ADVISORY DECISION No. 01/2025

of the Joint Administrative Committee established by Article 69 of the Convention on Social Security Coordination between the United Kingdom of Great Britain and Northern Ireland and the Swiss Confederation

of 27 November 2025

concerning when measures adopted by the Joint Administrative Committee should be defined as a recommendation under Article 69(2) or a decision under Article 69(3) of the Convention

THE JOINT ADMINISTRATIVE COMMITTEE,

Having regard to Article 69(2) and (3) of the Convention, under which the Joint Administrative Committee is responsible for monitoring, reviewing the interpretation, implementation and application of the Convention and may make recommendations in respect thereof and may adopt decisions in respect of all matters where the Convention so provides,

Whereas:

(1) Pursuant to Article 69(2)(a) of the Convention, the Joint Administrative Committee may monitor and review the interpretation, implementation and application of this Convention and make recommendations in respect thereof.

(2) Pursuant to Article 69(3) of the Convention, the Joint Administrative Committee has the power to adopt decisions in respect of all matters where the Convention so provides.

(3) These provisions provide a distinction between recommendations and decisions of the Joint Administrative Committee.

(4) Recommendations of the Joint Administrative Committee as defined under Article 69(2) are advisory in nature.

(5) Decisions of the Joint Administrative Committee as defined under Article 69(3) may be adopted where the Convention requires and are legally binding in nature.

(6) Pursuant to Article 69(2) the Joint Administrative Committee therefore makes this recommendation for when measures adopted by the Joint administrative Committee should be defined as a recommendation or a decision.

HAS ADOPTED THIS ADVISORY DECISION:

Article 1

1. The Joint Administrative Committee has decided that the nomenclature to differentiate more accurately between legally binding decisions and advisory recommendations should be specified. Decisions as outlined in Article 69(3) shall, under the conditions of paragraph 2, retain the same nomenclature while recommendations under Article 69(2) shall hereafter be called 'Advisory Decisions'.

2. A Decision as outlined in Article 69(3) shall be called a 'Decision' where both of the following apply:

   a) the provisions contained within the Decision are required by the Convention; and
   b) the provisions contained within the Decision do not correspond to those of a Decision of the Administrative Commission of the EU on the Coordination of Social Security Systems.

3. The Joint Administrative Committee shall make an Advisory Decision when making a recommendation under Article 69(2) of the Convention.

Article 2

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

Done at Bern and London, on 27 November 2025

For the Joint Administrative Committee

The Co-Chairs

Stephan Cueni

Mike Haslam