for the entry into force of this Agreement. This Agreement shall enter into force on the date of the last notification. It shall apply from that date or from the date when the United Kingdom ceases to be covered by the schedule of concessions and commitments of the European Union CLXXV, whichever the latest.

I should be obliged if you would confirm that your Government is in agreement with the above. I have the honour to propose that, if the above is acceptable to your Government, this letter and your confirmation shall together constitute an Agreement in the form of an Exchange of Letters between the European Union and Norway, including for the purposes of Article XXVIII:3(a) and (b) of the GATT 1994."

I hereby have the honour to express my Government's agreement with the above letter.

For the Kingdom of Norway