

European Scrutiny Committee

House of Commons London SW1A 0AA

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From: Sir William Cash CH MP

24 January 2024

Lord Callanan
Minister for Energy Efficiency and Green Finance
Department for Energy Security and Net Zero
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Windsor Framework: New mobile phone design and energy labelling rules for Northern Ireland

Thank you for your Explanatory Memorandum (EM) of 14 December 2023 on the EU's new ecodesign and energy labelling rules for smartphones and other similar devices.

The EU's new rules constitute a major intervention by the EU into the regulation of the personal electronics market. Their applicability in Northern Ireland (NI) under the terms of the Windsor Framework is a matter of concern, especially given that those parts of the Commission Regulation (EU) 2023/1670 and Delegated Regulation (EU) 2023/1669 likely to have the greatest impact on businesses and consumers in NI will apply from 20 June 2025.

It is therefore disappointing that your EM did not provide details of any consultations your Department has undertaken on the potential implications of the EU's Regulations for the UK, including the financial impact they will have on government, business and consumers in NI. As FCDO guidance on EM's clearly provides, these sections are for UK Government actions, not those of the European Commission. As always, my officials are on hand to offer advice on the drafting of EMs.

In light of the above, we request answers to the following questions.

- Do you believe that EU rules on ecodesign and energy labelling should apply in the UK in respect of Northern Ireland (NI)?

- If so, will the Government replicate these rules for Great Britain (GB)?
- If not, have you informed the European Commission through the governance structures provided for under the Windsor Framework? What are the anticipated next steps in this process?
- Have you consulted officials in the Northern Ireland Executive (NIE) to ascertain their views on the EU's new ecodesign and energy labelling rules?
 - If so, are they content with their application in NI from 20 June 2025?
- Whether selling from GB into the EU or GB into NI, are there any manufacturers or companies in the UK who will be covered by the EU's new rules?
 - If so, what are their thoughts on the potential implications of the EU's new rules for their businesses?
- Have you or your officials met with colleagues in the NIE to discuss how you will facilitate and perform conformity assessment and market surveillance checks in respect of Commission Regulation (EU) 2023/1670 and Delegated Regulation (EU) 2023/1669?
 - If so, what are the anticipated costs of these new requirements?

We require a response to this letter by 7 February 2024.

I am copying this letter to Lord Ricketts, Chair of the House of Lords European Affairs Committee, and to Jarek Wisniewski, that Committee's Clerk; to the Parliamentary Scrutiny team in your Department; and to Les Saunders in the FCDO.

CHAIR