



National Trust



NORTHERN IRELAND



Friends of the Earth Northern Ireland



Ulster Wildlife



Northern Ireland environment link



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The Rt Hon Chris Heaton-Harris, MP, Secretary of State for Northern Ireland
The Executive Office, Northern Ireland Executive
Edwin Poots, MLA, Minister of Agriculture, Environment and Rural Affairs
John O'Dowd, MLA, Minister of Infrastructure
Robin Swann, MLA, Minister of Health
Deirdre Hargey, MLA, Minister of Communities
Naomi Long, MLA, Minister of Justice
Gordon Lyons, MLA, Minister of Economy
Michelle McIlveen, MLA, Minister of Education
Connor Murphy, MLA, Minister of Finance

Cc'

Dr. Jayne Brady, Head of Northern Ireland Civil Service

30 September 2022

Dear Secretary of State and Ministers,

Retained EU Law (Revocation and Reform) Bill: Threats to the natural environment and public health across Northern Ireland

We are extremely concerned by the Retained EU Law (Reform and Revocation) Bill (REUL Bill) published by the UK Government (22nd September 2022), and the threat that it poses to environmental protections and public health across Northern Ireland.

The REUL Bill represents the single biggest modification of environmental law in Northern Ireland in recent history. This puts at risk hundreds of laws that are crucial not only to conserving, and restoring the natural environment, but to protecting public health, and creating a sustainable economy.

Northern Ireland is one of the most nature-depleted countries in the world, with 11% of species at risk of extinction. We are, therefore, alarmed at the UK Government's attack on nature that puts at risk vital laws to protect the environment.

In particular, we are concerned by:

The unprecedented scope of the bill: The UK Government's dashboard lists 570 pieces of retained environmental law – including the Habitats Regulations – that will be within the focus of the Bill's requirements. The UK Government has not clarified which of these instruments of REUL have devolved implications or cover devolved areas, and it remains unclear which laws made in Northern Ireland will also be within the scope of the bill.

The Extensive 'sun-setting' of retained EU law by 2023: The rushed 31st December 2023 sun-set date creates an unnecessary cliff-edge whereby vital standards and protections must be restated, replaced, or fall away from domestic law and no longer apply. Without specific action by Ministers to replace hundreds of laws, there is a real and unacceptable risk that environmental and public health laws that we, and society as a whole, have come to depend on will simply cease to exist after 2023. This hasty legislative timeline creates a huge burden of work for the NI Executive, and requirement for scrutiny by the NI Assembly and Committees, to save important legislative

provisions from being lost. This Bill and the work it will necessitate poses a very real risk to other departmental work, including the resource needed to develop Climate Action Plans.

The REUL Bill will create an extraordinary burden on departments and could derail wider policy and legislative work. The unnecessary risk of losing hundreds of essential standards and regulations is made all the more acute by the ongoing lack of functioning political institutions in Northern Ireland.

We would welcome clarification as to **what assessment your respective departments have made as to the impact of this Bill on your areas of competency**, and **what engagement you have had with respective departments in Westminster**.

This Bill will create significant uncertainty for the natural environment and public health, and we would, therefore **welcome the opportunity to meet with you and explore in greater detail the implications of the Bill**. Please contact John Martin (Head of Policy and Advocacy, RSPB NI, john.martin@rspb.org.uk) to organise further engagement.

Kind regards,

RSPB Northern Ireland: Joanne Sherwood

Asthma UK & British Lung Foundation: Joseph Carter, Head of Devolved Nations

Brexit & Environment: Dr. Viviane Gravey, co-Chair

Friends of the Earth: James Orr, Director for Northern Ireland

National Trust: Heather McLachlan, Director for Northern Ireland

Northern Ireland Environment Link: Craig McGuicken, Chief Executive

Ulster Wildlife: Jennifer Fulton, Chief Executive

Woodland Trust: Ian McCurley, Director for Northern Ireland