



Windsor Framework Democratic Scrutiny Committee

Minutes of Proceedings

8 January 2026

Meeting Location: Room 21

Present:

Ciara Ferguson MLA (Chairperson)

David Brooks MLA (Deputy Chairperson)

Steve Aiken MLA

Cathal Boylan MLA

Jonathan Buckley MLA

Declan Kearney MLA

Peter Martin MLA

Kate Nicholl MLA

Present by Video or Teleconference:

Eóin Tennyson MLA

Windsor Framework Democratic Scrutiny Committee

Apologies: None.

In Attendance:

Marie Austin, Clerk

Chris Dickison, Senior Assistant Clerk

Jessica Jacques, Senior Assistant Clerk

Sean McCann, Assistant Clerk

Carla Campbell, Clerical Supervisor

Lisa Chestnutt, Clerical Supervisor

Damien Brown, Clerical Officer

Shelley Garner, Clerical Officer

The meeting commenced at 10.02am in closed session.

1. Apologies

None.

2. Declaration of Interests

None.

3. Regulation (EU) 2025/2509 on the safety of toys and repealing Directive 2009/48/EC – Legal Advice

Julie Byers, Legal Adviser, Assembly Legal Services, joined the meeting at 10.06am.

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

Regulation (EU) 2025/2509 on the safety of toys and repealing Directive 2009/48/EC.

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.

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

The Legal Adviser left the meeting at 10.08am

4. Directive (EU) 2025/2456 amending Directive 2011/65/EU as regards the reattribution of scientific and technical tasks to the European Chemicals Agency – Legal Advice

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

Directive (EU) 2025/2456 amending Directive 2011/65/EU as regards the reattribution of scientific and technical tasks to the European Chemicals Agency.

Caroline Byers, Legal Adviser, Assembly Legal Services, joined the meeting at 10.09am.

The Legal Adviser provided advice on whether it appears likely that the published replacement EU 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 published replacement EU act in public session.

The Legal Adviser remained in the meeting for agenda item 5.

5. Regulation (EU) 2025/2457 amending Regulations (EC) No 178/2002, (EC) No 401/2009, (EU) 2017/745 and (EU) 2019/1021 as regards the reattribution of scientific and technical tasks and improving cooperation among Union agencies in the area of chemicals – Legal Advice

Peter Martin MLA and Kate Nicholl MLA joined the meeting at 10.21am.

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

Regulation (EU) 2025/2457 amending Regulations (EC) No 178/2002, (EC) No 401/2009, (EU) 2017/745 and (EU) 2019/1021 as regards the reattribution of scientific and technical tasks and improving cooperation among Union agencies in the area of chemicals.

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

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

The Legal Adviser remained in the meeting for agenda item 6.

6. Regulation (EU) 2025/2650 amending Regulation (EU) 2023/1115 as regards certain obligations of operators and traders – Legal Advice

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

Regulation (EU) 2025/2650 amending Regulation (EU) 2023/1115 as regards certain obligations of operators and traders.

The Legal Adviser provided advice on whether it appears likely that the published replacement EU 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 published replacement EU act in public session.

The Legal Adviser left the meeting at 10.43am.

7. Regulation (EU) 2025/2645 on compulsory licensing for crisis management and amending Regulation (EC) No 816/2006 – Legal Advice

Julie Byers, Legal Adviser, Assembly Legal Services, rejoined the meeting at 10.43am.

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

Regulation (EU) 2025/2645 on compulsory licensing for crisis management and amending Regulation (EC) No 816/2006.

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.

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

The Legal Adviser left the meeting at 10.48am.

The meeting commenced in public session at 10.48am.

8. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on 11 December 2025.

9. Matters Arising

There were no matters arising.

10. Regulation (EU) 2025/2509 on the safety of toys and repealing Directive 2009/48/EC – Departmental Oral Evidence

The Committee continued its consideration of Regulation (EU) 2025/2509 on the safety of toys and repealing Directive 2009/48/EC.

