



Northern Ireland
Assembly

Windsor Framework Democratic Scrutiny Committee

Minutes of Proceedings

16 May 2024

Meeting Location: Room 30

Present:

Philip McGuigan MLA (Chairperson)

David Brooks MLA (Deputy Chairperson)

Steve Aiken MLA

Joanne Bunting MLA

Declan Kearney MLA

Emma Sheerin MLA

Eóin Tennyson MLA

Present by Video:

Jonathan Buckley MLA

Apologies:

None

In Attendance:

Marie Austin (Assembly Clerk)

Sinead Kelly (Senior Assistant Clerk)

Oliver Bellew (Assistant Clerk)

Victoria Bourquin (Assistant Clerk)

Marion Johnson (Assistant Clerk)

Shelley Garner (Clerical Officer)

Suzanne Patton (Clerical Officer)

The meeting commenced at 10:02 am in closed session.

1. Apologies

None.

2. Declaration of Members' Interest

There were no declarations of interest.

3. Regulation (EU) 2024/1257 of the European Parliament and of the Council of 24 April 2024 on type-approval of motor vehicles and engines and of systems, components and separate technical units intended for such vehicles, with respect to their emissions and battery durability (Euro 7), amending Regulation (EU) 2018/858 of the European Parliament and of the Council and repealing Regulations (EC) No 715/2007 and (EC) No 595/2009 of the European Parliament and of the Council, Commission Regulation (EU) No 582/2011, Commission Regulation (EU) 2017/1151, Commission Regulation (EU) 2017/2400 and Commission Implementing Regulation (EU) 2022/1362 - Legal Advice

Jonathan McMillen, Legal Advisor, Assembly Legal Services joined the meeting at 10.02 am.

Members considered a notification from the Cabinet Office in relation to the following published replacement EU act:

Regulation (EU) 2024/1257 of the European Parliament and of the Council of 24 April 2024 on type-approval of motor vehicles and engines and of systems, components and separate technical units intended for such vehicles, with respect to their emissions and battery durability (Euro 7), amending Regulation (EU) 2018/858 of the European Parliament and of the Council and repealing Regulations (EC) No 715/2007 and (EC) No 595/2009 of the European Parliament and of the Council, Commission Regulation (EU) No 582/2011, Commission Regulation (EU) 2017/1151, Commission Regulation (EU) 2017/2400 and Commission Implementing Regulation (EU) 2022/1362.

The Legal Advisor provided advice on whether it appears likely that the published replacement act differs significantly (in whole or in part) from the content or scope of the EU act it is amending/replacing.

A question and answer session followed.

Agreed: The Committee agreed to continue its consideration of the replacement EU act in open session.

4. Regulation (EU) 2024/1252 of the European Parliament and of the Council of 11 April 2024 establishing a framework for ensuring a secure and sustainable supply of critical raw materials and amending Regulations (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1724 and (EU) 2019/1020

Members considered a notification from the Cabinet Office in relation to the following published replacement EU act:

Regulation (EU) 2024/1252 of the European Parliament and of the Council of 11 April 2024 establishing a framework for ensuring a secure and sustainable supply of critical raw materials and amending Regulations (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1724 and (EU) 2019/1020.

The Legal Advisor provided advice on whether it appears likely that the published replacement act differs significantly (in whole or in part) from the content or scope of the EU act it is amending/replacing.

A question and answer session followed.

The Legal Advisor left the meeting at 10.22 am.

Agreed: The Committee agreed to continue its consideration of the replacement EU act in open session.

Agreed: Members agreed to move to open session at 10:22 am.

The meeting commenced at 10.22 am in open session.

5. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on 9 May 2024, subject to two amendments.

6. Matters Arising

None.

