



Northern Ireland
Assembly

Research and Information Service Research Paper

20 November 2015

RaISe

European Commission Work Programme 2016

NIAR 647-15

This research paper identifies initiatives contained in European Commission's 2016 Work Programme which are of potential interest to statutory committees of the Northern Ireland Assembly, as part of their engagement with European issues.

BACKGROUND

1. In October 2012, the Committee for the Office of the first and deputy First Minister (COFMdFM), with the support of the Chairs' Liaison Group, agreed that a pilot project aimed at enhancing committees' scrutiny of European issues should be undertaken. The pilot project was designed to build on actions recommended in the 2010 COFMdFM 'Inquiry into Consideration of European Issues' and was based upon four elements:
 - Review of the European Commission's Work Programme;
 - Review of the NI Executive's response to the above;
 - The NI Executive European Priorities document and related implementation plan; and
 - NI Executive Programme for Government targets which have a European focus.
2. As part of the approach recommended in the COFMdFM inquiry report and developed through the pilot project, RaISe undertakes a review of the European Commission's Annual Work Programme, in order to identify those new initiatives and other actions which are of potential interest to committees. Annex A to this paper lists the initiatives and actions identified by RaISe from the 2016 Commission Work Programme and presents these broken down by departmental responsibility. In some cases, one initiative or action will be of interest to more than one committee.

EUROPEAN COMMISSION WORK PROGRAMME 2016¹

3. The European Commission's Annual Work Programme (CWP) is, in effect, the Commission's plan of action for the next twelve months. It is a key document, as the Commission alone has the 'right of initiative' within the European Union.
4. On 27 October 2015, the European Commission adopted its 2016 Work Programme. This is the second Work Programme of the 'Juncker Commission' and it reaffirms the commitment to the following ten political priorities, which were first set out in October 2014 by the then 'President Elect' Juncker:
 - A New Boost for Jobs, Growth and Investment
 - A Connected Digital Single Market
 - A Resilient Energy Union with a Forward-Looking Climate Change Policy
 - A Deeper and Fairer Internal Market with a Strengthened Industrial Base
 - A Deeper and Fairer Economic and Monetary Union
 - A Reasonable and Balanced Free Trade Agreement with the U.S.
 - An Area of Justice and Fundamental Rights Based on Mutual Trust
 - A New Policy on Migration

¹ The 2016 Work Programme and associated documents including annexes to it and previous work programmes can be accessed at the 'Commission at work' webpages http://ec.europa.eu/atwork/key-documents/index_en.htm (accessed 17/11/15)

- A Stronger Global Actor
- A Union of Democratic Change²

5. The 2016 CWP is titled 'No time for business as usual' and launching the CWP, the Commission highlighted the importance of new initiatives in delivering against the ten priorities set out above.

Delivering on our 10 Political Priorities through 23 Key Initiatives

This year's Work Programme will deliver substantive legislative proposals to follow up on the strategic programmes adopted in 2015. In the past year, we have set out our vision for Investment, the Digital Single Market, the Energy Union, the European Agenda on Security, the European Agenda on Migration, the Capital Markets Union, the Action Plan for Fair and Efficient Corporate Taxation, the new Trade Strategy and our most recent proposals to deepen and strengthen our Economic and Monetary Union. This Work Programme sets out the key initiatives we will take in the next twelve months to deliver on these commitments.

The new initiatives which the Commission will deliver in 2016 include:

- Initiatives on Better Migration Management, and proposals on Border Management
- Implementation of the Digital Single Market, Follow-up to the Single Market Strategy, a Space Strategy for Europe, and a European Defence Action Plan
- A Circular Economy, Next Steps for a Sustainable European Future, and legislation to implement the Energy Union
- A New Skills Agenda for Europe, a New Start for Working Parents, and a Pillar of Social Rights as part of a deepening of Economic and Monetary Union
- A Corporate Tax package and an Action Plan on VAT

Other key initiatives for 2016 will implement the European Security Agenda, follow up on the Trade and Investment Strategy and the Five Presidents' Report on Deepening Economic and Monetary Union, and provide the Commission's contribution to the Global Strategy on Foreign and Security Policy. The Commission will also present the mid-term review of the Multi-Annual Financial Framework and a strategy to better focus the budget on results.³

6. In addition to the new initiatives contained in the CWP, further annexes contain lists of: existing proposals that the Commission intends to withdraw or modify; simplification and regulatory burden reduction initiatives; and legislation that becomes applicable in 2016.
7. The UK Government's Foreign and Commonwealth Office (FCO) has prepared a European Memorandum⁴ (EM) to support the UK Parliament's scrutiny of the CWP. The EM outlines what the Government considers the most significant initiatives in the CWP to be and presents its initial views on these.
8. The FCO EM states that 'The Devolved Administrations have been consulted on and expressed an interest in the entirety of the CWP. We will continue to work closely with

² http://ec.europa.eu/priorities/docs/pg_en.pdf (accessed 29/01/15)

³ European Commission - Press release - Juncker Commission adopts second annual Work Programme: Maintaining focus and delivering on 10 priorities (Strasbourg, 27 October 2015)

http://europa.eu/rapid/press-release_IP-15-5923_en.htm (accessed 17/11/15)

⁴ Explanatory Memorandum on European Union Documents 13486/15+ ADD.1-6 COM(2015)610

<http://europeanmemoranda.cabinetoffice.gov.uk/memorandum/communication-from-the-commission-to-the-european-parliament-the-council-the-european-economic-social-committee-1446227533> (accessed 17/11/15)

the Devolved Administrations to coordinate the UK positions on specific initiatives outlined in the CWP as these are developed'.⁵ The EM notes that:

1.

The Northern Ireland Executive is interested in the **Circular Economy** and **Digital Single Markets strategy**, the **Internal Market Strategy** but also the **European Fund for Strategic Investment and the financing of projects**, including flexibility around cluster projects and the successful development and completion of the **Trans-European Transport Network (Ten-T)**; the implementation of the **Youth Employment Initiative** and proposals on guidance to better help long-term unemployed return to work; the work life balance of working families with a view to increasing women's participation in the labour market and the **Women on Boards Directive** to be adopted in 2016, to support the objectives of the NI Gender Equality Strategy; progress on items within the **Energy Union** strategy and proposals for the integrated strategy for energy union research, innovation and competitiveness, **EU US Free Trade Agreement (FTA)**, the implementation of the **European Agenda on Security**, a new migration policy, the **Better Regulation inter-institutional agreement and the Multi annual financial framework (MFF)**.⁶

9. The EM also addresses the interests of local government and states that:

The Local Government Associations across the UK have been consulted on this Explanatory Memorandum. Implementation of many of the measures outlined would ultimately fall to local councils, for whom this can sometimes constitute a heavy regulatory, financial and/or administrative burden at a time of budgetary and operational constraint, notwithstanding the benefits and opportunities that might accrue.⁷

10. The EM identifies a number of measures which the Convention of Scottish Local Authorities (COSLA) had noted as being of interest. There is, however, no specific reference to any input from the Northern Ireland Local Government Association (NILGA).⁸

11. Publication of the CWP provides an opportunity for governments and legislatures in Member States to identify potential subsidiarity concerns with emerging Commission proposals. The FCO EM, however, states that 'It is not possible to give a comprehensive view on subsidiarity implications at this stage, as this will depend on the detail of the individual proposals as they develop. More detail on subsidiarity will be provided in the EM on each legislative proposal as it is brought forward'.⁹

⁵ As above paragraph 47

⁶ As above paragraph 50

⁷ As above paragraph 51

⁸ As above paragraphs 51-52

⁹ As above paragraph 53

Annex A: New Initiatives, REFIT Actions, Priority Pending Proposals and Legislation becoming Applicable by Departmental Responsibility

European Commission Work Programme – Legislation that becomes applicable in 2016, with potential implications for DCAL

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
Directive 2013/53/EU of the European Parliament and of the Council of 20 November 2013 on recreational craft and personal watercraft and repealing Directive 94/25/EC	Environment, though this may have an implication for boat users and the wider recreational waterways sector which is over-seen by DCAL	Directive	The Directive lays down requirements for the design and manufacture of recreational watercraft, including aspects such as identification marks, construction, stability, fuel system installations and owner's documentation.	<p>While vehicle licensing and inspections fall within the remit of the Department of the Environment, this Directive, and the way in which it transposes into Northern Ireland legislation, may be of interest to boat users and the wider waterways sector.</p> <p>For example, will the stricter specifications set out within this Directive restrict the supply of recreational vessels in the short to medium term, and will vessel costs increase?</p> <p>The Directive is effective from 18 January 2016.</p>
Directive 2014/26/EU of the European Parliament and of the Council of 26 February 2014 on collective management of copyright and related rights and multi-territorial licensing of rights in musical works for online use in the internal market	While copyright legislation is not devolved, this may have an implication for the creative industries which are over-seen by DCAL	Directive	<p>The Directive forms part of the wider Digital Agenda for Europe, which seeks to improve the licensing of rights and the access to digital content.</p> <p>The Directive sets out the standards that collective management organisations must meet in relation to the rightholders whom they represent. For example, the Directive includes detailed requirements for the way in which rights revenues are collected and paid, how those funds are handled, and how deductions are made.</p>	<p>While copyright legislation is not devolved, the way in which this Directive transposes into UK legislation may be of interest to the CAL Committee in that, as the music industry develops in Northern Ireland, companies and practitioners in this jurisdiction may increasingly be looking to distribute products on a cross-border basis, so reforms which set out how copyright-related funds are to be collected and distributed may be of significance to them.</p> <p>In a wider sense, DCAL leads for the creative industries in Northern Ireland, and is responsible for the Strategic Action Plan on the Creative Industries and the Creative Industries Innovation Fund. Options for transposition of the Directive into UK legislation were consulted on by the UK Intellectual Property Office in April 2014.</p> <p>The UK must adopt the Directive by 10 April 2016.</p>

European Commission Work Programme – New Initiatives with implications for DFP

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
Corporate Tax Package	DFP	Legislative/Non Legislative	A set of measures to enhance transparency of the corporate tax system and fight tax avoidance.	<p>Relevant in light of CFP's consideration of the devolution of corporation tax powers to NI. May provide useful background information on international standards in relation to profit-shifting. The initiative proposes a staged approach to any reform and the introduction of a consolidated mandatory tax base. This would mean that corporation tax base i.e. that which is taxed, is made uniform throughout all member states.</p> <p>For further information on the potential devolution of corporation tax to Northern Ireland and an explanation of profit shifting: see PFSU paper NIAR 095-15 Corporation Tax Northern Ireland Bill: Key provisions and considerations. (Dated 12 March 2015).</p>

