



Windsor Framework Democratic Scrutiny Committee

OFFICIAL REPORT (Hansard)

Regulation (EU) No 2024/2838 Amending Regulations (EU) No 1379/2013, (EU) No 167/2013 and (EU) No 168/2013 as regards Certain Reporting Requirements: DAERA; DFI

14 November 2024

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Mr Philip McGuigan (Chairperson)
Mr David Brooks (Deputy Chairperson)
Dr Steve Aiken
Mr Jonathan Buckley
Mr Declan Kearney
Ms Kate Nicholl
Ms Emma Sheerin
Mr Eóin Tennyson

Witnesses:

Mr Adrian Borland	Department for Infrastructure
Mr Paddy Cairns	Department for Infrastructure
Mr Owen Lyttle	Department of Agriculture, Environment and Rural Affairs

The Chairperson (Mr McGuigan): I welcome Adrian Borland, head of vehicle policy branch in the Department for Infrastructure, and Paddy Cairns, who is also from vehicle policy branch in DFI. I have in my notes that Fiona Taylor, head of sea fisheries policy and grants in the Department of Agriculture, Environment and Rural Affairs, was to attend, but, obviously, that has changed.

Mr Owen Lyttle (Department of Agriculture, Environment and Rural Affairs): That was changed to me. I am the director of the marine and fisheries division.

The Chairperson (Mr McGuigan): We are good to go. My apologies: I did not realise that there had been a change in the attendees.

Mr Lyttle: Apologies, Chair. Fiona was caught up in EU-UK coastal negotiations for fishing quotas, so you have me.

The Chairperson (Mr McGuigan): That sounds much less important than our business.

I will hand over to you.

Mr Lyttle: Good morning. I am here with colleagues from the Department for Infrastructure to brief you on regulation (EU) No 2024/2838 amending various regulations, as outlined, covering vehicle standards and fishery and aquaculture policies. I will start with the fisheries and aquaculture policy.

Regulation (EU) No 2024/2838 of the European Parliament and of the Council of 23 October 2024 amends regulation (EU) No 1379/2013, which looks at the common organisation of the markets in fishery and aquaculture products and amends other regulations. It also repeals Council regulation (EC) No 104/2000 in particular, which is listed in the Windsor framework, annex A, under heading 46, "Fisheries, aquaculture":

"insofar as it concerns provisions relating to marketing standards and consumer information".

It was adopted on Tuesday 12 November 2024.

Regulation (EU) No 1379/2013 concerns common organisation of the markets in fishery and aquaculture products. The proposal will remove the reporting obligation in relation to the marketing of fish below a given degree of freshness for human consumption. This regulation applies in Northern Ireland:

"insofar as it concerns provisions relating to marketing standards and consumer information"

under annex 2 of the Windsor framework. That includes chapter III, "Common Marketing Standards", articles 33 and 34, and chapter IV, "Consumer Information", articles 35 to 39 of regulation (EU) No 1379/2013. With the exception of those provisions, the UK's retained version of regulation (EU) No 1379/2013 applies in Northern Ireland, as retained by the Common Fisheries Policy (Amendment, etc) (EU Exit) Regulations 2019.

To summarise: this regulation removes and simplifies reporting requirements that are no longer deemed necessary in the area of the common organisation of the markets in fishery and aquaculture products and affecting the fishing industry. Regulation 1379 provides that rules establishing common marketing standards, particularly those laid down, inter alia, in Council regulation (EC) No 2406/96, are to continue to apply. Article 13 of regulation 2406/96 requires that each member state is to provide the other member states and the Commission with a list of the names and addresses of the experts and trade organisations appointed for grading fishery products for freshness and size not later than one month before the entry into force of that regulation, and to subsequently inform the other member states and the Commission of any amendments to the list. As that requirement is outdated and no longer necessary to achieve the objectives of regulation (EU) No 1379/2013, it should no longer apply.

I move to the assessment of the impact. It does not appear likely that the application of the replacement EU act would have a significant impact specific to the everyday life of communities in Northern Ireland, as the only amendment being introduced is the removal of a reporting requirement. It does not appear likely that not applying the replacement EU act would have a significant impact specific to the everyday life of communities in Northern Ireland. Not applying the replacement act would mean that the requirements to inform member states and the Commission of any amendments to the list of names and addresses of the experts and trade organisations appointed for grading fishery products for freshness and size would continue to apply in Northern Ireland. There is no effect on Northern Ireland's participation in the UK's free trade agreements, and there is no effect on Northern Ireland's participation in the UK's common frameworks. All the regulations to be amended apply directly in Northern Ireland, and no further legislation is required.

Do you want to ask questions on that now, or do you want me to pass to DFI colleagues?

The Chairperson (Mr McGuigan): That seems pretty straightforward. Essentially, in layman's terms, the objectives are still there. The piece that is being removed is outdated, and there is no impact on consumers here in the North.

Mr Lyttle: Yes. That is exactly it. It reduces the reporting requirements because they are outdated.

Dr Aiken: It does not affect any movements across to the rest of our nation.

Mr Lyttle: No.

The Chairperson (Mr McGuigan): Grand job. We will move on.

Mr Adrian Borland (Department for Infrastructure): The purpose of regulation (EU) 2024/2823 is to amend the other three regulations listed in the title in order to streamline the reporting obligations

contained in them. The amending regulation has no stand-alone provisions. The regulations being amended that are of relevance to DfI are 167/2013 and 168/2013, which are listed in annex 2 of the protocol under heading 9, "Motor vehicles, including agricultural and forestry tractors".

Regulation 167/2013 covers the type approval framework for agricultural and forestry vehicles and sets out the rules on the approval and market surveillance of those vehicles. It is being amended to delete articles 74 and 75.

Regulation 168/2013 covers the type approval framework for two- or three-wheel vehicles and quadricycles, setting out the rules on the approval and market surveillance of those vehicles. The amendment is the deletion of articles 78 and 80.

In both cases, the amendment removes the requirement to submit reports to the Commission on the annual number of individual vehicle approvals made under each regulation and any deviation from the specified approval criteria. The deletions follow an EU Commission study in 2022 covering such reporting requirements. It concluded that the type approval procedures in scope were satisfactory and that the reporting obligations should no longer apply. It is therefore a positive deregulatory development.

As the Committee will be aware, type approval is a reserved matter. In January 2024, the Department for Transport published an explanatory memorandum (EM) on the amendments as they were proposed at that point. The EM includes an initial assessment of the impact of the proposed amendments, which concluded that the removal of the reporting requirements would have no practical effect on Northern Ireland and no implications for the Windsor framework.

We were in contact with DfT following the request to attend today's meeting, given that the EM was completed some time ago. DfT advised that, following the adoption of the regulation, it is preparing a revised version of the explanatory memorandum. Although that has not yet been published, DfT has indicated that its contents will, essentially, be the same in relation to the earlier assessment of impact.

The Chairperson (Mr McGuigan): That sounds straightforward. I have no questions. Paddy, over to you.

Mr Borland: He is here supporting me.

The Chairperson (Mr McGuigan): OK. Thank you very much, Adrian, Owen and Paddy. That was pretty straightforward. You are free to go.