



Northern Ireland
Assembly

Windsor Framework Democratic Scrutiny Committee

Minutes of Proceedings

30 May 2024

Meeting Location: Room 30

Present:

Philip McGuigan MLA (Chairperson)

David Brooks MLA (Deputy Chairperson)

Steve Aiken MLA

Declan Kearney MLA

Emma Sheerin MLA

Eóin Tennyson MLA

Connie Egan MLA

Present by Video:

Joanne Bunting MLA

Apologies:

Jonathan Buckley MLA

In Attendance:

Marie Austin (Assembly Clerk)

Sinead Kelly (Senior Assistant Clerk)

Victoria Bourquin (Assistant Clerk)

Marion Johnson (Assistant Clerk)

Suzanne Patton (Clerical Officer)

In Attendance by Video:

Leigh Gibson (Senior Assistant Clerk)

Oliver Bellew (Assistant Clerk)

The meeting commenced at 10.02am in closed session.

1. Apologies

As above.

2. Declaration of Members' Interest

See Agenda Item 10.4.

3. 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 – agreement of final report

The Committee considered the final draft report on its Inquiry into 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.

Purpose and Membership

The Committee considered the Purpose and Membership section of the report as drafted.

Agreed: The Committee agreed that it was content with the Purpose and Membership section of the report.

Introduction

The Committee considered the Introduction section of the report (paragraphs 1 to 8) as drafted.

Agreed: The Committee agreed that it was content with the Introduction section of the report.

Replacement EU Act

The Committee considered the Replacement EU Act section of the report (paragraphs 9 to 12) as drafted.

Agreed: The Committee agreed that it was content with the Replacement EU Act section of the report.

The Committee's Decision on Whether to Hold and Inquiry

The Committee considered The Committee's Decision on Whether to Hold an Inquiry section of the report (paragraphs 13 to 16) as drafted.

Agreed: The Committee agreed that it was content with The Committee's Decision on Whether to Hold an Inquiry section of the report.

The Inquiry Process

The Committee considered The Inquiry Process section of the report (paragraphs 17 to 25) as drafted.

Agreed: The Committee agreed that it was content with The Inquiry Process section of the report.

The Committee's Conclusions

The Committee considered The Committee's Conclusions section of the report (paragraphs 26 to 32) as drafted.

Agreed: The Committee agreed that it was content with The Committee's Conclusions section of the report.

Next Steps

The Committee considered the Next Steps section of the report (paragraph 33) as drafted.

Agreed: The Committee agreed that it was content with the Next Steps section of the report.

Appendices

The Committee considered the Appendices section of the report.

Agreed: The Committee agreed that it was content that the Appendices be included in the report.

Agreed: The Committee agreed that any formatting or typographical errors would be corrected by the Secretariat team in advance of the publication of the final report.

Agreed: The Committee agreed that the Report on its Inquiry into Regulation (EU) 2.24/1143 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, be the First Report of the Windsor Framework Democratic Scrutiny Committee to the Assembly.

Agreed: The Committee agreed that it was content for the Report on its Inquiry into Regulation (EU) 2.24/1143 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, to be published and issued to all MLAs.

4. 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 – consideration of draft report

The Committee commenced its deliberations on the evidence received as part of its Inquiry into 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, and considered a draft report.

Agreed: The Committee agreed a redaction in the letter from the Clerk to the Department for Environment, Food and Rural Affairs, dated 23 May 2024.

The Committee focused in particular on the two conditions that must be satisfied if the Stormont Brake is to be pulled.

Agreed: In relation to the legal question of whether the replacement EU act significantly differs (in whole or in part) from the content or scope of the EU instrument which it amends or replaces, the Committee agreed that the replacement EU act significantly differs, in part, from the content or scope of the EU instrument which it amends or replaces.

Agreed: In relation to the question of whether the replacement EU act would have a significant impact specific to everyday life of communities in Northern Ireland in a way that is liable to persist, the Committee agreed that for an act to have a significant impact specific to everyday life of communities in Northern Ireland in a way that is liable to persist, that significant impact must be negative.

The Chairperson proposed a conclusion that the Committee was unable to reach a view on whether the replacement EU act would have a significant impact specific to everyday life of communities in Northern Ireland in a way that is liable to persist.

The Committee divided: Ayes 5; Noes 3; Abstain 0.

AYES

Mr Philip McGuigan

Mr Declan Kearney

Ms Emma Sheerin

Mr Eóin Tennyson

Ms Connie Egan

NOES

Mr Steve Aiken

Mr David Brooks

Ms Joanne Bunting

The proposal was carried.

