Draft Regulations laid before Parliament under section 8C(1) and (2) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018 (c. 16), for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2026 No.

NORTHERN IRELAND

CONSTITUTIONAL LAW

The Withdrawal Agreement (Windsor Framework and Governance) (Amendment) Regulations 2026

Made - - - - ***

Coming into force

The Minister for the Cabinet office makes these Regulations in exercise of the powers conferred by sections 8C(1) and (2) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018(**a**).

In making these Regulations, the Minister for the Cabinet Office has had special regard to the matters listed in section 46 of the United Kingdom Internal Market Act 2020(**b**).

In accordance with paragraph 8F(1) of Schedule 7(**c**) to the European Union (Withdrawal) Act 2018, a draft of this instrument has been laid before and approved by a resolution of each House of Parliament.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Withdrawal Agreement (Windsor Framework and Governance) (Amendment) Regulations 2026.

(2) They come into force on the day after the day on which they are made.

(3) They extend to England and Wales, Scotland and Northern Ireland.

(**a**) 2018 c. 16; section 8C was inserted by section 21 of the European Union (Withdrawal Agreement) Act 2020 (c. 1) and paragraph 21 of Schedule 7 was amended by paragraphs 38 and 53 of Schedule 5 to that Act.
(**b**) 2020 c. 27.
(**c**) Paragraph 8F of Schedule 7 was inserted by paragraph 51 of Schedule 5 to the European Union (Withdrawal Agreement) Act 2020 (c. 1).

Amendments of the European Union (Withdrawal) Act 2018

2.—(1) The European Union (Withdrawal) Act 2018 is amended as follows.

(2) In section 7A(5)—

(a) in paragraph (e), for "Protocol on Ireland/Northern Ireland" substitute "Windsor Framework";

(b) in paragraph (f), for "Ireland/Northern Ireland Protocol" substitute "Windsor Framework".

(3) In section 7C(2), in paragraph (c)—

(a) for "Protocol on Ireland/Northern Ireland" substitute "Windsor Framework";

(b) for "Protocol", the second time it occurs, substitute "Framework".

(4) In section 8C—

(a) in the heading, for "Ireland/Northern Ireland Protocol" substitute "Windsor Framework";

(b) in subsection (1)—

(i) in paragraph (a), for "Protocol on Ireland/Northern Ireland" substitute "Windsor Framework";

(ii) in paragraphs (b) and (c), for "Protocol", in each place it occurs, substitute "Framework";

(c) in subsection (5), for "Protocol" substitute "Windsor Framework";

(d) in subsection (5A)(c), in sub-paragraph (ii), for "Northern Ireland Protocol" substitute "Windsor Framework";

(e) in subsection (7)—

(i) for "Protocol on Ireland/Northern Ireland" substitute "Windsor Framework";

(ii) in paragraphs (a) and (b) and in the words after paragraph (b), for "Protocol", in each place it occurs, substitute "Framework".

(5) In section 10(3), for "Protocol on Ireland/Northern Ireland" substitute "Windsor Framework".

(6) Omit section 15C(**a**).

(7) In section 20(1), after the definition of "Wales" and "Welsh Zone" insert—

> ""Windsor Framework" means the part of the withdrawal agreement known as the Windsor Framework by virtue of Joint Declaration No. 1/2023 of 24 March 2023 made between the EU and the United Kingdom in the Joint Committee established by the withdrawal agreement;"

(8) In the table in section 21(1) after the entry for "Welsh Zone" insert—

"Windsor Framework	Section 20(1)"

(9) In Schedule 2, in Part 1C—

(a) for the heading of Part 1C, for "Protocol on Ireland/Northern Ireland" substitute "Windsor Framework";

(b) for the heading above paragraph 11M, for "Protocol on Ireland/Northern Ireland" substitute "Windsor Framework";

(c) in paragraph 11M—

(**a**) Section 15C was inserted by the European Union (Withdrawal Agreement) Act 2020 (c. 1), sections 35, 42(6)(c) (with section 38(3), Schedule 5, paragraph 66).

(i) in sub-paragraph (1)(a), for "Protocol on Ireland/Northern Ireland" substitute "Windsor Framework";

(ii) in sub-paragraphs (1)(b) and (1)(c), for "Protocol", in each place it occurs, substitute "Framework";

(iii) in sub-paragraph (2)(a), for "Protocol on Ireland/Northern Ireland" substitute "Windsor Framework";

(iv) in sub-paragraphs (2)(b), (2)(c) and (6), for "Protocol", in each place it occurs, substitute "Framework";

(v) in sub-paragraph (8)—

(aa) for "Protocol on Ireland/Northern Ireland" substitute "Windsor Framework";

(bb) in paragraphs (a) and (b) and in the words after paragraph (b), for "Protocol", in each place it occurs, substitute "Framework".