The Committee noted correspondence from the Executive Office stating that there is no Department placed to provide the Committee with an assessment of impact on the published replacement EU act.

The Committee noted an Explanatory Memorandum from the UK Government on the published replacement EU act.

The Committee considered a response from the First Minister and deputy First Minister to the Committee's correspondence on this EU act, and other related matters. An informal meeting between the Chairperson, the deputy Chairperson and Executive Office (TEO) officials had been proposed to discuss the issues.

Agreed: The Committee agreed that the Chairperson and deputy Chairperson should meet with TEO officials.

Agreed: The Committee agreed that the Chairperson and deputy Chairperson should discuss the issues around responsibility for product safety during their meeting with TEO officials and their planned meeting with the Minister for the Economy.

The Committee noted that, in order to meet its statutory requirements, it 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 act significantly differs (in whole or in part) from the content or scope of the EU instrument which it amends or replaces, and
- (ii) information received from stakeholders and the UK Government in relation to whether it appears likely that the replacement act would have a significant impact specific to everyday life of communities here in a way that is liable to persist.

The Deputy Chairperson proposed that the Committee hold an inquiry into Regulation (EU) 2025/2509.

Declan Keaney proposed that the Committee should not hold an inquiry into Regulation (EU) 2025/2509.

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

The Committee divided: Ayes 6; Noes 3; Abstain 0.

Ayes

David Brooks

Steve Aiken

Jonathan Buckley

Peter Martin

Kate Nicholl

Eóin Tennyson

Noes

Ciara Ferguson

Cathal Boylan

Declan Kearney

The proposal was carried.

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.

As the proposal was carried, the Chairperson did not put the question on Declan Kearney's proposal.

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 RalSe, 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.

Agreed: The Committee agreed to write to the UK Government to ask whether it has any additional information, further to its updated Explanatory Memorandum, on the impact of the replacement EU act, and to ascertain the position in England, Scotland and Wales.

Agreed: The Committee agreed to write to the UK Government to ask officials from the Office for Product Safety and Standards to give oral evidence on the replacement EU act.

11. Directive (EU) 2025/2456 amending Directive 2011/65/EU as regards the reattribution of scientific and technical tasks to the European Chemicals Agency – Departmental Oral Evidence

The Committee continued its consideration of Directive (EU) 2025/2456 amending Directive 2011/65/EU as regards the reattribution of scientific and technical tasks to the European Chemicals Agency.

The Committee noted an Explanatory Memorandum from the UK Government on the published replacement EU act.

The following officials joined the meeting at 11.00am:

Tommy McNamara	Head of Branch and Policy Lead for Restriction of Hazardous Substances, Department of Agriculture, Environment and Rural Affairs
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Nigel Chambers	Deputy Director, Environmental Resources Policy Division, Department of Agriculture, Environment and Rural Affairs
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The officials gave oral evidence on Directive (EU) 2025/2456.

A question and answer session followed.

The evidence session was reported by Hansard.

The officials left the meeting at 11.11am.

The Committee noted that, in order to meet its statutory requirements, it 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 act significantly differs (in whole or in part) from the content or scope of the EU instrument which it amends or replaces, and
- (ii) the departmental 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 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 will be published on the Committee webpage.

12. Regulation (EU) 2025/2457 amending Regulations (EC) No 178/2002, (EC) No 401/2009, (EU) 2017/745 and (EU) 2019/1021 as regards the reattribution of scientific and technical tasks and improving cooperation among Union agencies in the area of chemicals – Departmental Oral Evidence

The Committee continued its consideration Regulation (EU) 2025/2457 amending Regulations (EC) No 178/2002, (EC) No 401/2009, (EU) 2017/745 and (EU) 2019/1021 as regards the reattribution of scientific and technical tasks and improving cooperation among Union agencies in the area of chemicals.

The Committee noted an Explanatory Memorandum from the UK Government on the published replacement EU act.

