

Answer to my written Parliamentary question on Windsor Framework

This is a better attempt to answer the outstanding questions over what reductions in EU law have been made for NI under the new Agreement. It appears that most of the items mentioned are only disapplied for green lane imports, whereas the issue is the application of laws to anything made and sold in Northern Ireland. There seems to have been little progress in reducing the EU legal burden on NI.

The Foreign, Commonwealth and Development Office has provided the following answer to your written parliamentary question (180627):

Question:

To ask the Secretary of State for Foreign, Commonwealth and Development Affairs, with reference to The Windsor Framework: a new way forward, published in February 2023, if he will publish specific details of the 1,700 pages of EU law that will be disapplied under the Windsor Agreement. (180627)

Tabled on: 14 April 2023

Answer:

Leo Docherty:

The UK Government is committed to taking the necessary steps to uphold the UK's international obligations, including the Withdrawal Agreement and the Windsor Framework, as set out in the previous answer. As also set out, all of the rules disapplied are set out in the legal texts published as part of the Windsor Framework. By the EU's own calculations, less than 3 percent of EU rules apply – with those that remain only applying to secure maximum free trade and market access for Northern Ireland firms. It should also be recognised that this is not a straightforward list, as some of those rules will be applied in part for the red lane but not applied in the green lane, for example. But, for example:

- Annex 1 of the Sanitary and Phytosanitary (SPS) legal text shows that 67 rules on food and drink do not apply in the green lane – covering issues like marketing standards, food supplements and additives, and the production of organic products. It also disapplies the certification requirements in the EU Official Controls Regulation, as well as the prohibitions on various movements set out therein.
- Requirements in the Union Customs Code (UCC) for rules of origin certificates, tariffs, and commodity codes for each movement do not apply for internal UK trade; nor are there any requirements for customs declarations for consumer parcels, which are classified automatically as “not at risk”. And we have secured unfettered access by removing any need for export declarations or equivalent information for goods moving from Northern Ireland to Great Britain as would otherwise have been set out in the UCC.

- In a similar vein, and as noted previously, the requirements in the VAT Directive which prevented the zero-rating of energy-saving materials has been disapplied, enabling the changes we brought forward in Parliament this week; as have limits on alcohol duty structures in EU rules harmonising excise duty structures.

- And for medicines we have disapplied any role for the European Medicines Agency in authorising medicines for the UK market, as otherwise set out in EU rules on the authorisation and supervision of medicinal products; and removed packaging any other requirements in the Falsified Medicines Directive.

These changes have safeguarded Northern Ireland's place in the Union and our internal market, while continuing to support Northern Ireland's businesses by providing them access to the whole UK market as well as the EU market.

The answer was submitted on 24 Apr 2023 at 17:14.