7. Regulation (EU) 2024/1257 of the European Parliament and of the Council of 24 April 2024 on type-approval of motor vehicles and engines and of systems, components and separate technical units intended for such vehicles, with respect to their emissions and battery durability (Euro 7), amending Regulation (EU) 2018/858 of the European Parliament and of the Council and repealing Regulations (EC) No 715/2007 and (EC) No 595/2009 of the European Parliament and of the Council, Commission Regulation (EU) No 582/2011, Commission Regulation (EU) 2017/1151, Commission Regulation (EU) 2017/2400 and Commission Implementing Regulation (EU) 2022/1362 – Departmental Oral Evidence

The Committee considered Regulation (EU) 2024/1257 of the European Parliament and of the Council of 24 April 2024 on type-approval of motor vehicles and engines and of systems, components and separate technical units intended for such vehicles, with respect to their emissions and battery durability (Euro 7), amending Regulation (EU) 2018/858 of the European Parliament and of the Council and repealing Regulations (EC) No 715/2007 and (EC) No 595/2009 of the European Parliament and of the Council, Commission Regulation (EU) No 582/2011, Commission Regulation (EU) 2017/1151, Commission Regulation (EU) 2017/2400 and Commission Implementing Regulation (EU) 2022/1362 Text with EEA relevance.

The following officials joined the meeting at 10.24am:

Dr Chris Hughes Director, Safe and Accessible Travel Division, Department for Infrastructure

Dorcas Cutrona Head of Vehicle Policy Branch, Department for Infrastructure

David Gibson Vehicle Policy Branch, Department for Infrastructure

The officials gave evidence on Regulation (EU) 2024/1257.

A question and answer session followed.

The evidence session was reported by Hansard.

The officials left the meeting at 10.49am.

Members noted that, in order to meet its statutory requirements, the Committee must decide whether or not to hold an inquiry into the published replacement EU act.

The Committee had regard to:

(i) the legal advice on whether it appears likely that the replacement EU act significantly differs (in whole or in part) from the content or scope of the EU instrument which it replaces, and

(ii) the departmental initial assessment on whether it appears likely that the replacement act would have a significant impact specific to everyday life of communities in Northern Ireland in a way that is liable to persist.

A proposal was put to conduct an inquiry into Regulation (EU) 2024/1257 of the European Parliament and of the Council of 24 April 2024 on type-approval of motor vehicles and engines and of systems, components and separate technical units intended for such vehicles, with respect to their emissions and battery durability (Euro 7), amending Regulation (EU) 2018/858 of the European Parliament and of the Council and repealing Regulations (EC) No 715/2007 and (EC) No 595/2009 of the European Parliament and of the Council, Commission Regulation (EU) No 582/2011, Commission Regulation (EU) 2017/1151, Commission Regulation (EU) 2017/2400 and Commission Implementing Regulation (EU) 2022/1362.

The Committee divided: Ayes 4; Noes 4; Abstain 0.

AYES

Mr David Brooks

Mr Steve Aiken

Mr Jonathan Buckley

Ms Joanne Bunting

NOES

Mr Philip McGuigan

Mr Declan Kearney

Ms Emma Sheerin

Mr Eóin Tennyson

The votes in the division were equal. Therefore, the proposal was not carried.

Agreed: The Committee agreed not to hold an inquiry into the replacement EU act, pursuant to paragraph 8(1) of Schedule 6B to the Northern Ireland Act 1998.

The Committee noted that its decision would be published on the Committee webpage.

Agreed: The Committee agreed to write to the manufacturing bodies identified by RalSe to seek their views on the impact of the replacement EU act, including the scale of the costs that are likely to be passed on to consumers in Northern Ireland if the replacement EU act was to come into force, and details of any discussions that have taken place with car dealerships in relation to this matter.

Agreed: The Committee agreed to write to the UK Government Department for Transport to request details and outcomes of any consultations carried out with manufacturers and car dealerships, and the scale of the costs that are likely to be passed on to consumers in Northern Ireland if the replacement EU act was to come into force.

Agreed: The Committee agreed to write to the Cabinet Office to seek views on the possible impact on Northern Ireland's consumers and manufacturers as a result of Great Britain's planned phased introduction of measures, as opposed to the introduction of the measures as a package (Euro 7), and further, to seek an updated Explanatory Memorandum.

8. Regulation (EU) 2024/1252 of the European Parliament and of the Council of 11 April 2024 establishing a framework for ensuring a secure and sustainable supply of critical raw materials and amending Regulations (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1724 and (EU) 2019/1020

The Committee considered Regulation (EU) 2024/1252 of the European Parliament and of the Council of 11 April 2024 establishing a framework for ensuring a secure and sustainable supply of critical raw materials and amending Regulations (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1724 and (EU) 2019/1020.

