Council of the European Union

Brussels, 10 February 2021
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PROPOSAL

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	10 February 2021
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2021) 64 final/2 - Annex
Subject:	ANNEX to the Proposal for a Council Decision on the position to be taken on behalf of the European Union in the Partnership Council established by 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 date on which provisional application of the Trade and Cooperation Agreement shall cease

Delegations will find attached document COM(2021) 64 final/2 - Annex.

Encl.: COM(2021) 64 final/2 - Annex

EUROPEAN
COMMISSION

Brussels, 10.2.2021
COM(2021) 64 final/2

ANNEX

COM(2021) 64 final of 9.2.2021 downgraded on 10.2.2021

ANNEX

to the

Proposal for a Council Decision

on the position to be taken on behalf of the European Union in the Partnership Council established by 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 date on which provisional application of the Trade and Cooperation Agreement shall cease

ANNEX

Decision No 1/2021 of the Partnership Council established by 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 date on which Provisional application of the Trade and Cooperation Agreement shall cease

THE PARTNERSHIP COUNCIL,

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 part[1] (the 'Trade and Cooperation Agreement'), and in particular point (a) of Article FINPROV.11(2) thereof,

Whereas:

(1) Pursuant to Article FINPROV.11(2) of the Trade and Cooperation Agreement, the Parties agreed to provisionally apply that Agreement from 1 January 2021 provided that prior to that date they had notified each other that their respective internal requirements and procedures necessary for provisional application have been completed. Provisional application shall cease on one of the following dates, whichever is the earliest: (a) 28 February 2021 or another date as decided by the Partnership Council; or (b) on the first day of the month following that in which both Parties have notified each other that they have completed their respective internal requirements and procedures for establishing their consent to be bound.

(2) As the European Union will not be able, due to internal procedural requirements, to conclude the Trade and Cooperation Agreement by 28 February 2021, the Partnership Council should set 30 April 2021 as the date on which provisional application shall cease pursuant to point (a) of Article FINPROV.11(2).

HAS ADOPTED THIS DECISION:

Article 1

The date on which Provisional application shall cease pursuant to point (a) of Article FINPROV.11(2) of the Trade and Cooperation Agreement shall be 30 April 2021.

Article 2

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

Done at …,

For the Partnership Council

The Co-chairs

[1] OJ L 444, 31.12.2020, p. 14.