European Commission Work Programme – REFIT Actions with implications for DFP

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
Standard Procurement Document and Standard Forms for Public Procurement	DFP	Legislative	Reduction in red tape in relation to public procurement.	<p>This regulation updates the standard form used in submitting tenders for public contracts. This system allows one form to be used to avoid having to repeatedly file the same information for each tender submission.</p> <p>CFP may wish to consider whether they would like to have an input into the evaluation of this directive, given the Committee's remit to scrutinise the work of the Central Procurement Directorate (CPD).</p>

European Commission Work Programme – Legislation that will become applicable of interest to DoE

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
Driver hours / Tacographs	DoE	Legislative	<p>Regulation (EU) No 165/2014 on tachographs in road transport becomes applicable on 1 January 2016.</p> <p>This Regulation sets out obligations and requirements in relation to the construction, installation, use, testing and control of tachographs used in road transport.</p>	<p>The new Regulation is aimed at helping to tackle fraud by making the tachograph more resistant to tampering as well as allowing for easier enforcement. It also aims to reduce administrative burdens. Furthermore, it strengthens standards that workshops must meet in order to install, check, inspect and repair the tachograph. It extends some exemptions and national derogations set out in EU drivers' hours rules (Regulation (EC) 561/2006)</p> <p>DfT will be updating the legislative framework governing tachograph rules in Great Britain to reflect the new Regulation. DOE will be responsible for making the necessary legislative amendments for Northern Ireland. This will include making sure that the necessary powers for enforcement agencies or card issuing authorities are updated as necessary.</p> <p>In NI this is:</p> <ul style="list-style-type: none"> • The Passenger and Goods Vehicles (Recording Equipment) Regulations (Northern Ireland) 1996 (as amended); • Road Traffic (Fixed Penalty) Order (Northern Ireland) 2007 No.319; • The Road Traffic (Financial Penalty Deposit) (Appropriate Amount) Order (Northern Ireland) 2012 No. 18; • Road Traffic Offenders (Northern Ireland) Order 1996 No.1320; • The Community Drivers' Hours and Recording Equipment (exemptions and supplementary provisions) Regulations (Northern Ireland) 2009 No 91; • The Passenger and Goods Vehicles (Recording Equipment); • (Tachograph Card) Regulations (Northern

				<p>Ireland) 2007 No 36;</p> <ul style="list-style-type: none"> • The Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1989; and • The Road Traffic (Northern Ireland) Order 1995
Maritime Marine Framework	DoE	Legislative	<p>In July 2014, the European Parliament and the Council adopted Directive 2014/89/EU to create a common framework for maritime spatial planning in the European Union. In broad terms, the Directive places a legal requirement on Member States to develop and implement Maritime Spatial Plans (MSP) by 2021 at the latest. Ultimately, the Directive aims to establish ‘a framework for maritime spatial planning aimed at promoting the sustainable growth of maritime economies, the sustainable development of marine areas and the sustainable use of marine resources.’ Member States are required to bring into force the laws, regulations and administrative provisions necessary to comply with the Directive by 18 September 2016</p>	<p>The Northern Ireland Executive is legally responsible for implementation of European Directives within waters and for developing marine plans in both the inshore (0-12 nautical miles) and the offshore (12 nautical miles to its territorial boundary) under the Marine Act (Northern Ireland) 2013.</p> <p>This Act enabled the DoE to proceed with its preparation of Northern Ireland’s first Marine Plan; this is expected to be published for Public Consultation in early 2016.</p>
Packaging and Packaging Waste (Plastic Bag) Directive	DoE	Legislative	<p>Directive (EU) 2015/720 becomes applicable on 27 November 2016. It amends Directive 94/62/EC as regards reducing the consumption of lightweight plastic carrier bags. The purpose of this enable Directive is to enable Member States to reduce their use of lightweight plastic carrier bags.</p>	<p>Member States can choose the measures they find most appropriate, including charges, national reduction targets or a ban under certain conditions.</p> <p>The Carrier Bags Act (Northern Ireland) 2014 introduced a requirement for retailers in Northern Ireland to charge at least 5p for a new carrier bag. When the legislation was first introduced the levy applied to single use carrier bags. On 19 January 2015 changes were introduced and the levy now applies to all new carrier bags with a retail price below 20p regardless of whether they are single use or reusable and regardless of the material from</p>

				which they are made. This would appear to satisfy the any duties imposed by this Directive.
EU Airport Noise Regulation (EU) No 598/2014	DoE	Legislative	<p>The European Environment Agency's Report: 'Noise in Europe 2014' demonstrates that noise pollution constitutes a major environmental health problem in Europe. Regulation (EU) No 598/2014 therefore aims to improve the noise environment around EU airports in order to ensure greater compatibility between aviation activities and residential areas, in particular in the case of night flights. The rules are based on the principles of the Balanced approach to noise management agreed by the International Civil Aviation Organisation (ICAO), the United Nations' body dealing with international civil aviation.</p> <p>An operating restriction can take various forms, like setting a noise or a movement limit, introducing a non-addition rule (no additional movements or operations in general, or from a specific type of aircraft) or adopting a curfew for a period of night.</p>	<p>The new regulation is due to take effect on June 13, 2016. It will bring the EU in line with the International Civil Aviation Organization's 'balanced approach' to noise.</p> <p>This approach calls for cutting noise levels through the deployment of modern aircraft, land-use planning, quieter ground-control operations and restrictions on nighttime flying.</p> <p>Under current departmental arrangements both the DRD and DoE will have a role in implementing this Directive.</p>

European Commission Work Programme – Priority Pending Proposals with implications for DoE

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
Reduction of	DoE	Legislative	The Commission is seeking to introduce new measures to reduce	This proposal will see a revised National Emission Ceilings Directive with stricter national emission

national emissions (NEC) 'Clean Air Directive'			air pollution. The clean air policy package will update existing legislation to further reduce harmful emissions from industry, traffic, energy plants and agriculture, with a view to reducing their impact on human health and the environment.	ceilings. Although the UK Government leads on international and European legislation Air quality is a devolved matter, therefore this change any change here will require changes to local legislation.
--	--	--	---	---

European Commission Work Programme – REFIT Actions with implications for DoE

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
EU Nature Legislation	DoE	Evaluation follow up	Follow-up to the Fitness Check of Directive 2009/147/EEC on the conservation of wild birds, and Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora.	As part of its Regulatory Fitness and Performance Programme (REFIT), the European Commission is undertaking a Fitness Check of the EU nature legislation, the Birds Directive and the Habitats Directive ('the Nature Directives'). This involves a comprehensive assessment of whether the current regulatory framework is "fit for purpose". The Directives require Member States to take a variety of measures including the designation of protected areas for birds (Special Protection Areas) and for habitats and species of Community interest (Special Areas of Conservation), which together comprise the Natura 2000 network, and the adoption of strict systems of species protection. A report on the findings is expected by the end of 2015 or early 2016.

European Commission Work Programme – Repealed with implications for DoE

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
Standardized Reporting Directive (91/692/EEC)	DoE	Legislative	The purpose of this Directive is to rationalise and improve on a sectoral basis the provisions on the transmission of information and the publication of reports concerning certain Community Directives on the	As the decision on whether or not to repeal this Directive has yet to be made it has not been possible to analyse the impacts of any changes other than to say that the obligations around monitoring and reporting may change and relevant bodies should be aware of this and have plans in place to deal

			<p>protection of the environment.</p> <p>The Commission is currently reviewing the monitoring and reporting obligations for environmental policy as part of the Fitness Check including a possible proposal for its repeal.</p>	<p>with any changes to their responsibilities.</p> <p>The likelihood is that the Commission will issue a communication in 2016 that will set out the strategy and the ambition level of the Fitness Check of monitoring and reporting obligations in environment policy.</p>
Water Questionnaire	DoE	Legislative	<p>The purpose of this directive is to foster co-operation between Member States, with a view to harmonising monitoring procedures, where discharges also affect their waters.</p> <p>This repeal of this Directive is directly related to repeal of the Standardised Reporting Directive in 2016.</p> <p>In 2016 the Commission intends to prepare a Communication which sets out the strategy and the ambition level of the Fitness Check of monitoring and reporting obligations in environment policy and documents some early actions in this field, among other things the state of play of the Standardised Reporting Directive and related questionnaires, including a possible proposal for its repeal.</p>	See above
Regulation (EU) No 660/2014 Regulation (EC) No 1013/2006 on shipments of waste	DoE	Legislative	<p>Regulation (EU) No 660/2014 of 15 May 2014 strengthens the requirements for inspection of shipments of waste within the EU and between the EU and third countries. For this purpose, it amends Regulation (EC) No 1013/2006 of 14 June 2006 on shipments of waste. Thus, Member</p>	<p>Member states will be required to establish one or more inspection plans no later than 1 January 2017 (Article 50). These plans, drawn up for the entire geographical territory of the Member State, should be based on a risk assessment on waste streams and sources of illegal trafficking. Details concerning their content are also provided.</p> <p>The amendments to Article 50 of Regulation (EC)</p>

			<p>States must have established plans for inspections by 1 January 2017.</p>	<p>No 1013/2006 also concern the ways to conduct inspections of shipments, which include verification of documents, confirmation of the identity and, if appropriate, physical checking of the waste. These checks can be performed in particular:</p> <ul style="list-style-type: none"> (a) at the point of origin, carried out with the producer, holder or notifier; (b) at the point of destination, including interim and non-interim recovery or disposal, carried out with the consignee or the facility; (c) at the frontiers of the Union; and/or (d) during the shipment within the Union.
--	--	--	--	---

European Commission Work Programme – New Initiatives with implications for DARD

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
16. Follow-up to the Trade and Investment Strategy	DARD	Legislative / Non-legislative	Against the background of the Trade for All strategy for a more effective and transparent trade and investment policy based on values, the Commission will pursue the TTIP negotiations with the US, as well as make progress at WTO, engage strategically with Asia and ensure that EPAs are well implemented.	<p>The development of EU trade agreements has the real potential to open up new export markets for Northern Ireland agricultural produce, and in numerical terms the successful negotiation and implementation of TTIP alone is estimated to be worth an additional €119 billion a year to the EU economy.</p> <p>It should however be noted that there could also be potential risks for local agriculture in relation to the development of ongoing trade agreements. By way of example the following issues are currently concerning a number of EU stakeholders in relation to the TTIP deal:</p> <ul style="list-style-type: none"> • opening the EU market to lower animal welfare US beef and poultry which is cheaper to produce and may undercut EU producers; • efforts to make US/EU regulations more compatible could more adversely impact on EU agriculture – effectively the fear of harmonisation benefiting US producers – especially in areas such as food safety and environmental protection where EU producers have invested considerably; and • opening up an opportunity to US biotechnology firms to potentially unpick EU regulations around the cultivation and usage of GMOs.

