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Christopher Dickison
Senior Assistant Clerk, Windsor Framework Democratic Scrutiny Committee
Room 371, Parliament Buildings
Stormont
Belfast, BT4 3XX

25 September 2025

Dear Christopher,

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the safety of toys and repealing Directive 2009/48/EC

Thank you for your follow-up letter regarding the above proposal.

I would like to reassure you that government officials in the Office for Product Safety and Standards are working on an explanatory memorandum which will be finalised and shared following publication of the Toy Safety Regulation in the Official Journal of the EU. The legislation remains yet to be published in finality and it is important that we await this in order to reach a view on the final legal text, in line with the Government's scrutiny commitments. The explanatory memorandum will include more detail, but for the time-being we wanted to supply a further update and response to the Committee's latest questions.

Your letter asked about the cost and effects of the regulation if it applies in NI. The toy industry will be required to familiarise itself with and adapt to new specific safety requirements, which build on existing requirements contained within the Toy Safety Directive. Costs and supply implications will be dependent on how new requirements concerning stricter chemical bans, testing and the implementation of the digital product passport apply to products, which will vary across the sector. However, the regulation is also expected to offer potential savings and opportunities to businesses. The British Toy and Hobby Association (BTHA) has advised that the majority of British toy manufacturers and distributors sell into both the UK and EU markets. We would therefore expect most manufacturers who currently sell into the UK market to be looking to apply the new EU requirements to their product lines.

We do not expect there to be a risk of inadvertent trivergence. The Government possesses the tools necessary, such as the recently passed Product Regulation and Metrology Act, to respond to new EU legal developments such as these to facilitate the continued smooth flow of goods between GB and NI. We would note that Northern Ireland goods continue to maintain their unfettered market access to the whole UK internal market, including where produced to the proposed standards in this regulation. The reality of devolution is also that

there are policy differences in a range of areas across the United Kingdom as a whole, in areas from environment to food safety.

We do not intend to consult councils on the final text of the proposed EU act, as it is a matter for the EU institutions to consult on legislative proposals that they institute.

The Government engaged extensively with industry and trade associations, including the toy industry, through the Product Safety Review. Responses to the review and ongoing stakeholder engagement informed the drafting of the Product Regulation and Metrology Act (PRaM) throughout the parliamentary process. PRaM provides powers for the UK to respond to new or updated EU regulations, including through recognition of updated EU product requirements. The Government is continuing to give due consideration to the EU's reform of toys legislation. Many of our own objectives for product safety reform also feature in the EU's new Toys Regulation, such as considerations around new and modern technologies, and clearer obligations on actors in the supply chain.

Your letter also asked as to the Regulation's effect on consumers. Amongst other things, the proposed legislation introduces updated chemical bans to include substances like endocrine disruptors and requirements concerning digitally connected toys. It also introduces changes to require manufacturers to revise their testing and compliance procedures to align with new benchmarks.

The aim of the digital product passport (DPP) will be to move away from current paper-based requirements whilst requiring largely the same type and amount of information. This would be easily accessible to both market surveillance authorities. It is expected that manufacturers will already hold most of the required information digitally, and set-up costs are expected to be offset by ongoing savings relating to reduced physical labelling costs, and easier tracking and information sharing.

I can assure you that the Government will seek to furnish the Committee with an updated Explanatory Memorandum on the final, published legislation, when that is available.

Yours sincerely,

**PAUL FLYNN
DEPUTY DIRECTOR
WINDSOR FRAMEWORK TASKFORCE**



Christopher Dickison, Senior Assistant Clerk
Windsor Framework Democratic Scrutiny
Committee (DSC)

Ref: DSC 188/25

3 July 2025

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Windsor Framework Taskforce – Cabinet Office

Issued via email to: ██████████

Dear ██████████

COM/2023/462 Proposal for a Regulation on the safety of toys

At its meeting 26 June 2025, the Windsor Framework Democratic Scrutiny Committee (DSC) considered the abovementioned proposed EU act.

