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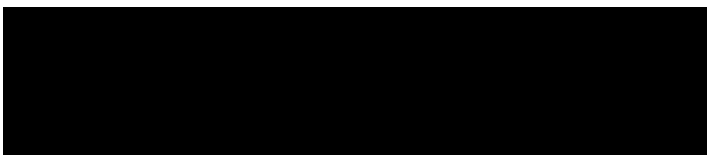
**22 April 2021**

**Dear Michael**

**TEO COMMITTEE – APRIL 2021 UPDATE ON EU EXIT MATTERS**

The TEO Committee has requested monthly briefings that provide a general update on Brexit issues. The attached paper provides an update covering the period up to 15 April 2021. Junior Ministers are due to provide the Committee with a further update on 28 April.

Yours sincerely,  
*signed*



## **COMMITTEE FOR THE EXECUTIVE OFFICE UPDATE ON EU EXIT MATTERS**

This paper provides an update to the TEO Committee on EU Exit matters as they stand at 15 April. The position, particularly in relation to operational matters, is fluid and has the potential to change over a short period of time. The Committee will be kept updated through the regular oral briefing process.

### **1. OPERATIONAL READINESS**

Work continues to identify, assess and seek to resolve immediate operational issues associated with the end of the transition period, along with a focus on preparation for the end of the various grace periods.

In March the UK Government announced unilateral extensions to several of the grace periods, in response to which the European Union initiated a legal challenge. While the UK Government has indicated that it will respond formally to the legal action by Mid May, they did provide the EU with a work programme on 31 March and further discussions are ongoing in relation to an agreed way forward. It is recognised that there are both technical and political dimensions to the range of issues that need to be addressed.

### **2. RATIFICATION OF TCA**

The European Parliament has not yet confirmed when the ratification vote on the TCA will take place. Nevertheless the Conference of Presidents, which represents the leaders of political groups, is expected to meet on 22 April to agree ratification during the April plenary session, which will take place from 26 to 29 April. This would allow the EU to complete the ratification process before the provisional application period expires on 30 April.

### **3. JOINT COMMITTEE AND SPECIALISED COMMITTEE**

The First Minister and deputy First Minister attended a meeting of the Joint Committee on 24 February. At the meeting the UK and EU agreed that their teams should engage further in technical discussions and come back to the Joint Committee.

The Specialised Committee met on 26 March 2021. The Executive was represented at official level by the Director General for International Relations. The meeting took place in a constructive atmosphere and included a stocktake on outstanding issues and the implementation of the Protocol. Both the UK and the EU committed to continuing their engagement with Northern Ireland business and civil society stakeholders. They also agreed to continue to remain in contact.

There are no meetings of the Joint Committee or Specialised Committee scheduled at present.

#### **4. JOINT CONSULTATIVE WORKING GROUP**

A meeting of the Joint Consultative Working Group took place on 15 April. The Executive was represented at official level at the short meeting which focussed on matters relating to the operation of the group.

#### **5. COMMON FRAMEWORKS – HOUSE OF LORDS REPORT**

The House of Lords Common Frameworks Scrutiny Committee published its report “Common Frameworks: Building a Cooperative Union” on 31 March setting out its findings during the initial period of its inquiry from 23 October 2020. The Committee has examined how the Common Frameworks programme has operated in relation to other initiatives, how it could be reviewed and improved in future, and the role for parliamentary scrutiny.

The report makes a range of recommendations for improvement to the Common Frameworks programme and raises issues in general on lack of progress, transparency and, in particular stakeholder engagement. While these are primarily addressed to the UK Government to implement, they affect the Common Frameworks programme as a whole. Therefore, Executive Office officials are engaging with representatives from Cabinet Office, Scottish Government and Welsh Government through the Common Frameworks Project Board to address the issues raised in the report.

#### **6. LEGISLATION**

##### **EU Exit legislation**

The latest monitoring returns from 12 April indicate:

- The potential need for 11 Westminster Bills (6 of which, including the UK Internal Market Bill, have now been enacted).
- 52 Statutory Rules (SR) were brought before the Assembly in the lead up to the end of the Transition Period
- 31 further SRs have been identified as required in the post Transition Period.
- 77 Statutory Instruments (SI) that cut across devolved matters were laid at Westminster before the end of the Transition period
- 29 SIs have been identified as required post Transition Period.

None of this legislation sits with TEO.

### **EU legislation under the Protocol**

Work is continuing on the development of a system to support the tracking and monitoring of legislation contained in the Protocol.

## **7. RIGHTS AND DEDICATED MECHANISM**

On 14 April the Dedicated Mechanism (DM) provided the Committee with briefing on Article 2 of the Protocol and the operation of the Dedicated Mechanism since the end of the transition period.

Officials have met with the Equality Commission and Human Rights Commission and the NIO to consider the operation of the DM going forward in particular the flow of information in respect of potential relevant changes to EU law. This work is at a relatively early stage.