European Commission Work Programme – REFIT Initiatives with implications for DARD

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
5. Targeted review of Commission Delegated Regulation (EU) No 639/2014 (Ecological Focus Areas)	DARD	Legislative	Revised delegated/implementing act following up to the Commission undertaking to evaluate the experience with the implementation of Ecological Focus Areas (EFA) in the Commission Delegated Regulation (EU) No 639/2014 after the first year of application. Part of the CAP simplification exercise.	<p>As part of the recently reformed CAP's all recipients have to adhere to components, collectively referred to as greening in order to receive their Basic Payment. The ecological focus area is one of these components and is a requirement for farms with more than 15ha of arable land and must constitute 5% (could rise to 7% in 2017) of the land.</p> <p>Farms where more than 75% of their agricultural land is permanent grassland OR where more than 75% of their arable land is grassland, lying fallow or used for the production of leguminous crops (when these three uses are added together) are exempt providing the remaining arable land does not exceed 30ha.</p> <p>The majority of farms within Northern Ireland are not affected by the EFA requirement on account of the predominance of permanent pasture/grassland. For those farmers affected however the scheme could be described as complex, largely due to the issue of what land features are eligible to make up the 5%.</p> <p>Within this context the concept of potential simplification of the EFA criteria would likely be attractive to both farmers and DARD, but the experience of previous attempts at simplification of the CAP tends to suggest that increased complexity rather than clarity could be the outcome.</p>
16. Occupational Health and Safety Legislation	DARD	Evaluation follow up/legislative	Follow-up to the REFIT Evaluation of Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and	The work of the local Health and Safety Executive in relation to farm safety has been prominent over recent years. Whilst there is no detail on what the terms of the evaluation are, there could potentially be impacts for the work of the HSENI as a result of

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
			health of workers at work and 23 related Directives with the aim of increasing its effectiveness and efficiency.	legislative changes that might emerge. Any additional or reduced health and safety requirements as a result of revised legislation could also potentially increase or reduce costs to local farm businesses
24. Pesticides: legislation covering Maximum Residue limit setting and placing on the market of plant protection products	DARD	Evaluation	The purpose is to launch an evaluation of Regulation (EC) No 1107/2009 and Regulation (EC) No 396/2005 and to fulfil Commission's obligation under Regulation (EC) No 1107/2009 (Article 82 and 62(5) and Regulation (EC) No 396/2005 (Article 47) including the preparation of reports to the European Parliament and the Council.	There is no indication as either the terms of reference or potential outcomes from these evaluations of Regulation 396/2005 and 1107/2009, and as such it is hard to assess if there will be any particular impacts on Northern Ireland agriculture at this time.

European Commission Work Programme – Priority pending proposals with implications for DARD

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
17. Genetically modified organisms (GMO)	DARD	Proposed regulation - legislative	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EC) No 1829/2003 as regards the possibility for the Member States to restrict or prohibit the use of genetically modified food and feed on their territory	<p>The EU legal framework on genetically modified food and feed does not allow Member States to express all of their individual concerns, in what is an area of high public interest. Within this context the proposal.</p> <p>The Commission has proposed amendments to Regulation 1829/2003 on genetically modified food and feed, in order to allow Member States to adopt national decisions restricting or prohibiting the use in food or feed of GMOs, after they have been authorised at EU level (opt-out measures).</p> <p>An amendment to the related Directive 2001/18/EC</p>

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
				<p>came into force earlier this year and allows Member States and Devolved Administrations to restrict or ban the cultivation of GM crops within their territory. In response to this change Environment Minister Durkan moved to ban the cultivation of genetically modified (GM) crops in Northern Ireland.</p> <p>Whilst DARD has no responsibility relating to the cultivation of GMOs, it does have responsibility for enforcement of European law governing seed certification and importation of animal feed. Any changes to Regulation 1829/2003 could enable DARD to theoretically restrict or prohibit the use of GM food and feed in Northern Ireland. The likelihood of this happening could be slim however given the reliance of many of our agri sectors, such as poultry, on imported GM soy and other feeds.</p>

European Commission Work Programme – List of envisaged repeals with implications for DARD

Policy Area	Relevant NI Department	Type of Initiative	Title and reasons for repeal	Explanation / Impact on Northern Ireland
1. Agriculture	DARD	Repeal	Horizontal action declaring the obsolescence of a number of defunct acts in relation to the Common Agricultural Policy The aim of this action is to formally declare that acts that have exhausted their effects are obsolete while they cannot be repealed for lack of a legal base	Lack of detail in terms of specific makes it hard to fully assess, but likely to have no adverse impact as new CAP regulations covering the 2014-20 period are now in force within Northern Ireland and as such deal with implementation of CAP here.
14. Maritime Affairs and	DARD	Repeal	Council Regulation (EU) No 1242/2012 of 18 December 2012	No impact on Northern Ireland as it is no longer in force and has been superseded

Policy Area	Relevant NI Department	Type of Initiative	Title and reasons for repeal	Explanation / Impact on Northern Ireland
Fisheries			fixing for the 2013 fishing year the guide prices and Union producer prices for certain fishery products pursuant to Regulation (EC) No 104/2000. The act lacks a sunset clause but it is de facto no longer in force because it refers to past action(s).	
15. Maritime Affairs and Fisheries	DARD	Repeal	Council Regulation (EC) No 645/2008 of 8 July 2008 opening and providing for the administration of autonomous Community tariff quotas on imports of certain fishery products into the Canary Islands. The act lacks a sunset clause but it is de facto no longer in force because it refers to past action(s). Has been replaced by Council Regulation (EU) No 1412/2013 of 17 December 2013 opening and providing for the administration of autonomous Union tariff quotas for imports of certain fishery products into the Canary Islands from 2014 to 2020.	No impact on Northern Ireland as it is no longer in force and related to the import of fishery products into the Canary islands
16. Maritime Affairs and Fisheries	DARD	Repeal	Council Regulation (EU) No 1388/2011 of 16 December 2011 fixing for the 2012 fishing year the guide prices and Union producer prices for certain fishery products pursuant to Regulation (EC) No 104/2000. The act lacks a sunset clause but it is de facto no longer in force because it refers to past action(s).	No impact on Northern Ireland as it is no longer in force and has been superseded
17. Maritime Affairs and Fisheries	DARD	Repeal	Council Regulation (EEC) No 110/76 of 19 January 1976 laying down general rules for granting	No impact on Northern Ireland as it is no longer in force and has been superseded

Policy Area	Relevant NI Department	Type of Initiative	Title and reasons for repeal	Explanation / Impact on Northern Ireland
			export refunds on fishery products and criteria for fixing the amount of such refunds. The act lacks a sunset clause but it is de facto no longer in force because it refers to past action(s).	
18. Maritime Affairs and Fisheries	DARD	Repeal	Council Regulation (EC) No 1299/2008 of 9 December 2008 fixing for the 2009 fishing year the guide prices and Community producer prices for certain fishery products pursuant to Regulation (EC) No 104/2000. The act lacks a sunset clause but it is de facto no longer in force because it refers to past action(s).	No impact on Northern Ireland as it is no longer in force and has been superseded
19. Maritime Affairs and Fisheries	DARD	Repeal	Council Regulation (EC) No 2326/2003 of 19 December 2003 fixing for the fishing year 2004 the guide prices and Community producer prices for certain fishery products pursuant to Regulation (EC) No 104/2000. The act lacks a sunset clause but it is de facto no longer in force because it refers to past action(s).	No impact on Northern Ireland as it is no longer in force and has been superseded

European Commission Work Programme – Legislation that becomes applicable in 2016 with implications for DARD

Policy Area	Relevant NI Department	Date of application	Title	Explanation / Impact on Northern Ireland
5. Agriculture and rural development	DARD	1 January 2016	Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural	Whilst the CMO Directive was adopted in 2013, there were a number of elements within it which were scheduled to come into force at various dates beyond 2013. Point II(3) of Part VII of Annex VII, which deals with the criteria that spreadable fat

Policy Area	Relevant NI Department	Date of application	Title	Explanation / Impact on Northern Ireland
			products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007	<p>products will need to meet in order to be labelled as reduced aft or light comes into force from 1 January 2016.</p> <p>The impacts of this change are difficult to fully assess but there may be some implications for the local dairy processing sector in relation to how they label some of their spreads/butter products.</p>
11. Agriculture and Rural Development	DARD	4 January 2016	Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs	<p>Regulation EU No 1151/2012 helps producers of agricultural products and foodstuffs to communicate and safeguard the product characteristics and farming attributes of certain products. There are essentially 3 categories that can be applied to foodstuffs as follows:</p> <ul style="list-style-type: none"> • Protected geographical indication; (PGI)/Protected designation of origin (PDO) • Traditional Specialities Guaranteed (TSGs); • Optional Quality Terms – including mountain product. <p>Northern Ireland currently has 3 PGI products as follows:</p> <ul style="list-style-type: none"> • Lough Neagh Eels; • Comber Potatoes; • Armagh Bramley apples. <p>Whilst the Directive was adopted in 2012, there were a number of elements within it which were scheduled to come into force at various dates beyond 2013. Article 12 (3) and Article 23(3) come into force on the 4th January 2015 and Article 12(3) could have implications for local producers of our 3 local PGI brands as it requires the presence of the PGI logo/symbol and the registered name of the product on labelling. It is unclear as to whether all</p>

Policy Area	Relevant NI Department	Date of application	Title	Explanation / Impact on Northern Ireland
				local producers of our 3 PGI products are aware of and will be compliant with this requirement.

