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**Dear Michael**

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**TEO COMMITTEE – UPDATE ON EU EXIT MATTERS – JANUARY 2022**

Junior Ministers are due to meet with the Committee on 12 January 2022. The TEO Committee has requested a written briefing prior to this meeting. The attached paper provides an update covering the period up to and including 20 December 2021.

Yours sincerely



**Departmental Assembly Liaison Officer**

## **ANNEX A**

### **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 20 December 2021.

#### **1. OPERATIONAL READINESS**

On 17 December 2021, both the UK and EU released public statements to reflect their current positions regarding the ongoing UK-EU negotiations. Both sides noted that while progress had been made, further progress is still required.

The EU announced that they would begin taking unilateral actions to ensure the continuation of medical supplies into Northern Ireland from UK suppliers. The existing grace period, which was due to expire at the end of January, will last until the end of 2022 unless the legislative procedure is finalised sooner. Full technical details of the proposal are yet to be published.

The UK-EU discussions are expected to continue in 2022.

#### **2. UK-EU TRADE AND COOPERATION AGREEMENT GOVERNANCE**

The majority of Specialised Committees set up under the TCA have met for the first time. NICS departments have ongoing engagement with their Whitehall counterpart departments on key issues raised.

#### **3. CIVIC SOCIETY MECHANISMS**

The creation of a Domestic Advisory Group (DAG) and Civil Society Forum (CSF) is provided for under the UK-EU Trade and Cooperation Agreement (TCA). The purpose of these groups is to allow for the involvement of civil society in advising on the implementation of the TCA.

The DAG will consist of representatives from non-governmental organisations, business and employers' organisations, as well as trade unions, active in economic, sustainable

development, social, human rights, environmental and other matters. Once constituted, the DAG member organisations will discuss progress made in implementing the TCA and will be able submit their views or recommendations to the Government. Concerns and issues raised by the DAG will also be considered in advance of meetings of the Specialised Committee and other TCA governance bodies.

The CSF is designed to bring together civil society representatives to facilitate an active dialogue between participants. Appointed organisation must:

- Be a civil society or business organisation and not an individual business;
- Be not for profit;
- Represent the interest of UK businesses or citizens;
- Have specific professional competence or expertise relating to the TCA

Receipt of Expressions of Interest to both the DAG and the CSF closed on 24 November 2021. With regards to the DAG, Cabinet Office is continuing its assessment of applications and will inform interested parties of the outcome in the New Year. Applicants to the CSF will be informed of the outcome of their applications once the guidelines which underpin the forum are agreed through the UK-EU TCA Partnership Council next year.

#### **4. JOINT COMMITTEE AND IRELAND/ NORTHERN IRELAND SPECIALISED COMMITTEE**

The Joint Committee last took place on 9 June 2021, and the Ireland-Northern Ireland Specialised Committee last met on 24 September 2021. No meetings are currently planned for the remainder of 2021.

#### **5. JOINT CONSULTATIVE WORKING GROUP**

The Joint Consultative Working Group (JCWG) continues to take place on a monthly basis. The last meeting was held on 2 December 2021.

#### **6. TCA PARLIAMENTARY PARTNERSHIP ASSEMBLY**

On 6 December 2021 the House of Commons passed a motion on the procedures for its delegation to the UK-EU Parliamentary Partnership Assembly. The House of Lords passed the same motion on 8 December 2021. The delegation will consist of 21 members of the House of Commons and 14 members of the House of Lords. The next step is for the members of the UK delegation to be confirmed formally through a written ministerial statement; this statement is expected shortly.

On 8 December 2021, the European Parliament elected French Renew Europe MEP Nathalie Loiseau as Chair of the EU delegation to the UK-EU Parliamentary Partnership Assembly (PPA). Irish European People's Party MEP Sean Kelly was elected as first Vice Chair, he is also the International Trade Committee rapporteur to the UK Contact Group. Tsvetelina Penkova, a Bulgarian S&D MEP, was elected as second Vice Chair.

## **7. LEGISLATION**

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

The development of an EU Legislation Information Tracking System (EULITS) to track and monitor changes to legislation listed in the annexes of the Protocol is ongoing.

This system will assist the Executive Office to transmit details of proposed and adopted EU legislative measures, received through the Joint Consultative Working Group (JCWG) to relevant departments who have policy competence and responsibility for complying with the legislation.

The aim is to have phase 1 of the system operational by 31 January 2022 which will include a register of all EU legislative measures that fall within the scope of the Protocol.

## **8. EU EXIT LEGISLATION**

The latest monitoring returns from 6 December 2021 indicate that since the Environment Bill received Royal Assent on 9 November 2021, there are now two Westminster Bills awaiting completion:

- the Professional Qualifications Bill completed its House of Lords stages on Wednesday 17 November 2021 and was presented to the House of Commons on Thursday 18 November 2021 with its Second Reading debate on 15 December 2021; and
- the Subsidy Control Bill has completed its passage through the House of Commons and was introduced in the House of Lords on Tuesday 14 December 2021.

45 Statutory Rules have been identified as required in the post Transition Period.

37 Statutory Instruments (SIs) that cut across devolved matters have been identified as required post Transition Period.

None of this legislation sits with TEO.

## **9. COMMON FRAMEWORKS**

Officials are continuing to engage with the UK, Scottish and Welsh governments and across the NICS to ensure the timely delivery of the Common Frameworks programme.

A review process has been completed for 29 frameworks to ensure that the agreed text on cross cutting issues was included prior to Assembly scrutiny. These Frameworks are currently being cleared by Ministers in all Governments. Three further Common Frameworks were published for scrutiny on 16 December 2021:

- Radioactive Substances;
- Company Law; and
- Late Payment

The remaining Common Frameworks will be published for scrutiny in January 2022.