



Rt Hon Nick Thomas-Symonds MP

Minister for the Cabinet Office

HM Paymaster General

Cabinet Office

70 Whitehall

London SW1A 2AS

7 May 2025

Dear Minister,

WITHDRAWAL AGREEMENT JOINT COMMITTEE

At its meeting of 30 April 2025, the Northern Ireland Scrutiny Committee discussed your letter of 23 April on the above issue and your subsequent Written Ministerial Statement which was published on 24 April.

The Committee noted, too, the Explanatory Memoranda received on 24 April on the four new EU acts which are to be added to the Protocol/Windsor Framework under Article 13(4).

We regret that the Committee received these important documents with no advance notice and on a timescale which meant it was not able to consider them before the Withdrawal Agreement Joint Committee (WAJC) itself took place.

This process unduly restricted the ability of the Committee, and Parliament as a whole, to scrutinise the positions the Government adopted at the WAJC.

We are also concerned that the Committee was unable to scrutinise the Government's decision to add the four new EU acts to the Protocol/Windsor Framework. This issue is of particular interest to the Committee in relation to its current inquiry into Strengthening Northern Ireland's Voice in the context of the Windsor Framework.

In this context, we note that in contrast to the spirit of the provisions of the Windsor Framework governing the application of 'new' EU law to Northern Ireland that neither the Ukraine/Moldova tariff related legislation (Regulations 2024/1392 and 2024/1501) nor the 'new' aspects of the Critical Raw Materials Regulation (Regulation 2024/1252) have been the subject of an 'applicability motion' in the Northern Ireland Assembly. We also note that an 'applicability motion' was tabled on the Non-Agricultural Geographical Indications – Regulation 2023/24 in March 2024 but did not pass with a cross-community support. In all



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four cases the Government has chosen instead to rely on the argument that none of these Regulations will introduce a regulatory barrier between Great Britain and Northern Ireland.

It is important that the Committee receives letters and other documents on a timescale which enables it to carry out its role, as agreed by the House and set out in its terms of reference, to consider matters related to the implementation of the Protocol on Ireland/Northern Ireland and the Windsor Framework. The Committee therefore requests that, ahead of future meetings of the WAJC, the Government commits to providing this Committee with relevant materials in a timely manner.

The Committee looks forward to exploring these matters further during its scrutiny of these individual Regulations and when it hears evidence from you on 25 June 2025.

I am copying this letter to Rt Hon Hilary Benn MP, Secretary of State for Northern Ireland, Tonia Antoniazzi MP, Chair of the Commons Northern Ireland Affairs Committee, and Ciara Ferguson MLA, Chair of the Northern Ireland Assembly Windsor Framework Democratic Scrutiny Committee.

Yours sincerely,

Lord Carlile of Berriew CBE KC,

Chair, Northern Ireland Scrutiny Committee