European Commission Work Programme – New Initiatives with implications for DEL

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
New Skills Agenda for Europe	DEL	Legislative and non-legislative	The Agenda aims at promoting skills development, including the mutual recognition of qualifications, supporting vocational training and higher education and reaping the full potential of digital jobs. The New Skills Agenda is intended to promote life-long investment in people, from vocational training and higher education through to digital and high-tech expertise and the life skills needed for citizens' active engagement in changing workplaces and societies. Following a search of the available information it has not been possible at this time to identify what actions the Agenda will take.	What form the actions under the Agenda will take are not yet known. However, skills development is an important matter for the NI economy, especially in the area of vocational training (such as DEL's ongoing reform of Apprenticeships), Higher Education (particularly important following the launch of the 'Big Conversation'). Increased skills development in NI would help tackle a number of issues including the productivity gap. As such any actions arising from this agenda, especially if legislative, would be of importance to NI. The EU CWP was only adopted on the 27 October, with searches on the New Skills Agenda for Europe providing no additional information.
New Start for working parents	DEL	Legislative and non-legislative	A set of legislative and non-legislative measures to better address the challenges of work-life balance faced by working parents and support the participation of women in the labour market. The main reason behind the initiative is to address the low participation of women in the labour market by modernising and adapting the current EU legal and policy framework to today's labour market to allow for parents with children or those with dependent relatives to better balance caring and professional responsibilities. The Commission will first invite the Social Partners to assess the current directives on	In Northern Ireland the ratio of female to male median hourly earnings excluding overtime for all employees was 91.1% in 2014. Whilst the pay gap has been reducing in Northern Ireland over time it is worth noting that NI wages, generally, are lower than that of the UK. The latest Eurofound figures estimate the gender employment gap costs €325 billion to the EU, i.e. 2.5 % of EU GDP. The EU Commission states that reducing the pay gap and increasing the number of women in employment would benefit individuals (increasing women's economic independence and reducing their exposure to risk of poverty and social exclusion), employers (by the attraction and retention of workers with care responsibilities, reduction of absenteeism, increase in productivity of workers and reduction of skills mismatches) and the economy (boost of employment, of the better

			<p>Parental Leave, Fixed-term and Part-time Work to see if they can be updated. In parallel a public consultation will be part of the Commission's preparation process. In addition, the Women on Boards Directive should be adopted in 2016 and the Commission will continue its practical work to promote gender equality.</p>	<p>allocation of resources and of addressing demographic change as well as of the related productivity, competitiveness and growth increases). All of these would be of significant benefit to Northern Ireland.</p>
<p>Next steps for a sustainable European future</p>	<p>DEL, DETI</p>	<p>Non-Legislative</p>	<p>This initiative will set out a new approach to ensure Europe's economic growth and social and environmental sustainability beyond the 2020 timeframe, taking into account the Europe 2020 review and the internal and external implementation of the United Nations Sustainable Development Goals.</p>	<p>There is limited information on this non-legislative initiative at this time. However, as it involves ensuring economic growth with skills inevitably being closely tied to economic growth there may be a role for DEL in this area. However, as this initiative is still at an early stage of development it is not possible to state what the impact will be on NI.</p>
<p>Labour Mobility Package</p>	<p>DEL, DSD</p>	<p>Legislative and non-legislative</p>	<p>This initiative consists of: A Communication on labour mobility: this will be designed to support mobility across the EU; A targeted revision of the Directive on the posting of workers: The Posting of Workers Directive (Directive 96/71/EC) covers a wide range of issues such as maximum work periods and minimum rest periods, minimum paid annual leave, minimum rates of pay, equal treatment between men and women and the conditions of hiring out workers, in particular the supply of workers by temporary employment undertakings; and, The revision of Regulations on social security coordination: Based on previous CWP data, the purpose of the initiative is to increase the chances of</p>	<p>Labour mobility is a key aspect of EU integration. As NI shares a land border with another EU state and the communication is based on supporting mobility it may have an impact on the labour market here such as making it easier for both residents and those who wish to work in NI and to what extent it will impact is not known at this stage. As the only UK region to share a land border with another EU State the Posting of Workers Directive may have some additional impact in NI. To what extent, however, is not known at this stage. The Coordination of social security systems in the European Union has been a feature since 1971. However, over time changes have been made to Member States Social Security Systems and a number of court judgments have established precedent in the area. As this is a revision to existing systems the impact here could be expected to be minor. However, until more information is available on what form the revision will take, it is not possible to state what the impact will be with</p>

			jobseekers to reintegrate in the labour market and ensure that mobility does not have a negative impact on their social security rights, namely long-term care and unemployment guarantee.	accuracy.
Follow-up to Single Market Strategy	DEL, DETI	Legislative and non-legislative	The Single Market Strategy will be taken forward through a number of proposals. Of note to DEL are the initiatives on the regulation of professions. A regulated profession is when access to it and exercise of it is subject to the possession of a specific professional qualification. In the 2015 Work Programme the Commission took steps to increase the cross-border mobility of professions, with a number of professions initially added to a database which included equivalencies in different jurisdictions.	<p>On the 28 October 2015 the European Commission published “Upgrading the Single Market: more opportunities for people and business”, which seeks to develop targeted actions in three key areas:</p> <ul style="list-style-type: none"> - creating opportunities for consumers, professionals and businesses; - encouraging and enabling the modernisation and innovation that Europe needs; and, - ensuring practical delivery that benefits consumers and businesses in their daily lives. <p>Included within this are actions targeted at the Regulated Professions with the Commission will proposing specific actions to improve access to, and the exercise of, regulated professions at national level and across the EU. These actions will identify concrete reform needs for specific Member States.²⁵ This exercise will consider all issues relating to access to and the exercise of regulated professions. As these actions do not appear to have been published yet, it is not possible to state what the impact will be on NI.</p>
Pillar of Social Rights	DEL	Legislative and non-legislative	The initiative will address gaps in existing legislation and identify common principles and reference benchmarks with a view to a greater convergence of employment and social performance over time. The Commission will pursue two complementary work strands: firstly, modernising and addressing the gaps in existing social policy legislation to take account of today's	This initiative is still at a very early stage of development. As such it is not possible to state what the impact will be on Northern Ireland.

			work environment and to ensure that new models of work maintain a fair balance in the relationship between employers and workers; and secondly, identifying social benchmarks, notably as concerns the flexicurity concept, built on best practices in the Member States with a view to upwards convergence, in particular in the euro area, as regards the functioning of the labour market, skills and social protection.	
--	--	--	---	--

European Commission Work Programme – REFIT Actions with implications for DEL

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
Seafarers (Directive 2008/106/EC and Directive 2005/45/EC)	DEL and DARD	Evaluation	Directive 32008/106/EC sets minimum standards of training, certification and watch keeping for seafarers serving on board Community vessels. Directive 2005/45/EC covers the mutual recognition of seafarers' certificates issued by the Member States (amending Directive 2001/25/EC).	Yet to undergo evaluation and as such there is no information on what scope the REFIT may have - as such it is not possible to identify what the impact may be.
Written Statement Directive 91/533/EC	DEL	Evaluation	Council Directive 91/533/EC of 14 October 1991 on an employer's obligation to inform employees of the conditions applicable to the contract or employment relationship.	Yet to undergo evaluation and as such there is no information on what scope the REFIT may have - as such it is not possible to identify what the impact may be.

European Commission Work Programme – Priority Pending Proposals with implications for DEL

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
Integration of long-term unemployed	DEL, DSD	Recommendation	Proposal for a Council Recommendation on the integration of the long-term unemployed into the labour market. The proposal for a Council recommendation presented today foresees that all jobseekers who have been jobless for more than 12 months receive an individual assessment and that they receive a job integration agreement, offering them a concrete and personalised plan back to work before reaching 18 months of unemployment.	Northern Ireland has a large percentage of long-term unemployed. In September 2015 NI had a long-term unemployment rate of 58%, an increase of 6.1 percentage points over the previous year. As such interventions which support NI in tackling this issue will be of benefit.
EURES (European network of Employment Services)	DEL	Regulation	Proposal for a Regulation of the European Parliament and of the Council on a European network of Employment Services, workers access to mobility services and the further integration of labour markets.	EURES has been undergoing reform over the last number of years, with the EU wanting to reform the European network of employment services to provide better job search and recruitment services across Europe. The aim of this is to boost much-needed intra-EU labour mobility. It may have some impact in NI in terms of increasing access to job opportunities across Europe.
Women on Boards	DEL, OFMDFM, DETI	Directive	Proposal for a Directive of the European Parliament and Council on improving the gender balance among non-executive directors of companies listed on stock exchanges and related measures.	The intention of this Directive is to accelerate progress towards a better gender balance on the corporate boards of European companies. In 2012 women represented 18.8% of the board members of the largest publicly listed companies in the UK, with around 950 listed companies in the UK (2011 figures). As stated by the European Commission: <i>Having more women in top jobs can contribute to a more productive and innovative working environment and improved company performance overall. This is mainly due to a more diverse and</i>

				<i>collective mind-set which incorporates a wider range of perspectives and therefore reaches more balanced decisions. In addition, women account for 60% of new university graduates but only few make it to the top of companies.</i>
European Platform on undeclared work	DEL, DSD	Decision	Proposal for a Decision of the European Parliament and of the Council on establishing a European Platform to enhance cooperation in the prevention and deterrence of undeclared work.	Cracking down on undeclared work could have a number of impacts, including in dealing with benefit fraud and potentially increasing tax revenues. It may also help in areas such as illegal immigration.

European Commission Work Programme – Legislation that becomes applicable in 2016 with implications for DEL

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
Directive 2014/54 EU of the European Parliament and of the Council of 16 April 2014 on measures facilitating the exercise of rights conferred on workers in the context of freedom of movement for workers.	DEL	Directive	The free movement of workers is a fundamental freedom of Union citizens and one of the pillars of the internal market in the Union enshrined in Article 45 of the Treaty on the Functioning of the European Union (TFEU). It is an essential part of the free movement of labour across the EU, contributing to both economic and individual development. This Directive establishes a general common framework of appropriate provisions, measures and mechanisms necessary for the better and more uniform application and enforcement in practice of the rights relating to free movement of workers. It covers areas such as access to employment, conditions of employment and access to	The Directive does not create any new rights. As stated by HM Government: " <i>These rights are already enforceable in the UK before the national courts and the Government considers the likely impacts of the Directive to be minor in practice.</i> " The Government goes on to state that the Directive would not significantly affect the balance of competence.

