

EUROPEAN UNION (WITHDRAWAL AGREEMENT) BILL – IMPACT ASSESSMENT

STATEMENT FROM THE REGULATORY POLICY COMMITTEE

7 JANUARY 2020

The independent Regulatory Policy Committee (RPC) issues opinions on the quality of departments' assessments of the potential impacts of regulatory proposals, and identifies areas where impact assessments could be improved. This helps to ensure that the evidence and analysis placed before decision-making bodies, including ministers and Parliament, is sufficient to support their deliberations.

The Department for Exiting the European Union produced an [impact assessment](#) (IA) to accompany the European Union (Withdrawal Agreement) Bill in October 2019. The RPC took the exceptional decision not to rate that IA (either 'fit for purpose' or 'not fit for purpose') in recognition of the unique circumstances (specifically, the very short time available, particularly in relation to the conclusion of the Ireland/Northern Ireland Protocol) that had prevented the Department from assessing the impacts more fully and robustly. Our [opinion](#) dated 21 October 2019 identified a number of areas where the IA could benefit from improved evidence, to the level that the RPC would normally expect to see. In particular, we identified a lack of quantification of the impact on businesses, including small and micro-businesses, of the regulatory requirements under the Ireland/Northern Ireland Protocol. We stated that, if significantly more time was available, we would expect the Department to expand the analysis and submit a revised IA for RPC scrutiny.

Following introduction of the revised European Union (Withdrawal Agreement) Bill to Parliament on 19 December 2019, the RPC published a statement on 20 December stating that the committee had not, at that stage, received a revised impact assessment for scrutiny and that we would review the position in the new year.

The Government have not revised the October IA to reflect either the comments in our October opinion or the changes made to the Bill at its re-introduction to Parliament in December. Our opinion, therefore, remains that the quality of evidence in the IA is not at the level that we would expect to see in a final stage IA. We remain open to further interaction with the Department.

Regulatory Policy Committee