



Northern Ireland
Assembly

Windsor Framework Democratic Scrutiny Committee

Minutes of Proceedings

26 March 2026

Meeting Location: Room 30

Present:

Ciara Ferguson MLA (Chairperson)

David Brooks MLA (Deputy Chairperson)

Cathal Boylan MLA

Peter Martin MLA

Eóin Tennyson MLA

Present by Video or Teleconference:

Dr Steve Aiken MLA

Pádraig Delargy MLA

Kate Nicholl MLA

Apologies:

None.

In Attendance:

Marie Austin, Clerk

Jessica Jacques, Senior Assistant Clerk

Oliver Bellew, Assistant Clerk

Lisa Chestnutt, Clerical Supervisor

Shelley Garner, Clerical Officer

In Attendance by Video or Teleconference:

Sean McCann, Assistant Clerk

Christopher Dickison, Senior Assistant Clerk

Carla Campbell, Clerical Supervisor

Damien Brown, Clerical Officer

The meeting commenced at 10.02am 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 19 March 2026.

4. Matters Arising

None.

5. Regulation (EU) 2026/405 on detergents and surfactants, and repealing Regulation (EC) No 648/2004 – Consideration of Draft Report

The Committee considered four responses to its public consultation on Regulation (EU) 2026/405 on detergents and surfactants, and repealing Regulation (EC) No 648/2004.

Agreed: The Committee agreed to publish the responses and include them in the Inquiry report.

The Committee considered a response from the Department of Agriculture, Environment and Rural Affairs to its request for data and statistics on relevant trade in this sector.

Agreed: The Committee agreed to publish the response and include it in the Inquiry report.

The Committee considered a response from the UK Government to its letter of 12 March 2026, requesting an assessment of the impact of the EU act, details of the position in England, Scotland and Wales, and asking whether it is committed to aligning with the replacement EU Act within the relevant 42-month transition period or whether there may be divergence for a period of time.

Eóin Tennyson MLA joined the meeting at 10.05am.

Cathal Boylan MLA joined the meeting at 10:08am.

Agreed: The Committee agreed to publish the response and include it in the Inquiry report.

Agreed: The Committee agreed to respond to the UK Government to express its desire that more definitive timelines are provided for this and other EU acts where there is the potential for divergence between Great Britain and Northern Ireland.

The Committee noted that a response from the UK Government to its letter of 19 March 2026, regarding the level/detail of trade data that it can expect to receive from HMRC, had not yet been received.

Agreed: The Committee agreed to publish its letter of 19 March 2026 and include it in the Inquiry report.

The Committee commenced its deliberations on the evidence received as part of its Inquiry into Regulation (EU) 2026/405 and considered a draft report.

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.

Kate Nicholl MLA joined the meeting at 10.21am.

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.

The Deputy 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.

Eóin Tennyson MLA proposed a conclusion that the replacement EU act would not have a significant impact specific to everyday life of communities in Northern Ireland in a way that is liable to persist.

The Chairperson put the question on the Deputy Chairperson's proposal.

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

Ayes

David Brooks MLA

Dr Steve Aiken MLA

Peter Martin MLA

Noes

Ciara Ferguson MLA

Cathal Boylan MLA

Pádraig Delargy MLA

Kate Nicholl MLA

Eóin Tennyson MLA

The proposal was not carried.

The Chairperson, put the question on Eóin Tennyson MLA's proposal.

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

Ayes

Ciara Ferguson MLA

Cathal Boylan MLA

Pádraig Delargy MLA

Kate Nicholl MLA

Eóin Tennyson MLA

Noes

David Brooks, MLA

Dr Steve Aiken MLA

Peter Martin MLA

The proposal was carried.

Agreed: The Committee agreed that the replacement EU act would not 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

None.

7. Any Other Business

None.

The meeting was suspended at 10:26am.

The meeting resumed at 10:44am in closed session.

8. Regulation (EU) 2026/405 on detergents and surfactants, and repealing Regulation (EC) No 648/2004 - Agreement of Final Report

The Committee considered the final draft report on its Inquiry into (EU) 2026/405 on detergents and surfactants, and repealing Regulation (EC) No 648/2004.

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 11) 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 12 to 23) 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 24 to 28) 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 29 to 40) 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 41 to 46) 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 47 to 48) 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) 2026/405 on detergents and surfactants be the Eleventh 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) 2026/405 on detergents and surfactants 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) 2026/405 on detergents and surfactants, to be issued to all MLAs, and the Committee for Agriculture, Environment and Rural Affairs.

9. Date, Time and Place of the next meeting

The next meeting will be held on 2 April 2026 at 10.00am in Room 30.

The meeting was adjourned at 11.50am.

Ciara Ferguson MLA

Chairperson, Windsor Framework Democratic Scrutiny Committee

26 March 2026