			<p>training and housing. Deloitte found that the Directive requires Member States to ensure:</p> <ul style="list-style-type: none"> - One or more bodies at national level will provide support and legal assistance to EU migrant workers with the enforcement of their rights; - Legal protection of rights (including for example protection from victimisation for EU migrant workers who seek to enforce their rights); and, - Easily accessible information in more than one EU language on the rights enjoyed by EU migrant workers and jobseekers. 	
<p>Directive 2014/67/EU of the European Parliament and of the Council of 15 May 2014 on the enforcement of Directive 96/71/EC concerning the postings of workers in the framework of the provision of services and amending Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System ('the IMI Regulation').</p>	DEL	Directive	<p>The freedom to provide services across the EU was enshrined in the TFEU. As part of this companies may post their own workers temporarily in order to provide those services. Directive 96/71/EC establishes a core set of clearly defined terms and conditions of employment which are required to be complied with by the service provider in the Member State to which the posting takes place to ensure the minimum protection of the posted workers concerned. The objective of Directive 2014/67/EU is to establish a common framework of a set of appropriate provisions, measures and control mechanisms necessary for better and more uniform implementation, application and enforcement in the practice of Directive 96/71/EC. The UK consultation on the Directive closed</p>	<p>The Department for Employment and Learning in NI has worked closely with the Department for Business, Innovation and Skills (BIS) in GB and with the Health and Safety Executive for Northern Ireland, in considering how best to implement this Directive. BIS is currently analysing feedback.</p>

<p>Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers.</p>	<p>DEL, OFMDFM</p>	<p>Directive</p>	<p>on the 24 September 2015. This Directive applies to third-country nationals who reside outside the territory of the Member States and who apply to be admitted, or who have been admitted under the terms of this Directive, to the territory of a Member State for the purpose of employment as seasonal workers. The Directive introduces a number of conditions on Member States in which people access seasonal work in the EU, including: Each EU country must draw up a list of sectors that are dependent on seasonal conditions (for example, summer tourism and harvesting of certain crops). They must submit this list to the European Commission; To be admitted to work in the EU, workers must ensure their permit applications include a work contract or a binding job offer specifying pay, working hours and other conditions. Evidence of adequate lodging is also needed; EU countries must fix a maximum stay for seasonal workers of between 5 and 9 months in any 12-month period; and Seasonal workers have the right to equal treatment with nationals of the host country as regards terms of employment, such as the minimum working age, working conditions (such as pay and dismissal, working hours, leave and holidays) and health and safety regulations.</p>	<p>The UK has opted out from the Directive. As such, it is not applicable here in Northern Ireland. No reason has been identified as to why the UK opted out.</p>
---	--------------------	------------------	---	---

European Commission Work Programme – Legislation that will become applicable of interest to DRD

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
New Public Procurement by entities operating in the water, energy, transport and postal services sectors	DRD	Legislative	There are three new Directives becoming applicable in April 2016: a) Directive 2014/24/EU on public procurement, replacing the 2004 Directive for Public Sector Contracts; b) Directive 2014/25/E on procurement by entities operating in the water, energy, transport and postal services sectors, replacing the 2004 Directive for Utilities Contracts; c) Directive 2014/23/EU on the award of concession contracts. The UK has until 17 April 2016 to implement the new directives in national legislation.	DRD may be concerned with Directive 2014/25/EU as it directly (through Transport NI) and indirectly (NI Water) is responsible for Transport and Water and Sewerage Services respectively.
EU Airport Noise Regulation (EU) No 598/2014	DoE / DRD	Legislative	The European Environment Agency's Report: 'Noise in Europe 2014' demonstrates that noise pollution constitutes a major environmental health problem in Europe. Regulation (EU) No 598/2014 therefore aims to improve the noise environment around EU airports in order to ensure greater compatibility between aviation activities and residential areas, in particular in the case of night flights. The rules are based on the principles of the Balanced approach to noise management agreed by the International Civil Aviation Organisation (ICAO), the United Nations' body dealing with international civil aviation.	The new regulation is due to take effect on June 13, 2016. It will bring the EU in line with the International Civil Aviation Organization's 'balanced approach' to noise. This approach calls for cutting noise levels through the deployment of modern aircraft, land-use planning, quieter ground-control operations and restrictions on nighttime flying. Under current departmental arrangements both the DRD and DoE will have a role in implementing this Directive.

			<p>An operating restriction can take various forms, like setting a noise or a movement limit, introducing a non-addition rule (no additional movements or operations in general, or from a specific type of aircraft) or adopting a curfew for a period of night.</p>	
--	--	--	---	--

European Commission Work Programme – New Initiatives with implications for DRD

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
Multiannual Financial Framework	DRD	Legislative / Non-legislative Budget/funding	<p>The multiannual financial framework is the budget for the European Union over the period 2014-2020. Part of this is the ‘Connecting Europe’ Transport Budget which is intended to help to realise the completion of the core network; this consists of nine major corridors that link the Europe’s single market. And the comprehensive network.</p>	<p>The MFF includes the Connecting Europe Facility (CEF). This has a budget of €26 billion for transport related projects until 2020.</p> <p>The TEN-T Guidelines identify a European “Comprehensive network” and, based on this, a “Core network” of strategically important infrastructure. Within Northern Ireland the core network consists of:</p> <ul style="list-style-type: none"> • The road axis from Larne – Belfast (A8) – Newry (A1) • The rail axis from Belfast – Newry; and • Belfast Port <p>The comprehensive network extends to the Belfast to L/Derry rail line.</p> <p>Given funding is prioritised on the core network it will be of particular importance to Northern Ireland to find innovative ways to tap into what is effectively the largest pot of funding ever put forward by the EU for transport related projects.</p>

European Commission Work Programme – Priority Pending Proposals with implications for DRD

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
Proposal for a regulation establishing a framework on market access to port services and financial transparency of ports	DRD	Legislative	<p>With this proposal the EC seeks to resolve a number of issues around ports in the EU. First, there is the fact that today not all TEN-T ports are offering the same high-level service. Second, the current port governance framework is not in all cases attractive enough for investors. This together relates to five specific challenges:</p> <ul style="list-style-type: none"> • many of the port services are subject to a weak competitive pressure due to market access restrictions; • monopolistic or oligopolistic, although justified in a number of situations, may lead to market abuses; • in some ports users are faced with too much administrative burden due to a lack of coordination within ports; • Unclear financial relations between public authorities, port authorities and port services providers; and • The weak autonomy of ports to define infrastructure charges and non-transparent links with the costs related to access infrastructure of ports. 	<p>The proposal applies to all the ports of the TEN-T of which Northern Ireland has three:</p> <ul style="list-style-type: none"> • 1 x Core node in Belfast • 2 x Comprehensive nodes in Derry and Warrenpoint.

European Commission Work Programme – REFIT Actions with implications for DRD

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
EU Maritime Legislation	DRD	Evaluation	<p>The EU legislation on Passenger Ship Safety has been put in place over a period of 15 years mainly in response to accidents. This has resulted in a set of Directives driven and shaped by the circumstances in which they were drafted. Although they serve the same overall purpose, i.e. to ensure a common, high level of passenger ship safety, they do not create a fully coherent framework. Each Directive has a different scope and applies to different types of ships and voyages. More importantly, the past decade has brought about technological development that rendered some of the existing provisions outdated and unnecessarily burdensome.</p> <p>As part of its Regulatory Fitness and Performance Programme (REFIT), the European Commission, together with the European Maritime Safety Agency (EMSA), national administrations and an external contractor, has therefore undertaken a more systematic and comprehensive fitness check of the legislative framework in place.</p>	<p>The safety of passenger ships in the EU is regulated at three levels:</p> <ul style="list-style-type: none"> • International; • EU; and • National. <p>The EU passenger ship safety legislation has been set in place to address potential safety risks caused by the fact that the international standards do not apply to domestic voyages or that they are insufficient. It addresses the difficulties in search and rescue of passengers of ships in distress, aims at achieving a common safety level and ensures that the safety standards are correctly applied.</p> <p>For ships engaged in international voyages (i.e. including between two EU Member States), international conventions and certain EU rules apply.</p> <p>For ships engaged in domestic voyages (i.e. between ports of the same Member State), EU and national rules apply.</p> <p>While this issue is dealt with nationally (i.e. it is a reserved matter) the DRD may have an interest given its role overseeing the Harbour Authorities in NI.</p>

European Commission Work Programme – Withdrawal or modification with implications for DRD

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
<p>Proposal for a regulation amending Regulation (EC) No 91/2003 on rail transport statistics,</p>	<p>DRD</p>	<p>Legislative</p>	<p>The aim of this proposal is to amend Regulation (EC) No 91/2003 on rail transport statistics, in order to update, simplify and optimise the existing legal framework for European statistics on rail transport and to align it with the new institutional context. Main changes are: to delete the annex on accidents, as data are collected by the European Rail Agency as well, to delete the concept of simplified and provisional reporting, to improve the timeliness for passenger data collection and to adapt (lower) the thresholds so that small countries will not lose an important part of their data.</p> <p>If not agreed in six months, the proposal should be withdrawn.</p>	<p>Transport statistics are compiled by DRD including those for rail.</p> <p>If this proposal does proceed there may be a very small impact, particularly given the paucity of rail travel/infrastructure, in N Ireland.</p>

European Commission Work Programme – REFIT Actions with implications for DHSSPS

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
17. Food Legislation	DHSSPS	Evaluation follow up	<p>Follow-up to the Fitness Check on the General Food Law.</p> <p>Regulation (EC) 178/2002 (General Food Law) sets out the general principles and requirements of food law and lays down procedures in matters of food safety. The Regulation applies to all stages of production, processing and distribution of food and feed. It ensures a high level of protection of human life and consumers' interests in relation to food and its traceability.</p>	<p>A series of food incidents and scares (such as mad cow disease or BSE) in the late 1990s drew attention to the need to establish general principles and requirements concerning food and feed law at European Union level.</p> <p>Regulation (EC) 178/2002 was adopted in 2002. Since its adoption, it has not undergone a comprehensive evaluation. In 2013, the Commission decided to carry out a Fitness Check in order to evaluate whether legislation in this area is 'fit for purpose'.</p> <p>It is difficult to assess the impact on Northern Ireland until the outcome of the evaluation follow up is known. However, the Committee may wish to find out whether the Department has had any input into the evaluation follow-up.</p>
20. Nutrition and Health Claims made on Food	DHSSPS	Evaluation / Legislative	<p>The purpose of this evaluation is to assess whether the current requirements for nutrient profiles and claims made on botanicals are fit-for-purpose.</p> <p>Regulation (EC) No 1924/2006 on nutrition and health claims made on foods regulates the use of health claims in advertising, presentation and labelling of foods/food supplements used by food business operators.</p>	<p>The evaluation will only cover nutrient profiles and health claims on plants and their preparations.</p> <p>A public Register of Nutrition and Health claims (such as "low in fat") exist as a source of reference for consumers and food business operators.</p> <p>Classification concerning botanicals as food supplement, or medicinal product depends on the specific conditions of use for each product and their effect (therapeutic or a physiological). Use of botanicals and derived preparations in food has to comply with the general requirements set out in the Regulation of food law.</p> <p>This evaluation may provide an opportunity to</p>

				<p>reinforce nutrient policies in the UK for example, on advertising foods high in sugar, fat and salt - especially in relation to children.</p> <p>The Committee may wish to establish whether the Department has had any input into to this evaluation. Any changes to the EU legislation are likely to have an impact upon NI.</p>
--	--	--	--	---