Agreed: The Committee agreed that it was unable to reach a view on whether the replacement EU act would have a significant impact specific to everyday life of communities in Northern Ireland in a way that is liable to persist.

The Members who voted 'No' were of the view that the replacement EU act would have a significant impact specific to everyday life of communities in Northern Ireland in a way that is liable to persist, due to the increase in regulatory costs for Northern Ireland waste shipment businesses, and the impact that would have on the public sector bodies responsible for the collection and management of waste and, subsequently, the communities they serve. The Members also highlighted that an updated Explanatory Memorandum, and information on costings, had not yet been provided by the UK Government.

A final draft report reflecting the outcome of the Committee's deliberations and its conclusions will be considered at the meeting on 6 June 2024.

Agreed: Members agreed to move to open session at 10.17am.

The meeting commenced at 10.17am in open session.

5. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on 23 May 2024.

6. Matters Arising

The Committee noted that the meeting between the Chairperson and Deputy Chairperson and Hilary Benn MP, will now take place at a later date due to the announcement of a general election on 4 July 2024.

7. 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 - Consideration of survey responses

The Chairperson informed Members that an Explanatory Memorandum had been provided by the UK Government Department for Business and Trade, which included an assessment of impact, and asked Members to examine the Explanatory Memorandum in advance of the meeting on 6 June 2024 when a draft Report would be considered.

The Committee considered three responses received in respect of its consultation on Regulation (EU) 2024/1252 establishing a framework for ensuring a secure and sustainable supply of critical raw materials.

8. Communication from Cabinet Office

The Committee considered correspondence from the Cabinet Office in relation to a number of proposed EU acts.

Agreed: In relation to the proposal for a Regulation on the welfare of dogs and cats and their traceability, which may be subject to an applicability motion under Article 13(4) of the Windsor Framework, the Committee agreed to ask RaISe to provide a short, focussed list of key representatives of businesses and civil society affected by the act, or who would be affected, if the act enters into force.

Agreed: In relation to the proposal for a Regulation on the gradual roll-out of EUDAMED, which is likely to be notified to the Committee in the near future, the Committee agreed to inform Legal Services, RaISe and the Executive Office of the proposed EU act, to allow additional time to prepare advice and information.

9. Committee Visit to Brussels

The Committee considered a revised visit programme which removed the planned visit to London/Westminster.

The Deputy Chairperson proposed that the visit be postponed until later in the year, when a full programme of engagements can be planned in both London and Brussels, and allowing as many Members as possible to attend.

Agreed: The Committee agreed to postpone the visit to London and Brussels until later in the year.

10. Correspondence

10.1 The Committee noted a response from the UK Government Minister of State regarding the notification process for the F-Gases and Ozone Depleting Gases Regulations, and the wider notification processes within the Cabinet Office.

10.2 The Committee considered a response from the Cabinet Office in relation to the Committee's query on whether it should have been notified of Commission

Implementing Regulation (EU) 2024/591 on frequency rates for checks on plants, plant products and other objects entering the Union.

Agreed: The Committee agreed to forward a copy of the response to the MLA who initially raised the issue.

10.3 The Committee noted a copy of correspondence from the Parliamentary Under Secretary at the Department for Science, Innovation and Technology to the Chair of the House of Lords Windsor Framework Sub-Committee in respect of Regulation (EU) 2023/2411 on geographical indications for craft and industrial products.

10.4 Steve Aiken MLA, declared an interest as having been involved in the below-named Inquiry.

The Committee noted a copy of correspondence from the Chair of the House of Lords Sub-Committee on the Windsor Framework, to the UK Government Minister of State, in respect of its Inquiry into strengthening Northern Ireland's voice in the context of the Windsor Framework.

11. Chairperson's Business

The Chairperson raised the issue of Members' availability for the Committee meeting on the day of the general election, 4 July 2024.

Agreed: The Committee agreed that officials should prepare options for scheduling items of business that would allow the Committee to fully discharge its statutory functions but avoid meeting on that date. Further, the Committee agreed to consider the matter at its meeting on 6 June 2024.

12. Any Other Business

No business was raised.

13. Date, Time and Place of Next Meeting

The next meeting will be held on Thursday 6 June 2024 at 10:00am in Room 30, Parliament Buildings.

The meeting was adjourned at 10.28am.

Philip McGuigan, MLA

Chairperson, Windsor Framework Democratic Scrutiny Committee