



PACAC (Public Administration and Constitutional Affairs Committee)

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Rt Hon Sajid Javid MP
Secretary of State for Health and Social Care
By Email

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Organs, Tissues and Cells (apart from embryos and gametes) Common Framework

The Committee has reviewed Organs, Tissues and Cells (apart from embryos and gametes) Common Framework and issued a public call for evidence. No specific concerns have been raised with the Committee regarding this Common Framework. The Committee has, however, noted some concerns that are of a cross-cutting nature across all of the Common Frameworks and are relevant in this instance. The Common Framework should be amended to take account of the following cross cutting recommendations:

The Common Frameworks that have been produced are far more limited documents that was originally set out in 2017.¹ They are now process and not policy documents. While we understand that the decision has been made jointly by the four governments that the Framework documents should focus on process, they are missing important details on what the policies in the area are. We recommend that a document be produced setting out the policy landscape for this Common Framework. This will make clear to all where the UK and devolved governments have decided to take common decisions or where they have diverged. Such a document would be entirely factual, but would provide important context not only for legislatures, but also businesses, interest groups and the public. It would also provide a useful document for the purposes of the regular reviews of Common Frameworks. This document should be produced in advance of the first review after one year.

The UK Government's guidance "Process for considering UK Internal Market Act exclusions in Common Framework areas" clearly states that consideration of proposals for exclusions should be taken forward "consistent with the established processes as set out in the relevant Common Framework".² These processes are not set out in any of the Common Frameworks, and we recommend that a section outlining these processes should be included, even if the text is identical for all common frameworks.

The four Governments have now set out a new Intergovernmental Relations system. However, the Common Frameworks have not taken into account these new arrangements. For clarity they should be updated to make appropriate reference to the new arrangements, and in particular the dispute avoidance and resolution mechanisms.

William Wragg MP
Chair, Public Administration and Constitutional Affairs Committee

¹ Cabinet Office, [Joint Ministerial Committee \(EU Negotiations\) Communiqué](#), 16 October 2017

² Cabinet Office & Department of Levelling Up Housing and Communities, [Process for considering UK Internal Market Act exclusions in Common Framework areas](#), 10 December 2021