European Commission Work Programme – New Initiatives with implications for DSD

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
Labour Market Mobility Package	DEL/DSD/ OFMdfM	Legislative and non-legislative	This initiative consists of: A Communication on labour mobility : this will be designed to support mobility across the EU; A targeted revision of the Directive on the posting of workers : The Posting of Workers Directive (Directive 96/71/EC) covers a wide range of issues such as maximum work periods and minimum rest periods, minimum paid annual leave, minimum rates of pay, equal treatment between men and women and the conditions of hiring out workers, in particular the supply of workers by temporary employment undertakings; and, The revision of Regulations on social security coordination : Based on previous CWP data, the purpose of the initiative is to increase the chances of jobseekers to reintegrate in the labour market and ensure that mobility does not have a negative impact on their social security rights, namely long-term care and unemployment guarantee.	The revision of regulations on social security co-ordination will be of most interest to the Committee for Social Development. Labour mobility is a key aspect of EU integration. As NI shares a land border with another EU state and the communication is based on supporting mobility it may have an impact on the labour market here such as making it easier for both residents and those who wish to work in NI and to what extent it will impact is not known at this stage. As the only UK region to share a land border with another EU State the Posting of Workers Directive may have some additional impact in NI. To what extent, however, is not known at this stage. The Coordination of social security systems in the European Union has been a feature since 1971. However, over time changes have been made to Member States Social Security Systems and a number of court judgments have established precedent in the area. As this is a revision to existing systems the impact here could be expected to be minor. However, until more information is available on what form the revision will take, it is not possible to state what the impact will be with accuracy.
New Start for Working Parents	DEL (but should be of interest to DSD)	Legislative and non-legislative	A set of legislative and non-legislative measures to better address the challenges of work-life balance faced by working parents and support the participation of women in the labour market. The main reason behind the initiative is to address the low participation of	Primarily an issue for the Department for Employment and Learning but of note to the Department for Social Development given its role in state pensions; financial support for carers via the social security system; and the alleviation of social deprivation.

			women in the labour market by modernising and adapting the current EU legal and policy framework to today's labour market to allow for parents with children or those with dependent relatives to better balance caring and professional responsibilities. The Commission will first invite the Social Partners to assess the current directives on Parental Leave, Fixed-term and Part-time Work to see if they can be updated. In parallel a public consultation will be part of the Commission's preparation process.	
Energy Union Package	DETI (but of note to DSD)	Legislative and Non-legislative	Following up on the Framework Strategy, the Package is composed of: legislative proposals on electricity market design and the regulatory framework, including the review of the Agency for the Cooperation of Energy Regulators (ACER), and the revision of the Regulation on security of electricity supply; the revision of the Regulation on security of gas supply and the revision of the Decision on inter-governmental agreements; a renewable energy package (REFIT), including sustainability criteria for biomass, and an energy efficiency package, including energy efficiency for buildings (REFIT).	Primarily a matter for DETI. But may be of note to DSD in terms of its role in tackling fuel poverty including the promotion of housing energy efficiency measures. There is as yet relatively little published information on the energy efficiency measures in the Energy Union Package.
Pillar of Social Rights	DEL (could have some relevance to DSD)	Legislative and non-legislative	The initiative will address gaps in existing legislation and identify common principles and reference benchmarks with a view to a greater convergence of employment and social performance over time. The Commission will pursue two	This initiative is still at a very early stage of development. As such it is not possible to state what the impact will be on Northern Ireland. Could potentially be of relevance to DSD given that social protection (social security) is a devolved matter, however, it is not clear at this stage given the lack of information on this initiative.

			<p>complementary work strands: firstly, modernising and addressing the gaps in existing social policy legislation to take account of today's work environment and to ensure that new models of work maintain a fair balance in the relationship between employers and workers; and secondly, identifying social benchmarks, notably as concerns the flexicurity concept, built on best practices in the Member States with a view to upwards convergence, in particular in the euro area, as regards the functioning of the labour market, skills and social protection.</p>	
--	--	--	--	--

European Work Commission Programme - REFIT Actions with implications for DSD

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
Judgments in matrimonial matters and matters of parental responsibility (Brussels IIa)	Justice (but may have relevance to DSD)	Legislative	This initiative follows up on an assessment of the application of Regulation (EC) No 2201/2003 on jurisdiction, recognition and enforcement of judgments in matrimonial matters and matters of parental responsibility.	May be of relevance to DSD given its role in Child Benefit, other child-related benefits and payments; and Child Maintenance.

European Commission Work Programme – Priority Pending Proposals with implications for DSD

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
Integration of long-term unemployed	DEL, DSD	Recommendation	Proposal for a Council Recommendation on the integration of the long-term unemployed into the labour market . The proposal for a Council recommendation presented today foresees that all jobseekers who have been jobless for more than 12 months receive an individual assessment and that they receive a job integration agreement, offering them a concrete and personalised plan back to work before reaching 18 months of unemployment.	Northern Ireland has a large percentage of long-term unemployed. In September 2015 NI had a long-term unemployment rate of 58%, an increase of 6.1 percentage points over the previous year. As such interventions which support NI in tackling this issue will be of benefit. With be of relevance to DSD given that social security including employment and unemployment-related benefits are a devolved matter.
European Platform on undeclared work	DEL/DSD	Decision	Proposal for a Decision of the European Parliament and of the Council on establishing a European Platform to enhance cooperation in the prevention and deterrence of undeclared work.	Addressing the issue of undeclared work could have a number of impacts, including in dealing with benefit fraud and potentially increasing tax revenues. It may also address areas such as illegal immigration. Is primarily of interest to DSD in terms of tackling benefit fraud.

European Commission Work Programme – Legislation that becomes applicable in 2016 with implications for DSD

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
Free Movement of Workers Directive 2014/54 EU of the European	DEL/DSD	Directive	The free movement of workers is a fundamental freedom of Union citizens and one of the pillars of the internal market in the Union enshrined in Article 45 of the Treaty on the Functioning of the European	The Directive does not create any new rights. As stated by HM Government: " <i>These rights are already enforceable in the UK before the national courts and the Government considers the likely impacts of the Directive to be minor in practice.</i> " The Government goes on to state that the Directive

<p>Parliament and of the Council of 16 April 2014 on measures facilitating the exercise of rights conferred on workers in the context of freedom of movement for workers.</p>		<p>Union (TFEU). It is an essential part of the free movement of labour across the EU, contributing to both economic and individual development. This Directive establishes a general common framework of appropriate provisions, measures and mechanisms necessary for the better and more uniform application and enforcement in practice of the rights relating to free movement of workers. It covers areas such as access to employment, conditions of employment and access to training and housing. Deloitte found that the Directive requires Member States to ensure:</p> <ul style="list-style-type: none"> - One or more bodies at national level will provide support and legal assistance to EU migrant workers with the enforcement of their rights; - Legal protection of rights (including for example protection from victimisation for EU migrant workers who seek to enforce their rights); <p>and,</p> <ul style="list-style-type: none"> - Easily accessible information in more than one EU language on the rights enjoyed by EU migrant workers and jobseekers. 	<p>would not significantly affect the balance of competence. Will be of relevance to DSD given that social security and housing are devolved matters.</p>
---	--	--	---

European Commission Work Programme – New Initiatives with implications for OFMdFM

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
1. New Skills Agenda for Europe	OFMdFM/ DEL	Legislative / Non- legislative	The Agenda aims at promoting skills development, including the mutual recognition of qualifications, supporting vocational training and higher education and reaping the full potential of digital jobs.	The lack of mutual recognition of qualifications is one of the equality-related issues impeding integration of migrants and their participation in the workforce at an appropriate level. This has relevance for the impending Racial Equality Strategy, participation' being one of the shared aims of the draft strategy.
2. New start for working parents	OFMdFM/ DEL/ DSD	Legislative / Non- legislative	A set of legislative and non-legislative measures to better address the challenges of work-life balance faced by working parents and support the participation of women in the labour market	Work-life balance is one of the key action areas of the Gender Equality Strategy to counter the imbalance in participation in the formal labour market by women and men.
8. Labour Mobility Package	OFMdFM/ DEL/ DSD	Legislative / Non- legislative	This initiative consists of a Communication on labour mobility, a targeted revision of the Directive on the posting of workers, and the revision of Regulations on social security coordination.	This initiative follows a review of the posting of workers directive, EURES and social security coordination in the previous work programme. It may have an indirect impact on integration, relevant to the impending Racial Equality Strategy.
18. Better Migration Management	OFMdFM	Legislative / Non- legislative	The initiative has two dimensions: 1) legal migration: a Communication and further legislative measures including extension of the Blue Card approach; 2) asylum and refugees: a proposal for a structured system on resettlement of refugees and revision of the Dublin system on asylum.	Immigration matters are not devolved and the UK has so far opted out of the EU refugee dispersal proposals, preferring to take refugees directly through the UNHCR, some of whom are expected to be resettled in Northern Ireland. However, elements of the initiative may have an indirect impact on integration of migrant workers in Northern Ireland. In addition, UK future participation in some form of EU system cannot be ruled out.

