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The Lords Ricketts GCMG GCVO
Chair
European Affairs Committee
House of Lords
SW1A 0PW

The Lord Carlile of Berriew CBE KC
Chair
Northern Ireland Scrutiny Committee
House of Lords
SW1A 0PW

24 April 2025

Dear Lord Ricketts and Lord Carlile,

EU-RELATED SCRUTINY ARRANGEMENTS

I am writing to seek your agreement on a renewal of the EU scrutiny arrangements which were agreed previously by the House of Lords European Affairs Committee (EAC) and the House of Commons European Scrutiny Committee (ESC) in October 2022.

The Select Committee landscape has, of course, changed in this Parliament, with the disbanding of the ESC and EAC's Windsor Framework Sub-Committee and the recent appointment of the Northern Ireland Scrutiny Committee (NISC) as a new independent Lords Committee.

Our scrutiny arrangements were due for review at the end of the last Parliament. I am grateful for our officials' discussions and agreement of a revised approach in principle, which I have enclosed in the Annex.

Our officials agreed that the current scrutiny arrangements were working well and were appropriate to the UK's relationship with the EU. However, there were opportunities to reduce burdensome mechanisms in the scrutiny process, to ensure they were manageable for both sides.

I am also pleased to confirm that I am happy to commit to appear before both Committees at least once a year, and the Secretary of State for Northern Ireland is similarly happy to commit to an annual appearance in front of the NISC.

Officials will keep the arrangements under review to ensure they keep pace with political developments and continue to meet the needs of both Government and the Committees. The proposed agreement also contains a formal review clause after two years, as per the previous agreement.

I hope that the offer enclosed is acceptable to you - if so, we will begin to implement it with immediate effect.

I look forward to engaging with both Committees as we look to build a stronger relationship with the EU.

I am copying this letter to the Chair of the Commons Liaison Committee, the Leaders of both Houses, and the Secretary of State for Northern Ireland.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'N. Thomas-Symonds', with a long horizontal flourish extending to the right.

**Rt Hon Nick Thomas-Symonds MP
Minister for the Cabinet Office
His Majesty's Paymaster General**

Annex – Proposed revised EU scrutiny arrangements

1. Scrutiny of the Withdrawal Agreement (excluding the Windsor Framework)

We are committed to:

- Providing a ministerial letter to the EAC and NISC before and after WA Joint Committee meetings.
- Providing EMs on European Commission proposals for decisions of the Council of Ministers which are based on Article 218 of the Treaty on the Functioning of the European Union, referring explicitly to the United Kingdom. These will include EMs on European Council Decisions that establish the EU position for the WAJC, before meetings wherever possible.
- Providing official-level briefings to the Committee teams in advance of all Joint Committee meetings, setting out a more in-depth UK position on agenda items and our approach to the discussion.
- Sharing provisional agendas of WA Specialised Committee meetings in advance (on a confidential basis, unless co-chairs agree to publish them).
- Sharing the WA Annual Report before publication, subject to co-chairs agreeing to publish.
- Automatic deposit of EMs on new or amended EU law that has a direct effect on the UK under the WA.
- Providing a ministerial letter following publication of the two reports by the Commission and the Independent Monitoring Authority on the implementation of the citizens' rights chapter of the WA.
- Writing to the EAC Chair in advance of requesting the establishment of an arbitration panel under the Agreement.
- Writing to the EAC Chair following the establishment of an arbitration panel and after any CJEU rulings, made on EU law covered under the WA, and issuing an annual report on disputes raised at the WAJC, where and if necessary.
- Providing a quarterly summary of each Specialised Committee's activities, to the extent that there is agreement by both co-chairs of the Committee to make that activity public (for example, through joint statements).

2. Scrutiny of the Windsor Framework

We are committed to:

- Submission of EMs on European Commission proposals and published EU legislation which amend or replace existing EU secondary legislation within the annexes of the Windsor Framework and, as required, other related instruments that fall under scope of the Windsor Framework. The Government will follow its commitments to the NI Assembly under the terms of Sch.6B NI Act 1998 compatibly with these commitments.
- Automatic submission of an EM when the European Commission communicates its desire to the UK Government that it wishes to apply new EU legislation to NI under the Protocol/Windsor Framework. Any agreement to share an EM is on the understanding that the Government would not be able to share anything that might reveal our negotiating position ahead of the relevant Joint Committee meeting.
- Automatic submission of EMs on EU legislation falling under the scope of Windsor Framework when agreed by the Joint Committee.
- Sharing provisional agendas of the Specialised Committee on the Implementation of the Windsor Framework meetings in advance (on a confidential basis, unless co-chairs agree to publish them).

3. Scrutiny of the Trade and Cooperation Agreement

We are committed to:

- Providing a ministerial letter to the EAC before and after TCA Partnership Council meetings, using best endeavours to do so seven days in advance for pre-meeting letters.
- Providing EMs on European Commission proposals for decisions of the Council of Ministers which are based on Article 218 of the Treaty on the Functioning of the European Union, referring explicitly to the United Kingdom. This will include EMs on:
 - European Council Decisions that establish the EU position for the Partnership Council, before meetings where possible.
 - EU Council Decisions that establish the EU position for meetings of Specialised Committees; before meetings where possible. For the avoidance of doubt, not all Specialised Committees will require an EU Council Decision to establish the EU's position.
- Providing official-level briefings to the EAC clerk in advance of all TCA Partnership Council meetings.
- Sharing provisional agendas of TCA Specialised Committee meetings in advance.
- Providing a periodic summary of each Specialised Committee's activities to the EAC clerk, to the extent that there is agreement by both co-chairs of the Committee to make that activity public (for example through joint statements).
- Writing to the EAC Chair before requesting the establishment of an arbitration panel or if it is likely that the EU will initiate dispute settlement, adopt a remedial, safeguard, or other unilateral measure, or operate the TCA "rebalancing" clause.

4. Miscellaneous

We are committed to:

- Providing an EM on the EU Commission's Work Programme.
- Writing to the EAC Chair about incoming EU Presidency priorities every six months, before the start of each Presidency where possible.
- HMG considering requests from the EAC and NISC for the deposit of documents of direct relevance to the work of the Committees that might fall outside the WA and TCA agreements.
- HMG and Committee clerks will keep the arrangements under review.

5. Ministerial appearance before the Committees

- The Minister for the Cabinet Office will appear at least once a year before the EAC, with other ad hoc appearances on a case-by-case basis by FCDO and other Ministers. The Minister for the Cabinet Office and Secretary of State for Northern Ireland will appear before the Lords NISC at least once a year (possibly in a joint session, given their joint equities in the Windsor Framework), with other ad hoc appearances by Ministers to be determined on a case-by-case basis.