The following officials joined the meeting at 11.13am:

David Wilson	Senior Principal Officer, Department of Health
Caroline Barry	Head of Chemical and Industrial Pollution Policy Branch, Department of Agriculture, Environment and Rural Affairs

Aoibhinn Corrigan

Deputy Principal, Department of Agriculture,
Environment and Rural Affairs

The officials gave oral evidence on Regulation (EU) 2025/2457.

The evidence session was reported by Hansard.

The officials left the meeting at 11.22am.

The Committee noted that, in order to meet its statutory requirements, it 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 act significantly differs (in whole or in part) from the content or scope of the EU instrument which it amends or replaces, and
- (ii) the departmental assessments 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 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 will be published on the Committee webpage.

13. Regulation (EU) 2025/2650 amending Regulation (EU) 2023/1115 as regards certain obligations of operators and traders – Departmental Oral Evidence

The Committee continued its consideration of Regulation (EU) 2025/2650 amending Regulation (EU) 2023/1115 as regards certain obligations of operators and traders.

The following officials joined the meeting at 11.24am:

Brian Dooher

Chief Veterinary Officer, Department of Agriculture,
Environment and Rural Affairs

Windsor Framework Democratic Scrutiny Committee

Catherine Fisher Director, DAERA Windsor Framework Implementation
Directorate, Department of Agriculture, Environment and Rural Affairs

The officials gave oral evidence on Regulation (EU) 2025/2650.

A question and answer session followed.

The evidence session was reported by Hansard.

The officials left the meeting at 11.53am.

The Committee noted that, in order to meet its statutory requirements, it 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 act significantly differs (in whole or in part) from the content or scope of the EU instrument which it amends or replaces, and
- (ii) the departmental 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.

Jonathan Buckley proposed that the Committee hold an inquiry into Regulation (EU) 2025/2650.

Committee divided: Ayes 4; Noes 5; Abstain 0.

Ayes

David Brooks

Steve Aiken

Jonathan Buckley

Peter Martin

NOES

Ciara Ferguson

Cathal Boylan

Declan Kearney

Kate Nicholl

Eóin Tennyson

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 will be published on the Committee webpage.

14. Regulation (EU) 2025/2645 on compulsory licensing for crisis management and amending Regulation (EC) No 816/2006 – Departmental Oral Evidence

The Committee continued its consideration of Regulation (EU) 2025/2645 on compulsory licensing for crisis management and amending Regulation (EC) No 816/2006.

The following official joined the meeting at 11.57am.

Sean Curley	Principal Pharmaceutical Officer, Department of Health
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The official gave oral evidence on Regulation (EU) 2025/2645.

A question and answer session followed.

The evidence session was reported by Hansard.

The official left the meeting at 12.04pm.

The Committee noted that, in order to meet its statutory requirements, it 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 act significantly differs (in whole or in part) from the content or scope of the EU instrument which it amends or replaces, and

(ii) the departmental 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 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 will be published on the Committee webpage.

15. COM/2025/747 Proposal for a Regulation on monitoring and controlling drug precursors and repealing Regulations (EC) No 273/2004 and (EC) No 111/2005

16. COM/2025/780 Proposal for a Regulation amending Regulation (EU) 2018/848 as regards certain production, labelling and certification rules and certain rules on trade with third countries

17. COM/2025/993 Proposal for a Regulation amending Regulations (EC) No 561/2006, (EU) 2018/858, (EU) 2019/2144 and (EU) 2024/1257 of the European Parliament and of the Council as regards the simplification of technical requirements and testing procedures for motor vehicles and repealing Council Directive 70/157/EEC and Regulation No 540/2014 of the European Parliament and of the Council

18. COM/2025/1020 Proposal for a Regulation amending Regulation (EU) No 528/2012 as regards the extension of certain data protection periods

19. COM/2025/1021 Proposal for a Directive amending Council Directive 98/58/EC and Directive 2009/128/EC of the European Parliament and of the Council as regards the simplification and strengthening of food and feed safety requirements, and repealing Council Directives 82/711/EEC and 85/572/EEC

