

**Estates Transformation & Windsor
Framework Group**
Windsor Framework Implementation
Directorate



The Library
NI Assembly
Parliament Buildings
Belfast
BT4 3XX

Windsor Framework Implementation
Directorate
1st Floor
Clare House
303 Airport Road West
Belfast
BT3 9ED

Email:
Wfbusinessmanagementoffice@daera-ni.gov.uk

14 May 2025

By email: neil.sedgewick@niassembly.gov.uk
Library.IssueDesk@niassembly.gov.uk

Dear Sir / Madam,

**LEGISLATION WHERE THE SECRETARY OF STATE HAS NOT EXERCISED
DISCRETION UNDER REGULATION 3 OF THE WINDSOR FRAMEWORK
(IMPLEMENTATION) REGULATIONS 2024 NOT TO EXERCISE DIRECTION AND
CONTROL**

Minister Muir has requested that an updated version of this list, previously deposited on 23 September 2024, be deposited in the Assembly Library.

Grateful if you can progress.

Yours sincerely,



Catherine Fisher
Director - Windsor Framework Implementation Directorate

Sustainability at the heart of a living, working, active landscape valued by everyone.

If you are deaf or have a hearing difficulty you can
contact the Department via the Next Generation Text
Relay Service by dialling 18001 + telephone number.



LEGISLATION WHERE THE SECRETARY OF STATE HAS NOT EXERCISED DISCRETION UNDER REGULATION 3 OF THE WINDSOR FRAMEWORK (IMPLEMENTATION) REGULATIONS 2024 TO NOT EXERCISE DIRECTION AND CONTROL

The Secretary of State has exercised discretion under Regulation 3 of the Windsor Framework (Implementation) Regulations 2024 not to exercise direction and control over functions concerned with disease awareness, disease preparedness and disease control in respect of both Animal and Plant Health, effective from 17 May 2024, across all legislation listed below, as relevant.

Update: From 27 November 2024 the Defra Secretary of State has exercised discretion not to exercise direction and control on the following pieces of EU legislation and they are therefore now under the direction and control of the DAERA Minister:

- Regulation (EU) 2024/590 of the European Parliament and of the Council of 7 February 2024 on substances that deplete the ozone layer, and repealing Regulation (EC) No 1005/2009
- Regulation (EU) 2024/573 of the European Parliament and of the Council of 7 February 2024 on fluorinated greenhouse gases, amending Directive (EU) 2019/1937 and repealing Regulation (EU) No 517/2014

Update: From 4 February 2025 the Defra Secretary of State has exercised discretion not to exercise direction and control on the following pieces of EU legislation and they are therefore now under the direction and control of the DAERA Minister:

- Regulation (EU) 2024/1143 of the European Parliament and of the Council of 11 April 2024 on geographical indications for wine, spirit drinks and agricultural products, as well as traditional specialities guaranteed and optional quality terms for agricultural products, amending Regulations (EU) No 1308/2013, (EU) 2019/787 and (EU) 2019/1753 and repealing Regulation (EU) No 1151/2012
- Regulation (EU) 2024/1157 of the European Parliament and of the Council of 11 April 2024 on shipments of waste, amending Regulations (EU) No 1257/2013 and (EU) 2020/1056 and repealing Regulation (EC) No 1013/2006

Clarification: The movement of animals to and from Northern Ireland comes under the direction and control of the Defra Secretary of State.

Windsor Framework Annex 2 Chapter	EU Legislation
20, Medicinal products <i>Veterinary medicines only</i>	Regulation (EU) 2019/6 of the European Parliament and of the Council of 11 December 2018 on veterinary medicinal products and repealing Directive 2001/82/EC
20, Medicinal products <i>Veterinary medicines only</i>	Regulation (EC) No 726/2004 of the European Parliament and of the Council of 31 March 2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency
20, Medicinal products <i>Veterinary medicines only</i>	Directive 2001/82/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to veterinary medicinal products
23, Chemicals and related	Regulation (EU) 2023/1542 of the European Parliament and Council of 12 July 2023 concerning batteries and waste batteries, amending Directive 2008/98/EC and Regulation (EU) 2019/1020 and repealing Directive 2006/66/EC
23, Chemicals and related	Directive 2006/66/EC of the European Parliament and of the Council of 6 September 2006 on batteries and accumulators and waste batteries and accumulators and repealing Directive 91/157/EEC
23, Chemicals and related	Regulation (EU) 2024/1849 of the European Parliament and of the Council of 13 June 2024 amending Regulation (EU) 2017/852 on mercury as regards dental amalgam and other mercury-added products subject to export, import and manufacturing restrictions
25, Waste	Regulation (EU) 2024/1781 Establishing a Framework for the setting of Eco design requirements for sustainable products
26, Environment	Regulation (EU) No 995/2010 of the European Parliament and of the Council of 20 October 2010 laying down the obligations of operators who place timber and timber products on the market
26, Environment	Regulation (EU) 2023/1115 of the European Parliament and of the Council of 31 May 2023 on the making available on the Union market and the export from the Union of certain commodities and products associated with deforestation and forest degradation and repealing Regulation (EU) No 995/2010
33, Food - other	Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007
33, Food - other	Regulation (EU) 2023/2419 of the European Parliament and of the Council of 18 October 2023 on the labelling of organic pet food
34, Feed, products and hygiene	Regulation (EU) 2019/4 of the European Parliament and of the Council of 11 December 2018 on the manufacture, placing on the market and use of medicated feed, amending Regulation (EC) No 1831/2003 of the European Parliament and of the Council and repealing Council Directive 90/167/EEC
36, Live Animals, Germinal Products and POAO	Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law')
36, Live Animals, Germinal Products and POAO	Regulation (EU) No 576/2013 of the European Parliament and of the Council of 12 June 2013 on the non-commercial movement of pet animals and repealing Regulation (EC) No 998/2003

