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Chair, Northern Ireland Affairs Committee
House of Commons
Westminster
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7 October 2020

Dear Simon,

I am writing to update you on the Government approach to delivering unfettered access for Northern Ireland businesses to the rest of the UK market, and in particular to draw your attention to a statutory instrument that we are laying before Parliament today.

As you will know, the UK Government has been unequivocal in its commitment for unfettered access for Northern Ireland goods moving to the rest of the UK market; and committed in the New Decade, New Approach deal to restore the NI Executive to guarantee this in legislation before the end of the year.

This is delivered in part via the UK Internal Market Bill which enshrines in primary legislation that qualifying Northern Ireland goods will benefit from mutual recognition, and will not be subject to new checks and controls as goods move from Northern Ireland to the rest of the UK. To ensure those protections are in place from 1 January, we need to define a “qualifying Northern Ireland good” in law by 1 January. The EU (Withdrawal Agreement) Act includes provision for the Government to provide such a definition by statutory instrument. That is the legislation we are bringing forward today.

In the first instance, our priority is on avoiding disruption and ensuring the maximum continuity from the end of the transition period for traders in Northern Ireland. This reflects the broader approach we are taking in the first half of next year for GB-EU trade.

With that in mind, the statutory instrument will provide unfettered access for

- any good that is present in Northern Ireland (and not subject to any customs supervision, restriction or control which does not arise from the goods being taken out of the territory of Northern Ireland or the European Union); or
- any good that has undergone processing operations in Northern Ireland incorporating either domestic goods or goods not under customs supervision, restriction or control at the time of processing.

This approach will ensure no changes to Northern Ireland businesses moving goods directly to the rest of the UK from 1 January 2021 compared with now. It will be accompanied by anti-avoidance provisions which enable action to be taken against businesses who seek to route their goods through Northern Ireland in order to avoid import formalities. This legislation will be brought forward separately and will also be in place by the end of the year.

This initial approach is only intended to be a bridge to a longer-lasting regime, to be developed in discussion with Northern Ireland business, which will follow during the course of 2021. As we have done more broadly, it is right to take sensible, practical steps to phase in our approach in a way that is supported by business.

This is an important first step to make sure that Northern Ireland traders can continue to move their goods in an unfettered way from the end of the transition period - meeting our clear commitment under the New Decade, New Approach agreement.

A handwritten signature in black ink, appearing to read 'Brandon Lewis', with a large, sweeping flourish at the end.

**THE RT HON BRANDON LEWIS CBE MP
SECRETARY OF STATE FOR NORTHERN IRELAND**