Following the DSC's request for an initial assessment of impact, the Executive Office (TEO) advised that Northern Ireland departments would be unable to provide information on the proposal. They stated that in Great Britain, product safety is the responsibility of the Office for Product Safety and Standards (OPSS) under the Department for Business and Trade, and indicated that there is no direct counterpart for the OPSS in Northern Ireland, with responsibility in Northern Ireland instead sitting with local councils.

The DSC requested confirmation from TEO of which Northern Ireland department is the most appropriate point of contact when dealing with EU acts relating to product safety such as this one, but to date, no department has been identified.

The Committee previously sought the views of the Consumer Council and local councils in relation to the proposed EU act. In a response dated 2 April, the Consumer Council stated that it does not have any statutory remit in relation to product safety, nor any consumer data or research on this topic.

The Consumer Council also stated that it had raised the DSC's request for information on this proposal with the OPSS, which confirmed that "queries in relation to reserved matters such as product safety should be directed to the Windsor Framework Task Force which will consult OPSS and other relevant departments to gather information on the impact of proposals."

Having considered a response dated 7 April from SOLACE NI on behalf of councils, the Committee invited SOLACE NI to give oral evidence on the proposed EU act and forwarded a number of questions to them for answer during the session.

In a further response dated 18 April 2025, SOLACE NI advised that they were unable to offer any additional insight and suggested that the Committee direct its questions to the OPSS.

The responses from SOLACE NI, and response from the Consumer Council, can be found [here](#).

Further to the Committee's request for the UK Government to provide an updated assessment of the draft final text of this proposed EU act (enclosed for reference), the

Committee agreed at its meeting on 26 June 2025 to ask that the OPSS respond to the following questions:

- If the proposal was to apply in NI, what specific challenges would it pose for the toy industry, and would there be any cost/supply implications for consumers and businesses?
- SOLACE NI has stated that if the proposal was not applied in NI, businesses would not be “aligned with either the UK or EU market.” What specific challenges would arise for businesses and consumers as a result of the ‘trivergence’, and would there be any cost/supply implications for consumers and businesses?
- If the proposal was to apply in NI, how would you expect it to impact on the movement of toys between GB and NI?
- SOLACE NI has stated that applying the proposal in NI would “significantly benefit” consumers from a product safety perspective. Can you provide more detail on how applying the proposal would benefit consumers in NI?
- Are there likely to be any product safety risks for consumers if the proposal was not applied in NI? If so, what are they?
- SOLACE NI has stated that the introduction of a new digital product passport would “assist district councils in verifying compliance”. Can you provide more detail on how a new digital product passport would assist councils in that regard?
- SOLACE NI has stated that the digital product passport would also be “a burdensome administrative requirement for toy manufacturers.” What challenges would the digital product passport pose for toy manufacturers based in, or selling into, NI?
- SOLACE NI has stated that “the UK government has not indicated to councils that it intends to consult on the proposals.” Does the UK Government intend to consult councils on the final text of the proposed EU act?

The Committee also agreed to request that OPSS officials attend a meeting of the Committee, after the summer recess, to give oral evidence in relation to this proposed EU act.

I would appreciate a response by 14 August 2025. The DSC will consider this, alongside your response to the Committee’s prior request for an updated assessment of the draft final text, following the summer recess.

Yours sincerely,

A black rectangular redaction box covering a signature.

**Christopher Dickison, Senior Assistant Clerk
Windsor Framework Democratic Scrutiny Committee**

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Christopher Dickison, Senior Assistant Clerk
Windsor Framework Democratic Scrutiny
Committee (DSC)

Ref: 180/25

13 June 2025

[REDACTED],
Windsor Framework Taskforce – Cabinet Office

Issued via email to: [REDACTED]

Dear [REDACTED]

COM/2023/462 Proposal for a Regulation on the safety of toys

At its meeting on 1 May 2025, the Windsor Framework Democratic Scrutiny Committee (DSC) considered the abovementioned proposed EU act and the letter dated 28 April 2025 from Paul Flynn (enclosed for reference).

The draft final text of the proposed EU act, provisionally agreed by the Council of the European Union and the European Parliament on 10 April 2025, has now been made available [here](#).

The DSC agreed on 1 May 2025 that, once it became publicly available, I would write to you to request an updated assessment of the draft final text from the UK Government.

If possible, I would appreciate a response by 11 July 2025.