Windsor Framework Annex 2 Chapter	EU Legislation
36, Live Animals, Germinal Products and POAO	Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation)
39, Animal Breeding	Articles 37 and Article 64(3) of Regulation (EU) 2016/1012 of the European Parliament and of the Council of 8 June 2016 on zootechnical and genealogical conditions for the breeding, trade in and entry into the Union of purebred breeding animals, hybrid breeding pigs and the germinal products thereof and amending Regulation (EU) No 652/2014, Council Directives 89/608/EEC and 90/425/EEC and repealing certain acts in the area of animal breeding ('Animal Breeding Regulation')
40, Animal Welfare	Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97
41, Plant health	Commission Delegated Regulation (EU) 2021/1189 supplementing Regulation (EU) 848/2018 as regards the production and marketing of plant reproductive material of organic heterogeneous material of particular genera or species
41, Plant Health	Regulation (EU) 2016/2031 of the European Parliament of the Council of 26 October 2016 on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC
43, Official controls, veterinary checks	Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products
44, SPS - other	Regulation (EU) 2023/1231 of the European Parliament and of the Council of 14 June 2023 on specific rules relating to the entry into Northern Ireland from other parts of the United Kingdom of certain consignments of retail goods, plants for planting, seed potatoes, machinery and certain vehicles operated for agricultural or forestry purposes, as well as non-commercial movements of certain pet animals into Northern Ireland
46, Fisheries, Aquaculture	Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC insofar as it concerns provisions relating to marketing standards for fishery and aquaculture products
46, Fisheries, Aquaculture	Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulations (EEC) No 2847/93, (EC) No 1936/2001 and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No 1447/1999
46, Fisheries, Aquaculture	Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1224/2009 and Regulations (EU) No 1380/2013, (EU) 2016/1139, (EU) 2018/973, (EU) 2019/472 and (EU) 2019/1022 of the

Windsor Framework Annex 2 Chapter	EU Legislation
	European Parliament and of the Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC) No 2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No 2187/2005
Newly adopted EU Legislation	
23, Chemicals and related	Regulation (EU) 2024/2516 of the European Parliament and of the Council amending Regulation (EU) 2019/1009 as regards the digital labelling of EU fertilising products
25, Waste	Regulation (EU) 2025/40 of the European Parliament and of the Council of 19 December 2024 on packaging and packaging waste, amending Regulation (EU) 2019/1020 and Directive (EU) 2019/904, and repealing Directive 94/62/EC
41, Plant Health	Regulation (EU) 2024/3115 of the European Parliament and of the Council of 27 November 2024 amending Regulation (EU) 2016/2031 as regards multiannual survey programmes, notifications concerning the presence of regulated non-quarantine pests, temporary derogations from import prohibitions and special import requirements and establishment of procedures for granting them, temporary import requirements for high-risk plants, plant products and other objects, the establishment of procedures for the listing of high-risk plants, the content of phytosanitary certificates and the use of plant passports, and as regards certain reporting requirements for demarcated areas and surveys of pests and amending Regulation (EU) 2017/625 as regards certain notifications of non-compliance
31, Food, Ingredients	Regulation (EU) 2024/2838 amending Regulations (EU) No 1379/2013, (EU) No 167/2013 and (EU) No 168/2013 as regards certain reporting requirements <i>* DAERA only have remit for part of this regulation, Regulation (EU) 1379/2013 applies in Northern Ireland (NI) insofar as it concerns provisions relating to marketing standards and consumer information under Annex 2 of the Windsor Framework.</i>
26, Environment	Regulation (EU) 2024/3234 of the European Parliament and of the Council of 19 December 2024 amending Regulation (EU) 2023/1115 as regards provisions relating to the date of application

AS OF 6 MAY 2025