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COVER NOTE

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| From: | Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director |
| date of receipt: | 9 June 2023 |
| To: | Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union |
| No. Cion doc.: | COM(2023) 321 final |
| 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 two newly adopted Union acts to Annex 2 to the Windsor Framework |

Delegations will find attached document COM(2023) 321 final.

Encl.: COM(2023) 321 final



EUROPEAN
COMMISSION

Brussels, 9.6.2023
COM(2023) 321 final

ANNEX

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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 two newly adopted Union acts to Annex 2 to the Windsor Framework

ANNEX

DECISION No [...] /2023 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 two newly adopted Union acts 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 Community¹ ('the Withdrawal Agreement'), and in particular Article 13(4) of the Windsor Framework²,

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. 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.
- (2) Two newly adopted Union acts should be added to Annex 2 to the Windsor Framework.

¹ OJ L 29, 31.1.2020, p. 7.

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. 87–87.

HAS ADOPTED THIS DECISION:

Article 1

- (1) Regulation (EU) 2023/... of the European Parliament and of the Council of ... on specific rules relating to the entry into Northern Ireland from other parts of the United Kingdom of certain consignments of retail goods, plants for planting, seed potatoes, machinery and certain vehicles operated for agricultural or forestry purposes, as well as non-commercial movements of certain pet animals into Northern Ireland³ shall be added to Annex 2 to the Windsor Framework under point 44 “Sanitary and phytosanitary - Other”;
- (2) Regulation (EU) 2023/... of the European Parliament and of the Council of ... on specific rules relating to medicinal products for human use intended to be placed on the market in Northern Ireland and amending Directive 2001/83/EC⁴, insofar as it does not amend Directive 2001/83/EC, shall be added to Annex 2 to the Windsor Framework under point 20 “Medicinal products”.

Article 2

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

Done at ...,

For the Joint Committee

The Co-chairs

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To insert OJ reference

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To insert OJ reference