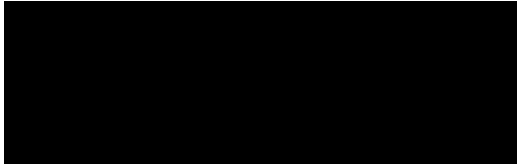


Stormont Castle  
BELFAST  
BT4 3TT



**Michael Potter  
Committee for TEO  
Room 412  
Parliament Buildings  
Ballymiscaw  
Stormont  
BELFAST  
BT4 3SR**

**26 May 2021**

Dear Michael

**EU EXIT UPDATE**

Thank you for your letter dated 25 February 2021, requesting information in relation to Michael Gove's letter of 2 February to EU Vice President Šefčovič, the UK-EU Joint Partnership Council and Common Frameworks.

**Michael Gove's letter of 2 February to EU Vice President Šefčovič**

You have requested detail on the wider list of flexibilities referred to by the Chancellor of the Duchy of Lancaster (CDL) in his correspondence of 2 February 2021 to Mr Šefčovič. Since the end of the Transition Period officials have been working closely with our stakeholders and departments to identify and assess issues as they arise. We have continued to engage with the UK Government on our list of issues, some of which were reflected in CDL's letter, though we do not have full information on all the issues that Cabinet Office has raised with the Commission.

Our main concerns fall under the following areas.

- **Sanitary and Phytosanitary (SPS) issues**, such as the end of the grace periods for Export Health Certificates (EHCs) for supermarket consignments and for Prohibited and Restricted Goods, the movement of live animals, charges for agri-food goods entering NI from GB, and issues in relation to soil;
- **Other DAERA issues**, such as pets and assistance dogs, fisheries, and eels;
- **Customs, Excise and VAT issues**, such as trade remedies, e.g. in relation to steel, the movement of parcels, the VAT margin scheme on second hand cars, the treatment of goods of EU origin moving from GB to NI, and issues around customs representatives;
- **Medicines issues**, including in relation to licensing, regulation and supply chains; and
- **Energy and the Environment issues**, such as emissions trading and issues in relation to the Single Electricity Market.

### **UK-EU Joint Partnership Council**

The UK-EU Joint Partnership Council will have responsibility for overseeing the implementation and operation of the Trade and Co-operation Agreement (TCA) and associated Agreements at a political level.

TEO officials are engaging with the EU Secretariat within Cabinet Office on devolved administration participation in the institutional structure that governs these Agreements, including the Partnership Council, and the Trade Partnership Committee and Specialised Committees that support it.

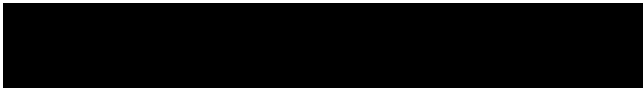
Our position remains that the Executive should be represented within these governance structures, and we will update the Committee accordingly once the approach to such representation has been confirmed.

## **Common Frameworks**

Following approval by the relevant Executive portfolio Ministers, the First Minister and deputy First Minister in their roles as JMC(EN) representatives, were asked to provisionally confirm 25 Common Frameworks prior to the end of the Transition Period on the 31st December, in order to ensure their operability on 1st January. So far the First Minister and deputy First Minister have provided provisional endorsement to 5 frameworks and work is continuing on finalising confirmation of the remaining frameworks.

Yours sincerely

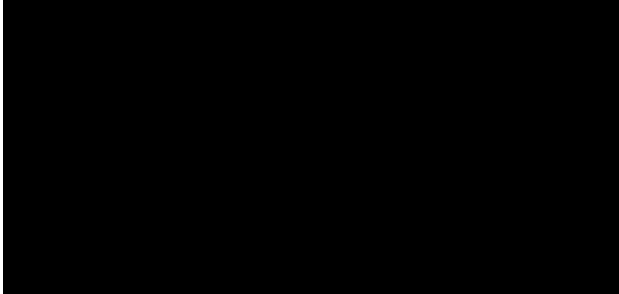
[signed]





Northern Ireland  
Assembly

## Committee for the Executive Office



25 February 2021

Dear David,

### EU EXIT UPDATE

At its meeting on 24 February 2021, the Committee for the Executive Office received an oral briefing from Junior Minister Kearney and Junior Minister Middleton on the latest events relating to EU exit.

The Committee agreed that I write to you to request information on the following areas:

- **Michael Gove Letter 2 February 2021**

Mr Gove's [correspondence](#) to Mr Šefčovič referred to a wider list of flexibilities required under the Protocol on Ireland and Northern Ireland:

*“Working with the Northern Ireland Executive, the UK Government has compiled a wider list of issues that will be provided separately, covering more specific but nonetheless very important issues. While there is more time to address these issues, we will need to take forward a comprehensive work programme to resolve all these difficulties.”*

What is the wider list of issues as referred to by Michael Gove?

- **UK-EU Joint Partnership Council**

Executive Office officials previously indicated (at their [briefing](#) to the Committee on the 13<sup>th</sup> January) that the Executive wanted to participate in the work of this body:

*“The First Minister and deputy First Minister have already expressed at the JMCEN their desire to be represented on the governance structures that cover*

*the trade and cooperation agreement, given the benefit that they felt from their participation in the Joint Ministerial Committee and the Specialised Committee, and I am certain that that will be the position of Scotland and Wales as well.”*

Will the Northern Ireland Executive be represented within the institutional structure of the UK-EU Joint Partnership Council? If so by whom?

- **Common Frameworks**

Members noted that a number of provisional common frameworks have not been published and also noted the [comments](#) of the Welsh Government Counsel General and Minister for European Transition Jeremy Miles in respect of action awaited by the Northern Ireland Executive:

*Jeremy Miles MS “..... just before Christmas, I approved, as the relevant Minister on behalf of all colleagues, I think it was around 20 frameworks to be taken forward for scrutiny. So, I think that the only obstacle to them being scrutinised at the moment remains that the agreement of the Northern Ireland Executive to take that action is still awaited (emphasis added). I think that, to be fair, my understanding is that that is entirely down to the complex multi-party structure in Northern Ireland, rather than any reservation or disagreement around the content. So, that's around 20 frameworks that are in that position.”*

What is the reason for delays in the publication of certain common frameworks by the Northern Ireland Executive?

I would appreciate a response by **11 March 2021**.

Yours sincerely

*Michael Potter*

**Michael Potter Clerk, Committee for the Executive Office**

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