



Northern Ireland
Assembly

Windsor Framework Democratic Scrutiny Committee

Minutes of Proceedings 2 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)

Shelley Garner (Clerical Officer)

Suzanne Patton (Clerical Officer)

In Attendance by Video:

Leigh Gibson (Senior Assistant Clerk)

Marion Johnson (Assistant Clerk)

The meeting commenced at 10:01am in closed session.

The Chairperson welcomed Eoin Tennyson to the Committee and thanked Sorcha Eastwood and Patrick Brown for their past contributions.

1. Apologies

As above.

2. Declaration of Members' Interests

No interests were declared.

3. Regulation (EU) 2024/1143 on geographical indications for wine, spirit drinks and agricultural products, as well as traditional specialities guaranteed and optional quality terms for agricultural products - Legal Advice

Rebecca Ellis, Legal Adviser, Assembly Legal Services, joined the meeting at 10.02am.

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

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 Legal Adviser 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.

Joanne Bunting joined the meeting at 10.06am.

A question and answer session followed.

The legal advisor left the meeting at 10.20am.

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

Agreed: Members agreed to move to open session at 10.22am.

The meeting commenced at 10:22am in open session.

4. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on 18 April 2024.

5. Matters arising

The Committee considered further written evidence from the World Alliance for Mercury-Free Dentistry in response to costs cited by the Department of

Health during its oral evidence session on 18 April 2024 on COM/2023/395: Proposal to amend Regulation (EU) 2017/852 on mercury.

Agreed: The Committee agreed to write to the Department of Health for comment on the issues raised in respect of the calculation of costs associated with transitioning from mercury to composite fillings.

6. Regulation (EU) 2024/1143 on geographical indications for wine, spirit drinks and agricultural products, as well as traditional specialities guaranteed and optional quality terms for agricultural products

The Committee considered 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.

Members expressed concern that the initial assessment of impact provided by the Department of Agriculture, Environment and Rural Affairs (DAERA), in relation to the published replacement EU act, did not answer the questions posed by the Committee. Further, DAERA officials declined to attend the meeting as requested.

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.

Agreed: The Committee agreed to hold an inquiry into the replacement EU act, pursuant to paragraph 8(1) (a) of the Windsor Framework (Democratic Scrutiny) Regulations 2024.

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.

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 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, and to some Northern Ireland spirit producers.

Agreed: The Committee agreed to write to the United Kingdom Government to seek its views on the replacement EU act, and to ascertain the position in England, Scotland and Wales.

Agreed: The Committee agreed to write to the Minister for Agriculture, Environment and Rural Affairs, and separately to the First Minister and deputy First Minister, copying the Head of the Civil Service, to highlight the breakdown in agreed processes, including the failure of DAERA officials to attend the meeting as requested.

7. Proposed Committee visit to Brussels-London

The Committee considered a draft itinerary for the visit to Brussels and Westminster in June 2024.

Agreed: The Committee agreed the draft itinerary, subject to consideration being given to including a meeting with the Norwegian Delegation.

8. Information Papers on EU Matters

The Committee considered the following information papers on EU matters prepared by the Assembly EU Affairs team:

- The EU law making process
- Consultation in the EU law making process
- Governance of the Withdrawal Agreement.

Agreed: Members praised the EU Affairs team for producing the papers. The Committee noted that the papers will be published on the Committee webpage, and agreed to circulate a link to all MLAs.

9. Correspondence

9.1 The Committee noted a copy of correspondence between the House of Lords European Affairs Sub-Committee on the Windsor Framework and the Minister for AI and Intellectual Property regarding Regulation (EU) 2023/2411 on the protection of geographical indications for craft and industrial products.

9.2 The Committee noted a response from The Speaker regarding resources to support the work of the Committee.

9.3 The Committee considered correspondence from the National Office for Animal Health regarding the impact of the Windsor Framework on veterinary medicinal product availability and animal health and welfare in Northern Ireland.

Agreed: The Committee agreed to forward a copy of the correspondence to the Committee for Agriculture, Environment and Rural Affairs; the House of Lords European Affairs Sub-Committee on the Windsor Framework; the House of Commons EU Scrutiny Committee; the Veterinary Medicines Working Group; and advise the respondent accordingly.

9.4 The Committee considered correspondence from an individual seeking clarification on pet travel requirements between Scotland and Northern Ireland.

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

10. Chairperson's Business

No business was raised.

11. Any Other Business

No business was raised.

12. Date, Time and Place of Next Meeting

The next meeting will be held on Thursday 9 May 2024 at 10:00am in Room 30, Parliament Buildings.

Agreed: The Committee agreed that, due to the public holiday on 6 May 2024, meeting papers should issue on 7 May 2024.

The meeting was adjourned at 11.06 am.

Philip McGuigan, MLA

Chairperson, Windsor Framework Democratic Scrutiny Committee