



# Windsor Framework Democratic Scrutiny Committee

## Minutes of Proceedings

**22 January 2026**

**Meeting Location:** Room 30

### **Present:**

Ciara Ferguson MLA (Chairperson)

David Brooks MLA (Deputy Chairperson)

Cathal Boylan MLA

Declan Kearney MLA

Kate Nicholl MLA

Eóin Tennyson MLA

### **Present by Video or Teleconference:**

Steve Aiken MLA

Jonathan Buckley MLA

Peter Martin MLA

### **Apologies:**

None.

**In Attendance:**

Marie Austin, Clerk

Chris Dickison, Senior Assistant Clerk

Lisa Chestnutt, Clerical Supervisor

Shelley Garner, Clerical Officer

**In Attendance by Video or Teleconference:**

Jessica Jacques, Senior Assistant Clerk

Oliver Bellew, Assistant Clerk

Carla Campbell, Clerical Supervisor

Damien Brown, Clerical Officer

The meeting commenced at 10.05am in closed session.

**1. Apologies**

None.

**2. Declaration of Interests**

None.

**3. Draft Minutes**

**Agreed:** The Committee agreed the minutes of the meeting held on 15 January 2026.

#### **4. Matters Arising**

None.

#### **5. Regulation (EU) 2025/2509 on the safety of toys and repealing Directive 2009/48/EC - Consideration of Draft Report**

The Committee noted that no responses had been received to its Citizen Space survey on Regulation (EU) 2025/2509. The Committee noted responses from the Health and Safety Executive Northern Ireland and the Consumer Council for Northern Ireland regarding the Committee's request for views on the act.

**Agreed:** The Committee agreed that the responses should be published and included in the Inquiry report.

The Committee considered a response from the UK Government to its letter of 8 January 2026, requesting its assessment of the impact of the EU act, details of the position in England, Scotland and Wales, and for officials from the Office for Product Safety (OPSS) and Standards to give oral evidence on the EU act remotely at the meeting on 15 January 2026.

Eóin Tennyson MLA joined the meeting at 10.13am.

**Agreed:** The Committee agreed to respond to the Paymaster General and Minister for the Cabinet Office, and the Secretary of State for Northern Ireland, to reiterate its disappointment that OPSS officials did not provide oral evidence during the Inquiry, and to ask again that officials from all relevant UK Government departments and agencies engage directly with the Committee as and when necessary.

The Committee referred to its previous correspondence to the UK Government, dated 16 January 2026, expressing disappointment at the non-attendance of OPSS officials, and asking for further information relating to the EU act.

**Agreed:** The Committee agreed that the UK Government's response to its letter of 8 January 2026, and the Committee's further letter dated 16 January 2026, should be published and included in the Inquiry report.

The Committee considered a note of the meeting between the Chairperson, Deputy Chairperson and Executive Office officials held on 13 January 2026, regarding handling of notifications by departments and general considerations around reserved and excepted matters, including in relation to EU product safety legislation.

**Agreed:** The Committee agreed that the note of the meeting should be published and included in the Inquiry report.

Jonathan Buckley MLA joined the meeting at 10.15am.

The Committee considered a response from the Executive Office regarding the number of UK-only toy suppliers/manufacturers which supply Northern Ireland, and EU legislation which is not considered to be within the remit of any Executive department.

**Agreed:** The Committee agreed that the response should be published and included in the Inquiry report.

The Committee commenced its deliberations on the evidence received as part of its Inquiry into Regulation (EU) 2025/2509 and considered a draft report.

Kate Nicholl MLA joined the meeting at 10.19am.

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 does significantly differ, in whole, from the content or scope of the EU instrument which it 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 the 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.

**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.

## **6. Chairperson's Business**

The Chairperson referred to the note of the meeting between the Chairperson, Deputy Chairperson and Executive Office officials held on 13 January 2026, which was dealt with under Agenda Item 5.

## **7. Any Other Business**

None.

The meeting was suspended at 10.29am.

The meeting resumed at 10.48am in closed session.

## **8. Regulation (EU) 2025/2509 on the safety of toys and repealing Directive 2009/48/EC - Agreement of Final Report**

The Committee considered the final draft report on its Inquiry into Regulation (EU) 2025/2509 on the safety of toys.

### **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.

### **The Replacement EU Act**

The Committee considered The Replacement EU Act section of the report (paragraphs 9 to 10) as drafted.

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

### **The Committee's Examination of the Proposed Replacement EU Act**

The Committee considered The Committee's Examination of the Proposed Replacement EU Act section of the report (paragraphs 11 to 26) as drafted.

**Agreed:** The Committee agreed that it was content with The Committee's Examination of the Proposed Replacement EU Act section of the report.

### **The Committee's Decision on Whether to Hold an Inquiry**

The Committee considered The Committee's Decision on Whether to Hold an Inquiry section of the report (paragraphs 27 to 31) 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 32 to 44) 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 45 to 50) 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 (paragraphs 51 to 52) 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 the Report on its Inquiry into Regulation (EU) 2025/2509 on the safety of toys be the Tenth Report of the Windsor Framework Democratic Scrutiny Committee to the Assembly.

**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 it that it was content for the Chairperson to agree the Minutes of Proceedings of this meeting for inclusion in Appendix A of the report.

**Agreed:** The Committee agreed that it was content for the Report on its Inquiry into Regulation (EU) 2025/2509 on the safety of toys to be issued to those who provided evidence to the Committee on the proposed EU act and the published EU act.

**Agreed:** The Committee agreed that it was content for the Report on its Inquiry into Regulation (EU) 2025/2509 on the safety of toys to be published and issued to all MLAs.

## 9. Date, Time and Place of the next meeting

The next meeting will be held on 29 January 2026 at 10.00am in Room 30.

The meeting was adjourned at 10.52am.

**Ciara Ferguson MLA**

**Chairperson, Windsor Framework Democratic Scrutiny Committee**