European Commission Work Programme – Priority pending proposals with implications for OFMdFM

Title	Relevant NI Department	Description of scope of objectives	Explanation / Impact on Northern Ireland
3. Women on Boards	OFMdFM/ DETI	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on improving the gender balance among non-executive directors of companies listed on stock exchanges and related measures.	The Commission proposed a Directive for increasing the numbers of women on company boards in 2012. The UK Government has resisted the introduction of quotas, but has supported voluntary targets under the Women on Boards initiative led by Lord Davies of Abersoch. A 2015 study of the boards of the top 100 companies in Northern Ireland indicated that 15% of directors were women ¹⁰ . The equal participation of women in economic life is one of the strategic objectives of the Gender Equality Strategy.
10. Data Protection Reform	OFMdFM	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the protection of individuals with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation). Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the protection of individuals with regard to the processing of personal data by competent authorities for the purposes of prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and the free movement of such data.	The UK's data protection legislation is based on the 1995 EU data protection Directive. A review of this Directive in 2012 has produced proposals for the EU legislation to be updated.
14. Anti-	OFMdFM	Proposal for a Council Directive on	Currently, EU legislation refers to anti-discrimination

¹⁰ Research and Information Service Briefing Note 113/15 *Women on Boards of the Top 100 Companies in Northern Ireland*, 27 October 2015: <http://www.niassembly.gov.uk/globalassets/documents/raise/publications/2015/eti/11315.pdf>.

discrimination		implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation.	measures in the labour market. In 2008, the Commission proposed to extend anti-discrimination legislation to outside the labour market. Equality legislation in Northern Ireland is the responsibility of OFMdFM.
----------------	--	--	---

European Commission Work Programme – New Initiatives with implications for DETI

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
4. Review of the Multiannual Financial Framework (MMF) 2014-2020	DETI	Legislative/Non-legislative	The mid-term review of the MFF will address how better to target funding on the priorities the EU faces. The review will also look for ways to further orientate the EU budget towards results and simplify the applicable rules (REFIT) e.g. for the European Structural and Investment Funds (ESIF) and the Common Agricultural Policy (CAP), and will explore the scope for further simplification under Horizon 2020 funding.	<p>The Northern Ireland Executive has set a target of securing €145m from Horizon 2020. Operational oversight of the Executive's Horizon 2020 strategy is being taken forward by DETI.</p> <p>Support for Horizon 2020 is provided through Northern Ireland's National Contact Point network.¹¹</p> <p>A potential simplification of the Horizon 2020 may have implications on Northern Ireland's draw-down targets and the support offered to potential Horizon 2020 applicants.</p>
5. Next steps for a sustainable European Future	DETI, DEL, DOE, DE, DSD, OFMDFM	Non-legislative	This initiative will set out a new approach to ensure Europe's economic growth and social and environmental sustainability beyond the 2020 timeframe, taking into account the Europe 2020 review and the internal and external implementation of the United Nations Sustainable Goals.	<p>Europe 2020 launched in 2010, sets EU wide targets in a range of areas. From a DETI perspective this included:</p> <ul style="list-style-type: none"> • Increasing investment in R&D to 3% of GDP; and • Increasing the share of renewable energy in final energy consumption to 20%. <p>The European Commission carried out a mid-term public consultation on Europe 2020 in advance of a review of the strategy to be completed in 2015.</p> <p>Any future strategy that sets targets in the area of renewable generation and the promotion of innovation will impact the work of DETI in these areas.</p>
6. Implementation of the Digital Single Market	DETI	Legislative/Non-legislative	The Digital single Market Strategy outlined in May 2015 will be taken forward with three sets of actions:	Telecommunications are a reserved matter and controlled centrally by the Department of Culture, Media & Sport. However, two Digital Single

¹¹ Department for Enterprise, Trade and Investment, Horizon 2020 <https://www.detini.gov.uk/sites/default/files/publications/deti/horizon-2020-strategy-report.pdf>

<p>Strategy</p>			<p>1) a Communication on copyright and legislative proposal on profitability, followed by a legislative proposals on copyright and the review of the satellite and cable directive (REFIT), legislative proposals on digital rights, geo-blocking, and VAT for electronic commerce (REFIT), and the review of the Regulation on consumer protection cooperation (REFIT); 2) reviews of the telecoms regulatory framework (REFIT) and the audio-visual and media service Directive (REFIT), and 3) a legislative proposal on the free flow of data</p>	<p>Market Strategy objectives do interact with the work of DETI, these are:</p> <ul style="list-style-type: none"> • Simplifying consumer rules for online purchases; and, • Making it easier for innovators to start their own company. <p>In these areas a review of Regulation on Consumer Protection and Cooperation is expected in 2016, along with the launch of a new E-government Action Plan which will include an initiative on the ‘Once-Only’ principle and an initiative on mandatory interconnection of business registers.¹²</p>
<p>7. Energy Union Package</p>	<p>DETI</p>	<p>Legislative/Non-legislative</p>	<p>Following up on the Framework Strategy, the Package is composed of: legislative proposals on electricity market design and the regulatory framework, including the review of the Agency for the Cooperation of Energy Regulators (ACER), and the revision of the Regulation on security of electricity supply; the revision of the Regulation on security of gas supply and the revision of the Decision on inter-governmental agreements; the effort sharing decision and integration of the</p>	<p>The Energy Union Package is focussed on a number of areas which impact on Northern Ireland energy policy, including:</p> <ul style="list-style-type: none"> • Energy Market Integration –significant in light of the all-Ireland single electricity market (SEM) redesign. • The internal market’s hardware: connecting markets through interconnections – the energy package will seek to improve cross-border gas and electricity interconnection. • A new deal for consumers – this element of the package seeks to improve choice for consumers and facilitate switching. It also aims to encourage the roll-out of smart meters throughout the EU. • Climate policy – the energy union seeks to cut greenhouse emissions by at least 40%, increase renewable energy to 27% and improve energy

¹² European Commission, Roadmap for Completing the Digital Single Market Initiatives http://ec.europa.eu/priorities/digital-single-market/docs/roadmap_en.pdf

			Land Use, Land -Use Change and Forestry sector (LULUCF) into the 2030 climate framework; a renewable energy package (REFIT), including sustainability criteria for biomass, and an energy efficiency package, including energy efficiency for buildings (REFIT)	<p>efficiency by 27% by 2030 across the EU.</p> <ul style="list-style-type: none"> • Security of supply ¹³ <p>A range of significant initiatives (from a DETI perspective) are to be brought forward in 2016:</p> <ul style="list-style-type: none"> • Review of the Directive concerning measures to safeguard security of electricity supply. • Revision of the Regulation of security of gas supply. • Communication on Waste Energy. • Legislative proposals on market designs and regional electricity markets. • Legislative proposals on the new deal for energy consumers. • A liquefied natural gas strategy. • A renewable energy package.¹⁴
9. Follow-up to Single Market Strategy	DETI/DEL	Legislative/Non-legislative	<p>The Single Market Strategy will be taken forward through a number of proposals. Of relevance to DETI are actions in the following areas:</p> <ul style="list-style-type: none"> • Helping SMEs and start-ups to grow; including legislative action on business insolvency; removing administrative burdens on start-ups and growing businesses; the launch of start-up initiative; and improving access to finance to entrepreneurs. • Making the market without borders a practical reality for services including: legislation to introduce a services passport and legislative action to remove regulatory barriers 	<p>There is considerable interaction with the work of DETI in the areas of insolvency, business regulation, encouraging business start-ups and business growth, encouraging trade, and promoting innovation.</p> <p>The European Commission has produced a strategic road map for further action in these areas. The actions themselves will be launched throughout 2016 and 2017.¹⁵</p> <p>The potential impact of these actions on Northern Ireland will become clearer as they are published.</p>

¹³ European Commission, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee, the Committee of the Regions and the European Investment Bank: A Framework Strategy for a Resilient Energy Union with a Forward-Looking Climate Change Policy (2015) <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2015:80:FIN>

¹⁴ European Commission, Energy Union, Updated roadmap for the Energy Union (November 2015)

¹⁵ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Upgrading the Single Market: more opportunities for people and business (COM 2015) 550 Final (28 October 2015) <https://ec.europa.eu/transparency/regdoc/rep/1/2015/EN/1-2015-550-EN-F1-1.PDF>

			<p>in key business services and construction services.</p> <ul style="list-style-type: none"> • Addressing restrictions in the retail sector. • Encouraging modernisation and innovations: which includes proposals to modernise European Standardisations; open up public procurement; and modernise Europe's intellectual property system. 	
10. Corporate tax Package	DFP/DETI	Legislative/Non-legislative	<p>Following up on the communication on a fair and efficient corporate tax system in the European Union: 5 key areas for action, the package includes a set of measures to enhance the transparency of the corporate tax system and fight tax avoidance, including by implementing international standards on base erosion and profit shifting, and a staged approach starting with a mandatory tax base (REFIT) together with withdrawal of the existing CCCTB proposal.</p>	<p>DETI views the devolution of corporation tax setting powers as a lever to support business growth.¹⁶</p> <p>The 'rate and date' for corporation tax has been announced – 12.5% from 2018.¹⁷</p> <p>This package may become relevant in light of the devolution of corporation tax powers to NI, in providing useful background information on international standards in relation to profit-shifting. The initiative proposes a staged approach to any reform and the introduction of a consolidated mandatory tax base. This would mean that corporation tax base i.e. that which is taxed, is made uniform throughout all member states.</p>
16. follow-up to the Trade and Investment Strategy	DETI	Legislative/Non-legislative	<p>Against the background of the Trade for All strategy for a more effective and transparent trade and investment policy based on values, the Commission will pursue the</p>	<p>The Northern Ireland Executive's Programme for Government 2011-2015 includes targets to increase Northern Ireland exports by 20% and to attract £375m of Foreign Direct Investment into Northern Ireland.</p>

¹⁶ See for example, the Northern Ireland Executive press release: 'The latest edition of the DETI Economic Commentary, which provides an assessment of local economic conditions, was published today' – 4 June 2015 <http://www.northernireland.gov.uk/news-deti-040615-many-positives-for>

¹⁷ A Fresh Start: the Stormont Agreement and Implementation Plan https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/477664/A_Fresh_Start_-_The_Stormont_Agreement_and_Implementation_Plan.pdf

			<p>TTIP negotiations with the US, as well as make progress at WTO, engage strategically with Asia and ensure that EPAs are well implemented.</p>	<p>Whilst the current Programme for Government period is coming to an end the Commission Trade for All strategy is significant to Northern Ireland's future trade ambitions. The strategy prioritises:</p> <ul style="list-style-type: none"> • Concluding existing trade negotiations - Doha Round of WTO talks, TTIP, the EU-Japan free trade agreement (FTA) and the EU-China investment agreement. • Instigating new trade negotiations - Free Trade Agreements with Australia, New Zealand, the Philippines and Indonesia and a deepening of the EU's relationships with African partners. • Modernising existing Free Trade Agreements with Mexico and Chile and the Customs Union with Turkey.¹⁸ <p>Developments in these areas may have the potential to open up new opportunities to Northern Ireland businesses.</p>
--	--	--	--	--

European Commission Work Programme – REFIT Actions with implications for DETI

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
3. Lifts (Directive 95/16/EC)	DETI	Evaluation	The evaluation will cover the scope, the essential health and safety requirements and their links with related conformity assessment procedure.	<p>The outcome of this evaluation may impact upon the work of the Northern Ireland Health and Safety Executive.</p> <p>This will become clearer once the results of the evaluation are published.</p>
10. Energy Union Reporting Initiative	DETI	Evaluation	Fitness Check/evaluations in the area of Energy and Climate Policy in order to assess the consistency and administrative burden of report obligations	“EU acquis includes numerous obligations on Member States to provide information to the Commission, which reports to the other EU institutions. The Commission will carry out a Fitness Check of existing planning and reporting

¹⁸ European Commission, Trade for All: European Commission presents new trade and investment strategy (20 October 2015) http://ec.europa.eu/unitedkingdom/about_us/office_in_northern_ireland/2015/15_28_en.htm

