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COUNCIL DECISION (EU) 2026/2599

of 19 November 2026

establishing 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 decision No 1/2026 of the Partnership Council

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 194(2) thereof, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) 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 'Agreement') was concluded by the Union by means of Council Decision (EU) 2021/689 ([2]) and entered into force on 1 May 2021, having been provisionally applied since 1 January 2021.

(2) Pursuant to Article 519(b) of the Agreement, the Partnership Council established under the Agreement may adopt decisions to issue interpretations of the provisions of Part Two of the Agreement.

(3) In accordance with Article 331(1) of the Agreement, Part Two, Heading One, Title VIII on energy of the Agreement ('Title VIII') would have ceased to apply on 30 June 2026.

(4) In accordance with Article 331(2) of the Agreement, the Partnership Council may decide between 1 July 2026 and 31 December 2026 to extend the application of Title VIII until 31 March 2027.

(5) Decision No 2/2025 of the Partnership Council ([3]) extended the application of Title VIII until 31 March 2027.

(6) In accordance with Article 331(2) of the Agreement, between 1 April 2027 and 31 December 2027, as well as at any point of time in any subsequent year, the Partnership Council may decide that Title VIII will apply until 31 March of the following year.

(7) Through their Joint Declaration 1/2025 ([4]) in the Partnership Council, the Union and the United Kingdom of Great Britain and Northern Ireland ('United Kingdom') expressed their shared political understanding that the objectives of Title VIII should be pursued on a continuous basis through the extension of the application of Title VIII.

([1]) OJ L 149, 30.4.2021, p. 10.

([2]) Council Decision (EU) 2021/689 of 29 April 2021 on the conclusion, on behalf of the Union, 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, and of the Agreement between the European Union and the United Kingdom of Great Britain and Northern Ireland concerning security procedures for exchanging and protecting classified information (OJ L 149, 30.4.2021, p. 2, ELI: http://data.europa.eu/eli/dec/2021/689/oj).

([3]) Decision No 2/2025 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 19 June 2025 issuing an interpretation of Article 331(2) and extending the application of Part Two, Heading One, Title VIII on energy, 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 (OJ L, 2025/1230, 20.6.2025, ELI: http://data.europa.eu/eli/dec/2025/1230/oj).

([4]) Joint Declaration 1/2025 of the Union and the United Kingdom 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 of 19 June 2025 (OJ L, 2025/1232, 20.6.2025, ELI: http://data.europa.eu/eli/declar/2025/1232/oj).

(8) A situation in which the Partnership Council could adopt a decision on the extension of the application of Title VIII only once Title VIII has already ceased to apply could lead to an interruption to the application of Title VIII, and therefore to uncertainty as regards the legal framework applicable to trade and investment between the Union and the United Kingdom in the areas of energy and raw materials.

(9) To provide for legal certainty and predictability, it is therefore appropriate to adopt a decision interpreting Article 331(2) of the Agreement to the effect that a decision of the Partnership Council on the extension of the application of Title VIII until 31 March 2028 can be adopted before 1 April 2027, provided that it take effect only as of 1 April 2027.

(10) The Partnership Council is to adopt at its next meeting or by written procedure a decision interpreting and implementing Article 331(2) of the Agreement to allow the objectives of Title VIII to be pursued on a continuous basis through the extension of the application of Title VIII.

(11) It is appropriate to establish the position to be taken on the Union's behalf in the Partnership Council as regards the interpretation and implementation of Article 331(2) of the Agreement,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf 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 interpretation and implementation of Article 331(2) of that Agreement is set out in the draft decision of the Partnership Council attached to this Decision.

Article 2

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

Done at Brussels, 19 November 2026.

For the Council

The President

T. BYRNE

DRAFT

DECISION No 1/2026 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

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issuing an interpretation of Article 331(2) and extending the application of Part Two, Heading One, Title VIII on energy, 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

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 ('the Agreement'), and in particular Article 519(b) and Article 331(2) thereof,

Whereas:

(1) In accordance with Article 331(1) of the Trade and Cooperation Agreement, Part Two, Heading One, Title VIII of that Agreement ('Title VIII') would have ceased to apply on 30 June 2026.

(2) In accordance with Article 331(2) of the Agreement, between 1 July 2026 and 31 December 2026, the Partnership Council may decide to extend the application of Title VIII until 31 March 2027.

(3) Decision No 2/2025 of the Partnership Council extended the application of Title VIII until 31 March 2027.

(4) In accordance with Article 331(2) of the Agreement, between 1 April 2027 and 31 December 2027, as well as at any point of time in any subsequent year, the Partnership Council may decide to extend the application of Title VIII until 31 March of the following year.

(5) A situation in which the Partnership Council could adopt a decision on the extension of the application of Title VIII only once Title VIII has already ceased to apply could lead to an interruption to the application of Title VIII, and therefore to uncertainty as regards the legal framework applicable to trade and investment between the European Union and the United Kingdom in the areas of energy and raw materials.

(6) To provide for legal certainty and predictability, it is therefore appropriate to adopt a decision interpreting Article 331(2) of the Agreement to the effect that a decision of the Partnership Council on the extension of the application of Title VIII until 31 March 2028 can be adopted before 1 April 2027, provided that it takes effect only as of 1 April 2027.

(7) The objectives of the Title VIII are to facilitate trade and investment between the European Union and the United Kingdom in the areas of energy and raw materials, and to support security of supply and environmental sustainability, notably in contributing to the fight against climate change in those areas.

(8) To achieve the objectives of Title VIII, it is opportune for both the European Union and the United Kingdom to continue their cooperation on energy through the application of the Title VIII.

(9) Through their Joint Declaration 1/2025 in the Partnership Council, the European Union and the United Kingdom expressed their shared political understanding that the objectives of Title VIII should be pursued on a continuous basis through the extension of the application of Title VIII.

(10) Energy stakeholders should be provided with a stable and predictable legal framework concerning the continuation of such cooperation which facilitates business and ensures market stability.

(11) It is therefore appropriate to adopt a decision on the application of the Title VIII until 31 March 2028,

HAS ADOPTED THIS DECISION:

Article 1

Article 331(2) of the Trade and Cooperation Agreement shall be interpreted to the effect that a decision on the extension of the application of Part Two, Heading One, Title VIII of the Trade and Cooperation Agreement until 31 March 2028 can be adopted before 1 April 2027, provided that it takes effect only as of 1 April 2027.

Article 2

The application of Part Two, Heading One, Title VIII of the Trade and Cooperation Agreement shall be extended until 31 March 2028.

Article 3

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

Article 2 shall take effect on 1 April 2027.

Done at Brussels and London, […] 2026.

For the Partnership Council

The Co-Chairs