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Legislation

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Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION (EU) 2021/803

of 10 May 2021

on the conclusion on behalf of the Union, of the 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 the EU Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4), in conjunction with point (a)(v) of the second subparagraph of Article 218(6) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament,

Whereas:

- (1) On 15 June 2018 the Council authorised the Commission to open negotiations pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 on the apportionment of the tariff-rate quotas included in the EU Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the Union.
- (2) Negotiations with the Kingdom of Norway were concluded on 7 and 8 July 2020 with the initialling of an 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 the EU Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union ('the Agreement').
- (3) The Agreement was signed on behalf of the Union on 17 December 2020, subject to its conclusion at a later date, in accordance with Council Decision (EU) 2020/1496 ⁽¹⁾.
- (4) The Agreement should be approved,

⁽¹⁾ Council Decision (EU) 2020/1496 of 13 October 2020 on the signing, on behalf of the Union, of the 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 the EU Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union (OJ L 343, 16.10.2020, p. 22).

HAS ADOPTED THIS DECISION:

Article 1

The 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 the EU Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union is hereby approved on behalf of the Union ⁽²⁾.

Article 2

The President of the Council shall, on behalf of the Union, give the notification provided for in the Agreement ⁽³⁾.

Article 3

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

Done at Brussels, 10 May 2021.

For the Council
The President
J. BORRELL FONTELLES

⁽²⁾ See page 3 of this Official Journal.

⁽³⁾ The date of entry into force of the Agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

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 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

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 34 000t will be apportioned so that the quantity scheduled for the European Union that no longer includes the United Kingdom will be 33 496t.

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, the assurances of my highest consideration.

Съставено в Брюксел на
Hecho en Bruselas, el
V Bruselu dne
Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Brüssel,
Έγινε στις Βρυξέλλες, στις
Done at Brussels,
Fait à Bruxelles, le
Sastavljeno u Bruxellesu
Fatto a Bruxelles, addì
Briselē,
Priimta Briuselyje,
Kelt Brüsszelben,
Magħmul fi Brussell,
Gedaan te Brussel,
Sporządzono w Brukseli, dnia
Feito em Bruxelas,
Întocmit la Bruxelles,
V Bruseli
V Bruslju,
Tehty Brysselissä
Utfärdat i Bryssel den
Utfærdiget i Brussel,

17-12-2020

За Европейския съюз
Por la Unión Europea
Za Evropskou unii
For Den Europæiske Union
Für die Europäische Union
Euroopa Liidu nimel
Για την Ευρωπαϊκή Ένωση
For the European Union
Pour l'Union européenne
Za Europsku uniju
Per l'Unione europea
Eiropas Savienības vārdā –
Europos Sąjungos vardu
Az Európai Unió részéről
Għall-Unjoni Ewropea
Voor de Europese Unie
W imieniu Unii Europejskiej
Pela União Europeia
Pentru Uniunea Europeană
Za Európsku úniu
Za Evropsko unijo
Euroopan unionin puolesta
För Europeiska unionen
For Den europeiske union

B. Letter from Norway

Sir,

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 34 000t will be apportioned so that the quantity scheduled for the European Union that no longer includes the United Kingdom will be 33 496t.

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.

Utfærdiget i Brussel,
Съставено в Брюксел на
Hecho en Bruselas, el
V Bruselu dne
Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Brüssel,
Έγινε στις Βρυξέλλες, στις
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Feito em Bruxelas,
Întocmit la Bruxelles,
V Bruseli
V Bruslju,
Tehty Brysselissä
Utfärdat i Bryssel den

17-12-2020

For Kongeriket Norge
За Кралство Норвегия
Por el Reino de Noruega
Za Norské království
For Kongeriget Norge
Für das Königreich Norwegen
Norra Kuningriigi nimel
Για το Βασίλειο της Νορβηγίας
For the Kingdom of Norway
Pour le Royaume de Norvège
Za Kraljevinu Norvešku
Per il Regno di Norvegia
Norvēģijas Karalistes vārdā —
Norvegijos Karalystės vardu
A Norvég Királyság nevében
Għar-Renju tan-Norveġja
Voor het Koninkrijk Noorwegen
W imieniu Królestwa Norwegii
Pelo Reino da Noruega
Pentru Regatul Norvegiei
Za Nórske kráľovstvo
Za Kraljevino Norveško
Norjan kuningaskunnan puolesta
För Konungariket Norge

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