(10) In Schedule 4, in paragraph 1(1), for "Ireland/Northern Ireland Protocol" substitute "Windsor Framework".

(11) In Schedule 7, in the italic heading before paragraph 8F, for "Ireland/Northern Ireland Protocol" substitute "Windsor Framework".

Amendments of the Northern Ireland Act 1998

3.—(1) The Northern Ireland Act 1998(**a**) is amended as follows.

(2) In sections 6(2), 24(1), 69(10A) and 74(7), for "Protocol on Ireland/Northern Ireland", in each place those words occur, substitute "Windsor Framework".

(3) In sections 78A and 78B—

(a) in subsection (1), for "Protocol on Ireland/Northern Ireland" substitute "Windsor Framework";

(b) in subsection (9), for "Protocol" substitute "Windsor Framework".

(4) In section 78C(1) and 78D(1), for "Protocol on Ireland/Northern Ireland", in each place those words occur, substitute "Windsor Framework".

(5) In section 98(1) after the definition of "transferred matter" insert—

(6) In Schedule 6A (Democratic consent process)(**b**)—

(a) in paragraph 1—

(i) for "Protocol", in each place it occurs, substitute "Windsor Framework";

(ii) omit the definition of "Protocol";

(b) in paragraph 2(1), for "Protocol on Ireland/Northern Ireland" substitute "Windsor Framework";

(c) in paragraph 4(4)(b), for "Protocol" substitute "Windsor Framework";

(d) in the italic heading before paragraph 21, for "Protocol" substitute "Windsor Framework";

(e) in paragraph 21(2), for "Protocol" substitute "Windsor Framework".

(7) In Schedule 6B (Windsor Framework Democratic Scrutiny)(**c**)—

(a) in paragraph 1(6), omit—

(**a**) 1998 c. 47.
(**b**) Schedule 6A was inserted by S.I. 2020/1500, regulations 1(2) and 2(3).
(**c**) Schedule 6B was inserted by S.I. 2024/118, regulations 1(2) and Schedule.

(i) the definition of "Framework";

(ii) the definition of "Windsor Framework".

(b) in paragraph 3(1), insert "Windsor" before "Framework";

(c) in paragraph 8(3), for "five working days", substitute "ten working days";

(d) after paragraph 9(3), insert—

"(3A) For the purposes of sub-paragraph (3), a request for information under sub-paragraph (3) is not to be regarded as unreasonable solely on the ground that the Minister or Northern Ireland department does not have primary responsibility for the implementation or enforcement of the new EU act or replacement EU act.";

(e) in paragraph 10(1), for "fifteen working days", substitute "twelve working days";

(f) in paragraph 10(3), for "fifteen working days", substitute "twelve working days";

(g) in paragraphs 11(1), 14(1)(b), 15, 18(1), and 19(2), in each place that it occurs, insert "Windsor" before "Framework".

Minister for the Cabinet Office
Cabinet Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

Regulation 2(6) omits section 15C of the European Union (Withdrawal) Act 2018 to allow the United Kingdom co-chair to consent to the Joint Committee adopting decisions or recommendations by written procedure for the period in between meetings, provided for in Rule 9(1) of Annex VIII of the Withdrawal Agreement.

Regulation 3(7)(b) amends Schedule 6B to the Northern Ireland Act 1998 to change the number of days the Democratic Scrutiny Committee has to decide to hold an inquiry into a replacement EU act from five working days to ten working days.

Regulation 3(7)(c) clarifies the statutory obligation on Northern Ireland Ministers and departments to comply with reasonable information requests from the Democratic Scrutiny Committee.

Regulation 3(7)(d) and (e) amend Schedule 6B to the Northern Ireland Act 1998 to change the number of days the Democratic Scrutiny Committee has to publish a report of conclusions of an inquiry into a replacement EU act and publish evidence relevant to the inquiry from fifteen working days to twelve working days before the end of the scrutiny period.

The remaining provisions in Regulations 2 and 3 update references in the Northern Ireland Act 1998 and European Union (Withdrawal) Act 2018 to the Windsor Framework as per Joint Declaration No. 1/2023 of 24 March 2023 made between the EU and the United Kingdom in the Joint Committee established by the withdrawal agreement(**a**).

A full impact assessment has not been produced for this instrument. An explanatory memorandum has been published alongside this instrument at www.legislation.gov.uk.

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(**a**) https://assets.publishing.service.gov.uk/media/641d991a5155a200136ad62d/Joint_Declaration_by_the_United_Kingdom_of_Great_Britain_and_Northern_Ireland_and_the_European_Union_in_the_Withdrawal_Agreement_Joint_Committee_on_the_Windsor_Framework.pdf

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