Members noted that, in order to meet its statutory requirements, the Committee must decide whether or not to hold an inquiry into the published replacement EU act.

The Committee had regard to:

- (i) the legal advice on whether it appears likely that the replacement EU act significantly differs (in whole or in part) from the content or scope of the EU instrument which it replaces.
- (ii) its assessment of whether it appears likely that the replacement act would have a significant impact specific to everyday life of communities in Northern Ireland in a way that is liable to persist.

Agreed: The Committee agreed to hold an inquiry into the replacement EU act, pursuant to paragraph 8(1) of Schedule 6B to the Northern Ireland Act 1998.

The Committee noted that its decision will be published on the Committee webpage.

The Committee considered a draft inquiry timetable.

Agreed: The Committee agreed the inquiry timetable.

Agreed: The Committee agreed to seek substantive discussion and engagement with the United Kingdom Government by asking for views on the impact of the replacement EU act, and details of the position in England, Scotland and Wales.

The Committee noted that, in line with agreed procedures, a Citizen Space survey would launch to seek views on the impact of the replacement EU act. The survey will be promoted widely and it will be open to anyone to respond.

The Committee considered a short-focussed list of key representatives of businesses and civil society, identified by RaISe, who are affected by the EU act, or who would be affected if the act enters into force.

Agreed: The Committee agreed to write directly to the identified key representatives of businesses and civil society to seek their views on the impact of the replacement EU act.

9. Regulation (EU) 2024/1157 on shipments of waste, amending Regulations (EU) No 1257/2013 and (EU) 2020/1056 and repealing Regulation (EC) No 1013/2006 – Departmental Oral Evidence

The Committee considered Regulation (EU) 2024/1157 on shipments of waste, amending Regulations (EU) No 1257/2013 and (EU) 2020/1056 and repealing Regulation (EC) No 1013/2006.

The following officials joined the meeting at 11.06am:

Shane Doris Director, Environmental Resources and Policy Division,
DAERA

Steven Leckey Principal Scientific Officer, DAERA

Philip McMurray Head of Waste Policy and Legislation, Environmental
Resources and Policy Division, DAERA

The officials gave evidence on Regulation (EU) 2024/1157.

A question and answer session followed.

The evidence session was reported by Hansard.

The officials left the meeting at 11.17am.

The Committee noted that a Citizen Space survey had launched with a closing date of 20 May 2024, and that the responses would be considered at the next meeting, with a draft report to be considered on 30 May 2024.

10. Regulation (EU) 2024/1143 of the European Parliament and of the Council of 11 April 2024 on geographical indications for wine, spirit drinks and agricultural products, as well as traditional specialities guaranteed and optional quality terms for agricultural products, amending regulations (EU) No 1308/2013, (EU) 2019/787 and (EU) 2019/1753 and repealing Regulation (EU) No 1151/2012

The Committee considered the responses to its Citizen Space consultation.

The Committee noted that an updated Explanatory Memorandum had been provided by the Cabinet Office. The Chairperson asked Members to consider the updated Explanatory Memorandum in advance of the Committee meeting on 23 May 2024.

The Committee noted that a draft report would be considered at the next meeting, with the final report to be agreed at the meeting on 30 May 2024.

11. Correspondence

The Committee considered correspondence from the Minister for Biosecurity, Animal Health and Welfare to the Chair of the House of Lords Sub Committee on the Windsor Framework regarding the non-commercial movement of pet birds into a Members State from a territory or third country.

Agreed: The Committee agreed to forward a copy of the correspondence to the Committee for Agriculture, Environment and Rural Affairs for consideration.

12. Chairperson's Business

The Committee noted that an updated table, provided by the Executive Office, on relevant proposed acts in the EU legislative system, would be circulated to Members following the meeting and would be placed on the agenda for consideration at a future meeting, and when the Committee has the capacity to consider the information in detail.

13. Any Other Business

No business was raised.

14. Date, Time and Place of Next Meeting

The next meeting will be held on Thursday 23 May 2024 at 10:00 a.m. in Room 30, Parliament Buildings.

The meeting was adjourned at 11:21 am.

Philip McGuigan, MLA

Chairperson, Windsor Framework Democratic Scrutiny Committee