Council of the European Union

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COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	18 September 2026
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2026) 489 annex
Subject:	Annex to the proposal for a COUNCIL DECISION establishing the position to be taken on behalf of the European Union in 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 as regards the adoption of a decision adding a newly adopted Union act to Annex 2 to the Windsor Framework

Delegations will find attached document COM(2026) 489 final.

Encl.: COM(2026) 489 final

EUROPEAN
COMMISSION

Brussels, 18.9.2026
COM(2026) 489 final

ANNEX

ANNEX

to the

Proposal for a COUNCIL DECISION

establishing the position to be taken on behalf of the European Union in 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 as regards the adoption of a decision adding a newly adopted Union act to Annex 2 to the Windsor Framework

DRAFT

DECISION No …/2026 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 …

adding a newly adopted Union act to Annex 2 to the Windsor Framework

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 Community[1] (the 'Withdrawal Agreement'), and in particular Article 13(4) of the Windsor Framework[2],

Whereas:

(1) Article 13(4) of the Windsor Framework empowers the Joint Committee established under Article 164(1) of the Withdrawal Agreement (the 'Joint Committee') to adopt decisions adding newly adopted Union acts falling within the scope of the Windsor Framework to the relevant Annexes to the Windsor Framework.

(2) 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 are to implement such decisions, which have the same legal effect as the Withdrawal Agreement.

(3) Chapter III of Regulation (EU) 2025/327 of the European Parliament and of the Council[3], to the extent that it contains conditions and technical specifications for the placing on the market of products or relate to the provision of services that may affect the free movement of products, includes provisions of a newly adopted Union act falling within the scope of the Windsor Framework which should be added to Annex 2 to the Windsor Framework. This does not apply to Article 29 of that Regulation which is included in its Chapter III.

[1] OJ L 29, 31.1.2020, p.7, ELI: http://data.europa.eu/eli/treaty/withd_2020/sign.

[2] Joint Declaration No 1/2023 of the Union and the United Kingdom in 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 24 March 2023 (OJ L 102, 17.4.2023, p. 87).

[3] Regulation (EU) 2025/327 of the European Parliament and of the Council of 11 February 2025 on the European Health Data Space and amending Directive 2011/24/EU and Regulation (EU) 2024/2847 (OJ L, 2025/327, 5.3.2025, ELI: http://data.europa.eu/eli/reg/2025/327/oj).

HAS ADOPTED THIS DECISION:

Article 1

Chapter III of Regulation (EU) 2025/327 of the European Parliament and of the Council of 11 February 2025 on the European Health Data Space and amending Directive 2011/24/EU and Regulation (EU) 2024/2847[4], as regards conditions and technical specifications for the placing on the market of products, and for their putting into service insofar as the free movement of products is concerned, shall be added to Annex 2 to the Windsor Framework under point 47 "Other", with the exception of Article 29 of that Regulation.

Article 2

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

Done at …,

For the Joint Committee

The Co-chairs

[4] OJ L, 2025/327, 5.3.2025, ELI: http://data.europa.eu/eli/reg/2025/327/oj