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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: Draft DECISION OF THE SPECIALISED COMMITTEE ON SOCIAL SECURITY COORDINATION ESTABLISHED BY ARTICLE 8(1)(p) OF THE TRADE AND COOPERATION AGREEMENT BETWEEN THE EUROPEAN UNION AND THE EUROPEAN ATOMIC ENERGY COMMUNITY, OF THE ONE PART, AND THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, OF THE OTHER PART, as regards the use of the Electronic Exchange of Social Security Information for the transmission of data between institutions or liaison bodies

DRAFT

**DECISION No .../2023 OF THE SPECIALISED COMMITTEE
ON SOCIAL SECURITY COORDINATION ESTABLISHED BY ARTICLE 8(1)(p)
OF THE TRADE AND COOPERATION AGREEMENT
BETWEEN THE EUROPEAN UNION
AND THE EUROPEAN ATOMIC ENERGY COMMUNITY, OF THE ONE PART,
AND THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,
OF THE OTHER PART,**

of ...

**as regards the use of the Electronic Exchange of Social Security Information
for the transmission of data between institutions or liaison bodies**

THE SPECIALISED COMMITTEE ON SOCIAL SECURITY COORDINATION,

Having regard to the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part¹ (the ‘Trade and Cooperation Agreement’), and in particular Article SSCI.4(2) of its Protocol on Social Security Coordination,

¹ OJ EU L 149, 30.4.2021, p.10.

Whereas:

- (1) Pursuant to Article SSCI.71(4) of the Protocol on Social Security Coordination to the Trade and Cooperation Agreement (the ‘Protocol on Social Security Coordination’), for the purposes of implementing that protocol, the United Kingdom may take part in the Electronic Exchange of Social Security Information and bear the related costs.
- (2) Pursuant to Article SSCI.4(2) of the Protocol on Social Security Coordination, the transmission of data between the institutions or the liaison bodies of the Member States and the United Kingdom may, subject to the approval of the Specialised Committee on Social Security Coordination, be carried out via the Electronic Exchange of Social Security Information. To the extent forms and documents are exchanged via the Electronic Exchange of Social Security Information, they are to respect the rules applicable to the Electronic Exchange of Social Security Information.
- (3) The use of the Electronic Exchange of Social Security Information for the purposes of implementing the Protocol on Social Security Coordination would be beneficial for the Member States and the United Kingdom, social security institutions, and persons moving between the European Union and the United Kingdom, as it would ensure a more rapid, accurate and secure exchange of social security information under the Protocol on Social Security Coordination. The Specialised Committee on Social Security Coordination should therefore adopt a decision to approve the transmission of data via the Electronic Exchange of Social Security Information.

- (4) The Specialised Committee on Social Security Coordination notes that, whilst the rules on social security coordination laid down in 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 are legally separate from those laid down in the Trade and Cooperation Agreement, Article 34(2) of the former agreement provides that the United Kingdom is to take part in the Electronic Exchange of Social Security Information (EESSI) and bear the related costs,

HAS ADOPTED THIS DECISION:

¹ OJ EU L 29, 31.1.2020, p. 7.

Article 1

The transmission of data between the institutions or the liaison bodies of the Member States and the United Kingdom shall be carried out via the Electronic Exchange of Social Security Information. This is without prejudice to exceptional and objectively justified situations.

Article 2

The United Kingdom shall bear the related costs which arise from its participation in the Electronic Exchange of Social Security Information pursuant to Article SSCI.71(4) of the Protocol on Social Security Coordination.

Article 3

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

Done at ...,

*For the Specialised Committee
on Social Security Coordination
The Co-chairs*