Yours sincerely,

[REDACTED]
Christopher Dickison, Senior Assistant Clerk
Windsor Framework Democratic Scrutiny Committee



Christopher Dickison, Senior Assistant Clerk
Windsor Framework Democratic Scrutiny
Committee (DSC)

Ref: 180/25

13 June 2025

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Yours sincerely,

**PAUL FLYNN
DEPUTY DIRECTOR
WINDSOR FRAMEWORK TASKFORCE**



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Chris Dickison

Senior Assistant Clerk, Windsor Framework Democratic Scrutiny Committee
Room 371, Parliament Buildings
Stormont
Belfast, BT4 3XX

28 April 2025

Dear Chris,

COM/2023/462 – Proposal for a regulation on the safety of toys

Thank you for your letter dated 13 March 2025 in regards to the above proposal. You asked about the Government's engagement with public authorities in Northern Ireland on the proposal specifically and what the Government's assessment was as to the impacts of the proposal.

I would note that the Explanatory Memorandum (EM) previously supplied in 2023 is issued by the Department for Business and Trade (DBT), and should be taken to represent the Government's view on the Regulation and any impacts of it at the point of signature. We continue to engage the EU as relevant on the details of this proposal and DBT would need to produce a further EM to support scrutiny after the proposal completes its passage and is published in finality, in line with the Government's scrutiny commitments. The EM on the final legislation would need to account for any impacts - positive or negative - of the regulation and Government policy at that point in time.

The EM sets out the implementation timeline for new requirements in the proposal as beginning at the earliest in 2027. Since the 2023 EM, the Government has introduced and been progressing legislation on product safety and metrology as set out in its response to the Product Safety Review. Subject to parliamentary passage, this legislation may shape the UK's domestic approach to toy safety ahead of 2027. I would note that the Government is currently considering the potential use of the powers contained in the legislation before Parliament on matters such as toy safety.

The Government welcomes the Committee's consideration of the details of the proposal and its intention to engage with relevant stakeholders on the matter. DBT has confirmed that engagement was undertaken with the devolved administrations in the 2023 EM and the Government would consider further engagement with public authorities as required following the proposal coming into force as a regulation. NI departments may also engage with local authorities in Northern Ireland on relevant developments with regard to their functions. The Government would welcome any further perspectives that arise from the Committee's deliberation of the proposals with relevant stakeholders.

Thank you for taking the time to write.

Yours sincerely,

**PAUL FLYNN
DEPUTY DIRECTOR
WINDSOR FRAMEWORK TASKFORCE**



Christopher Dickison, Senior Assistant Clerk
Windsor Framework Democratic Scrutiny
Committee (DSC)

Ref: DSC 67/25

13 March 2025

██████████ Windsor Framework Taskforce – Cabinet Office

Issued via email to: ██████████

Dear ██████████

COM/2023/462 Proposal for a Regulation on the safety of toys

At its meeting on 13 March 2025, the Windsor Framework Democratic Scrutiny Committee (DSC) considered the abovementioned proposed EU act.

The DSC understands, through communication with the Executive Office, that responsibility for product safety in Northern Ireland sits with local councils.

The UK Government (UKG) [Explanatory Memorandum](#) for this proposal states that the devolved administrations in Northern Ireland, Scotland, and Wales were consulted on the proposed act and – at the time of publishing – none had raised any concerns. It also states that UKG will continue to seek to engage with them as the proposal progresses.

Following consideration, the DSC agreed that I write to you to: a) request information on any engagement between UKG and councils in Northern Ireland in relation to this proposal and its impact; and, b) to seek UKG's view on:

1. Whether it appears likely that the application of the proposed EU act would have a significant impact specific to everyday life of communities in Northern Ireland in a way that is liable to persist;
2. Whether it appears likely that not applying the proposed EU act would have a significant impact specific to everyday life of communities in Northern Ireland in a way that is liable to persist; and
3. Details of any other matters regarding the proposed EU act which the UK government wishes to draw to the DSC's attention.

I would appreciate a response by 10 April 2025.

Yours sincerely,

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Christopher Dickison, Senior Assistant Clerk
Windsor Framework Democratic Scrutiny Committee