				<p>obligations in 2016, including on the inter-linkages with the climate obligations. This initiative will assess the extent to which the current obligations are coherent, effective, efficient, relevant and add EU value, as well as to ascertain whether there is potential for simplification and reduced administrative burden. This will feed into the preparations of a proposal for streamlining these obligations, foreseen for late 2016".¹⁹</p> <p>This has the potential to impact DETI insofar as the Department contributes to the UK's fulfilment of reporting requirements.</p>
12. Review of the European Venture Capital (EUVECA) and European Social Entrepreneurship Fund (EUSEF) regulations	DETI	Legislative	<p>Legislative review of the European Venture Capital Funds (EUVECA) regulation (NO 345/2013) and European Social Entrepreneurship Funds (EUSEF) regulation (No 346/2013) with a view to improve take-p of these funds as part of the Capital Markets Union without reducing the level of investors protection. These specialist venture capital investment funds have been available since 2013 but only a small number of funds set up as EUVECA and EUSEF have so far been launched.</p>	<p>The Capital Markets Union aims to <i>'tackle investment shortages head-on by increasing and diversifying the funding sources for Europe's businesses and long-term projects'</i>.</p> <p>It seeks to promote alternative sources of finance (including capital markets, venture capital, crowd funding and the asset management) as sources of funding for business, particularly SMEs and start-ups.²⁰</p> <p>As such developments in this area will impact on DETI and Invest NI's work promoting economic growth and encouraging business start-ups.</p>
16. Occupational Health and Safety Legislation	DETI	Evaluation follow up/Legislative	<p>Follow-up to the REFIT Evaluation of Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work and 23 Directives with the aim of increasing its</p>	<p>The work of the Health and Safety Executive Northern Ireland may be impacted by the follow up to, and any legislation emerging from, the evaluation.</p>

¹⁹ New Europe, State of the Energy Union – questions and answers <http://neurope.eu/wires/state-of-the-energy-union-questions-and-answers/>

²⁰ European Commission, Capital Markets Union: an Action Plan to boost business funding and investment financing (30 September 2015) http://europa.eu/rapid/press-release_IP-15-5731_en.htm

			effectiveness and efficiency.	
23. Written Statement Directive 91/533/EC	DETI/DEL	Evaluation	Council Directive 91/533/EEC of 14 October 1991 on an employer's obligation to inform employees of the conditions applicable to the contract or employment relationship.	<p>The evaluation may impact on DETI's business regulations function insofar as the outcome of the review adds to or reduces the administrative burden on Northern Ireland businesses.</p> <p>The Directive is yet to undergo evaluation and as such there is no information on what scope the REFIT may have - as such it is not possible to identify what the exact impact may be.</p>

European Commission Work Programme – Priority pending with implications for DETI

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
3. Women on Boards	DETI/ OFMDFM/ DEL	Proposals	Proposal for a Directive of the European Parliament and of the Council on improving balance among non-executive directors of companies listed on stock exchanges and related measures.	<p>Relevant to DETI from a business regulation perspective.</p> <p>The UK Government has resisted the introduction of quotas, but has supported voluntary targets under the Women on Boards initiative led by Lord Davies of Abersoch. A 2015 study of the boards of the top 100 companies in Northern Ireland indicated that 15% of directors were women²¹. The equal participation of women in economic life is one of the strategic objectives of the Gender Equality Strategy.</p>

²¹ Research and Information Service Briefing Note 113/15 *Women on Boards of the Top 100 Companies in Northern Ireland*, 27 October 2015: <http://www.niassembly.gov.uk/globalassets/documents/raise/publications/2015/eti/11315.pdf>.

European Commission Work Programme – Withdrawals or modifications of pending proposals with implications for DETI

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
6. Proposal for a Council Directive on a Common Consolidated Corporate Tax Base	DETI	Withdrawal	As announced in the Communication on “A fair and efficient corporate tax system in the European Union: 5 key areas for action” (COM(2015)302), the Commission is re-launching the work with a new staged approach. The existing proposal will be withdrawn in parallel.	The re-launching of this work on Common Consolidated Corporate Tax Base may become significant in light of the devolution of corporation tax to Northern Ireland.

European Commission Work Programme – Legislation that becomes applicable in 2016 with implications for DETI

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
12. Regulation (EU) No 524/2013 of the European Parliament and of the Council of 21 May 2013 on online dispute resolution for consumer disputes and amending Regulation of (EC) No 2006/2004 and Directive 2009/22/EC (Regulation on consumer ODR)	DETI	Regulation	Applicable from 09 January 2016. The regulation sets out terms upon which the Commission and Member States will establish and run on-line portal for handling disputes relating to on-line sales or service contracts. The ODR platform will handle domestic and cross border disputes.	While consumer issues are devolved to the Northern Ireland Assembly it was agreed that the ODR Regulation (and associated Alternative Dispute Resolution) would be taken forward on a UK wide basis. ²²

²² Explanatory Memorandum to the Alternative Dispute Resolution for consumer disputes (amendment) regulations 2015
http://www.legislation.gov.uk/ukSI/2015/1392/pdfs/ukSIEM_20151392_en_001.pdf

Justice

The relationship between the United Kingdom and the European Union is a complex one as the UK is subject to opting in to measures in the area of Justice and Home Affairs. The UK's position in Justice and Home Affairs matters is principally governed by protocols 19 and 21 to the Treaty on the European Union and the Treaty on the Functioning of the European Union (TFEU).

JHA (Title V) opt in Protocol 21

The entering into force of the Lisbon Treaty means that the UK and separately Ireland may choose within three months of a proposal or an initiative being presented to the Council pursuant to Title V of Part Three of the TFEU (the part of the Treaty governing Home and Affairs Matters) whether it wishes to participate in the adoption and application of any such proposed measure. If the UK notifies the President of the Council of its intention to participate within the three month period, there is no possibility of opting out at a later date. If the measure is adopted, the United Kingdom is bound by the measure and the European Court of Justice (ECJ) has jurisdiction over it and the Commission will have the power to infract in respect of any failure to properly implement the measure. If the UN does not opt in at the three month point, it is still entitled to a seat at the negotiating table but has no vote, and has as a result significantly reduced negotiating weight. The UK may at any stage after a measure has been adopted, indicate its wish to participate however the Commission has to approve and the Commission and Council may apply conditions.[1]

Schengen opt-out Protocol 19

The Schengen area and cooperation are founded on the Schengen Agreement of 1985. The Schengen area represents a territory where the free movement of persons is guaranteed. The signatory states to the agreement have abolished all internal borders in lieu of a single external border. Common rules and procedures are applied with regards to visas for short stays, asylum requests and border controls. Co-operation between police services and judicial authorities have been stepped up to ensure security within the Schengen Area. Schengen co-operation has been incorporated into the EU Legal Framework by Treaty of Amsterdam 1997.[2] Since the entry into force of the Lisbon Treaty Article 4 to Protocol 19 to the TEU and TFEU on the Schengen Acquis integrated into the Framework of the EU, provides that the UK may request to take part in some or all provisions of the UK Acquis. The UK already participates in some parts of Schengen, for example police and judicial elements but does not participate in the border control elements. Article 5 of the Protocol provides that the UK is deemed to opt in to measures building on parts of the acquis in which it participates unless within three months of the publication of the proposal or initiative, it notifies the Council that it does not wish to take part in the measure - an opt-out. If the UK does not opt-out within that three

month period, it is automatically bound. If the UK opts out, the Commission and Council can decide to eject the UK from all or part of the rest of Schengen to the extent necessary if such non participation seriously affects the practical operability of the system but the protocol states that it must seek to retain the UK's widest participation.

European Commission Work Programme – New Initiatives with implications for DoJ

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
17. Implementation of European Agenda on Security	Justice	Legislative / Non-legislative	Actions to implement the European Agenda on Security including a proposal to amend the Framework Decision on terrorism, improved rules on firearms and a proposal on combatting fraud and counterfeiting on non-cash means of payment.	The European Agenda on Security aims to ensure greater co-operation on security matters between member States. The Framework Decision on Terrorism dates from 2008 and is therefore subject to the UK opt-out of pre-Lisbon criminal justice measures (i.e. before 2009).

European Commission Work Programme – Priority pending proposals with implications for DoJ

Title	Relevant NI Department	Description of scope of objectives	Explanation / Impact on Northern Ireland
11. European Public Prosecutor's Office (EPPO)	DoJ	Proposal for a COUNCIL REGULATION on the establishment of the European Public Prosecutor's Office	The UK Government is not intending to participate in the EPPO, but is involved in the negotiations. The impact of the EPPO on non-participating states has not been assessed at this stage.
12. EU Agency for Law Enforcement Cooperation and Training (Europol)	DoJ	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the European Union Agency for Law Enforcement Cooperation and	The UK Government chose to opt out of proposals in 2013 to merge CEPOL (European Police College) and EUROPOL and to increase data sharing to combat cross-border crime. However, post-adoption opt-in is under consideration depending on

		Training (Europol) and repealing Decisions 2009/371/JHA and 2005/681/JHA	the level of obligation placed on Member States resulting from the Regulation.
13. EU Passenger Name Record (PNR)	DoJ	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the use of Passenger Name Record data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime	An original proposal from 2011 on the storage and sharing of international passenger data has been revived following an increase in international terrorism. The UK Government was planning to opt in to the 2011 proposal before it was shelved.

European Commission Work Programme – Legislation that becomes applicable in 2016 with implications for DoJ

Title	Relevant NI Department	Date of Application	Explanation / Impact on Northern Ireland
43. Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings	Justice	June 2016.	The Regulation reforms EU legislation on cross-border insolvency proceedings.
51. Regulation (EU) No 655/2014 of the European Parliament and of the Council of 15 May 2014 establishing a European Account Preservation Order procedure to facilitate cross-border debt recovery in civil and commercial matters	Justice	18 July 2016 (Art. 50 only, the rest of the regulation 18 January 2016)	The UK has opted out of this Regulation.
59. Directive 2014/42/EU of the European Parliament and of the Council of 3 April 2014 on the freezing and	Justice	04 October 2016	The UK has opted out of this Directive.

confiscation of instrumentalities and proceeds of crime in the European Union			
62. Directive 2013/48/EU of the European Parliament and of the Council of 22 October 2013 on the right of access to a lawyer in criminal proceedings and in European arrest warrant proceedings, and on the right to have a third party informed upon deprivation of liberty and to communicate with third persons and with consular authorities while deprived of liberty	Justice	27 November 2016	The UK has opted out of this Directive.