20. COM/2025/1023 Proposal for a Regulation amending Regulations (EU) 2017/745 and (EU) 2017/746 as regards simplifying and reducing the burden of the rules on medical devices and *in vitro* diagnostic medical devices, and amending Regulation (EU) 2022/123 as regards the support of the European Medicines Agency for the expert panels on medical devices and Regulation (EU) 2024/1689 as regards the list of Union harmonisation legislation referred to in its Annex I

21. COM/2025/1030 Proposal for a Regulation amending Regulations (EC) No 999/2001, (EC) No 1829/2003, (EC) No 1831/2003, (EC) No 852/2004, (EC) No 853/2004, (EC) No 396/2005, (EC) No 1099/2009, (EC) No 1107/2009, (EU) No 528/2012, (EU) 2017/625 as regards the simplification and strengthening of food and feed safety requirements

The Committee agreed to consider agenda items 15 to 21 together.

The Committee considered the proposed replacement EU acts as listed.

Agreed: The Committee agreed to request legal advice and initial departmental assessments of impact on the proposed replacement acts, to help inform its decisions on whether to monitor them.

Agreed: The Committee agreed to revise its processes so that legal advice and an initial assessment of impact are automatically requested by the secretariat upon receipt of a notification of a proposed EU act, with a timeframe of four weeks for response.

22. Draft Response: Review of Standing Order 59A

The Committee considered correspondence from the Committee on Procedures requesting views on the operation of Standing Order 59A and the substitute member arrangements for the Windsor Framework Democratic Scrutiny Committee.

The Committee considered a draft response to the Committee on Procedures' Review of Standing Order 59A.

Agreed: The Committee agreed to issue the response to the Committee on Procedures.

23. Correspondence

23.1 The Committee noted a copy of correspondence from the UK Government to the Speaker regarding its response to the Independent Review of the Windsor Framework.

23.2 The Committee considered a response from the UK Government regarding COM/2023/258 Proposal for a Regulation establishing the Union Customs Code and the European Union Customs Authority.

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

23.3 The Committee noted a copy of correspondence from the Department of Health regarding COM/2023/192 and COM/2023/193 - the proposed revision of EU pharmaceutical legislation

23.4 The Committee noted a response from the Department of Agriculture, Environment and Rural Affairs regarding the supply of veterinary medicines to Northern Ireland.

23.5 The Committee noted a copy of correspondence from the House of Lords Northern Ireland Scrutiny Committee to the UK Government regarding the supply of veterinary medicines to Northern Ireland.

23.6 The Committee considered correspondence from the Public Engagement Manager, inviting the Committee to participate in the 2026 Balmoral Show.

Agreed: The Committee agreed that secretariat staff should attend to showcase the work of the Committee with Members to attend, if available, on an informal basis.

23.7 The Committee noted a copy of correspondence from the House of Lords Northern Ireland Scrutiny Committee to the UK Government regarding its Inquiry on Strengthening Northern Ireland's voice in the context of the Windsor Framework.

23.8 The Committee noted a copy of correspondence from the UK Government to the House of Lords Northern Ireland Scrutiny Committee regarding COM/2025/580 and COM/2025/581 - proposed Council Directives on excise duty on tobacco and tobacco related products.

23.9 The Committee noted a copy of correspondence from the UK Government to the House of Lords Northern Ireland Scrutiny Committee regarding a Commission Delegated Regulation on persistent organic pollutants.

24. Chairperson's Business

The Chairperson informed Members that, as previously agreed, she and the deputy Chairperson would meet with the Minister for the Economy that day to hear about the Department's review of its internal procedures and working relationships with the UK Government.

25. Any Other Business

None.

26. Date, Time and Place of the next meeting

The next meeting will be held on 15 January 2026 at 10.00am in Room 30.

The meeting was adjourned at 12.15pm.

Ciara Ferguson MLA

Chairperson, Windsor Framework Democratic Scrutiny Committee