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Marie Austin
Committee Clerk, Windsor Framework Democratic Scrutiny Committee
Room 382, Parliament Buildings
Stormont
Belfast, BT4 3XX

09 November 2025

Dear Marie,

Directive (EU) 2026/2383 of the European Parliament and of the Council of 21 October 2026 amending Directives 2009/43/EC and 2009/81/EC, as regards the simplification of intra-EU transfers of defence-related products and the simplification of security and defence procurement

As the previous Explanatory Memorandum (EM) noted, the proposal for this Directive largely reflected licensing flexibilities already available within the UK export control framework, and the UK had historically implemented the ICT Directive more broadly than many other Member States. The EM therefore concluded that no new measures would be required in Northern Ireland.

While the final text contains some operational amendments, it does not represent a fundamental departure from the policy approach set out in the original proposal and these do not amount to a material change to the substantive conclusions reached in the EM. No reasons have therefore been identified to revisit the conclusions reached in the EM.

The principal changes identified are:

- Expanded exemptions from prior authorisation (Article 4): The final text broadens the categories of transfers that Member States may exempt from prior authorisation requirements. As the UK export control regime does not generally rely on such exemptions, these changes are not expected to have any practical impact on Northern Ireland licensing arrangements.
- General transfer licences for industrial partnerships (new Article 5b): The final text requires Member States to publish general transfer licences covering certain structured intra-EU industrial partnerships. The UK already operates a broad system of general licences. These provisions therefore

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appear to align other Member States more closely with existing UK practice rather than requiring changes in Northern Ireland.

- Certification and central register provisions (Article 9): Amendments relating to certification and the creation of a central register of certified suppliers and recipients are administrative in nature. The UK already maintains the relevant certification and licensing arrangements applicable to Northern Ireland exporters.

The final agreed text largely reflects existing UK export control practice. No material impacts on Northern Ireland export licensing arrangements have been identified, and the substantive conclusions of the previous Explanatory Memorandum remain unchanged.

I trust this information will be of assistance to the Committee - we ask that this letter is shared with them.

[redacted]

DEPUTY DIRECTOR - WINDSOR FRAMEWORK TASKFORCE