



Windsor Framework Democratic Scrutiny Committee

OFFICIAL REPORT (Hansard)

COM/2025/822 Proposal for a Regulation amending Regulations (EC) No 1907/2006, (EC) No 1272/2008, (EU) No 528/2012, (EU) 2019/1021 and (EU) 2021/697 as regards
Defence Readiness and facilitating Defence Investments and Conditions for
Defence Industry:
Department of Agriculture, Environment and Rural Affairs; Department for the Economy;
Department of Justice

29 January 2026

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Mrs Ciara Ferguson (Chairperson)

Mr David Brooks (Deputy Chairperson)

Dr Steve Aiken

Mr Cathal Boylan

Mr Declan Kearney

Mr Peter Martin

Ms Kate Nicholl

Mr Eóin Tennyson

Witnesses:

Mr Mark McGregor

Department for the Economy

Ms Sarah-Jane Murphy

Department of Agriculture, Environment and Rural Affairs

Dr Jennifer Stewart

Department of Justice

The Chairperson (Ms Ferguson): I welcome Dr Jennifer Stewart, head of firearms and explosives branch at the Department of Justice; Ms Sarah-Jane Murphy, senior scientific officer in the chemicals and industrial pollution policy branch at the Department of Agriculture, Environment and Rural Affairs; and Mr Mark McGregor, head of trade and Windsor framework branch at the Department for the Economy.

You are welcome. Please brief the Committee when you are ready. Thank you.

Mr Mark McGregor (Department for the Economy): Thank you, Chair, for your introduction. Good morning to everyone on the Committee. We appreciate the opportunity to give evidence on behalf of DFE today. I will lead the evidence, but I am joined by officials from DAERA and the Department of Justice, reflecting the cross-departmental nature of the proposal.

Although defence is an excepted matter, several Northern Ireland Departments have an interest due to their responsibilities under chemicals and environmental legislation. Defence is an excepted matter under the Northern Ireland Act 1998, meaning that responsibility rests solely with the UK Government and is outside the legislative competence of the Departments. Our briefing and evidence today rely on the input of officials from the United Kingdom Government (UKG). DAERA and DFE share

competence for the registration, evaluation, authorisation and restriction of chemicals regulation (REACH); DFE and the Department of Justice share competence for classification, labelling and packaging regulation (CLP); DAERA holds competence for persistent organic pollutants (POPs); and DFE holds competence for the biocidal products regulation (BPR).

I will begin by briefly outlining the scope and purpose of the proposed regulation. The proposal forms part of the defence readiness omnibus in the EU and amends five EU regulations, four of which are listed in annex 2 of the Windsor framework, meaning that amendments will apply in Northern Ireland, subject to the democratic scrutiny process. The proposal amends regulations (EU) 1907/2006 — REACH; (EU) 1272/2008 — CLP; (EU) 528/2012 — BPR; and (EU) 2019/1021 — POPs. There is also an amendment to regulation (EU) 2021/697 on the European Defence Fund. The fifth regulation is not within scope of the Windsor framework and will not apply in Northern Ireland, subject to democratic scrutiny. The amendments all broaden the scope for national defence exemptions for certain substances, mixtures and articles across the EU. As the first four acts are listed in annex 2 of the Windsor framework, the new EU provisions will automatically apply unless otherwise disapplied through the democratic scrutiny process.

I move on to the initial assessment of impact, taken from the UK Government's assessment and from analysis undertaken by DFE and partner Departments. For REACH, the proposed amendments align with the existing UK definition of defence exemptions. No practical implications are anticipated, and REACH exemptions decisions can continue to apply across the entire UK.

Northern Ireland's current defence exemptions arrangements under CLP and BPR are already consistent with the proposed EU changes. Again, no practical implications are expected, and the existing approach to exemptions can continue unchanged.

For POPs, DAERA has advised that the changes relate primarily to the management of perfluoroalkyl substances and military equipment. The amendments require the Commission and member states to consider defence readiness when evaluating substances under the Stockholm convention and enable member states to exempt certain reporting obligations where national security requires it. No practical implications are anticipated for Northern Ireland, and UK-wide exemption processes can continue as they operate now.

The four regulations do not alter how exemptions are currently applied in GB or Northern Ireland, and no practical effect is anticipated.

I hope that that overview has been helpful. We are happy to take any questions that the Committee may have.

The Chairperson (Ms Ferguson): Thank you, Mark. You were concise, clear and brief, so thank you.

Dr Aiken: All those things are already covered under NATO standardisation agreements (STANAGs), which are agreements that stand fast with the Republic of Ireland and Austria, which are not in NATO, while everybody else is. They are all covered by NATO STANAGs and NATO standing agreements. Has there been any discussion with the MOD on how the regulations deviate from the standard NATO designations?

Mr McGregor: We have not had engagement with the Ministry of Defence. Our engagement has been with our partner Departments involved in chemicals policy. If there has been engagement, we would have to ask the Department or Departments what that has been about. A real difficulty is that defence is an excepted rather than a reserved matter. Officials' ability or mandate to act and our clearances to engage on and investigate some of the matters are restricted.

Dr Aiken: Yes. Obviously, certain parts of our industry in Northern Ireland work in explosives and do things in the military arena. One of the issues will be that the EU regulations basically map what already happens throughout NATO. Is there any slippage between what the EU is asking and what is already in the NATO STANAGs? I do not think that there is, because the EU wants to align with NATO rather than the other way round. It would be interesting to know that, because certain industries in Northern Ireland are involved in explosives or in particular chemicals for various activities. The regulations also cover things such as additives for aviation fuel, so there are other areas that may need to be looked at.

That was my only question.

The Chairperson (Ms Ferguson): As there are no further questions, I thank Jennifer, Mark and Sarah for coming along this morning. We really appreciate it. Thank you.