



**Northern Ireland  
Assembly**

**Committee for the Environment  
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**To: Shane McAteer  
Clerk to the Committee for Finance and Personnel**

**From: Alex McGarel  
Clerk to the Committee for the Environment**

**Date: 2 June 2011**

**Subject: Legislative Consent Motion: Mutual Recovery Assistance Directive**

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1. At its meeting on 2 June 2011 the Environment Committee considered your request for comment on proposals for the UK Government to extend implementation of the Mutual Assistance Recovery Directive to Northern Ireland, requiring a Legislative Consent Motion.
2. Although the main thrust of this motion will be dealt with by the Department for Finance and Personnel, you indicated that the Directive might be of interest to the Department for the Environment in relation to the plastic bag levy.
3. In light of the short time available the Department for the Environment was asked to provide a response in time for the Committee's consideration alongside your correspondence on 2 June 2011.
4. The Department informed the Committee that the Directive may be of some assistance in relation to recovery of non-payment of the carrier bags levy by organisations moving to other Members States. However, it does not envisage and difficulty with it.
5. The Department also advised the Committee that any link DFP initially made between this Directive and payments made to the Driver and Vehicle Agency (DVA) were not an issue. This is because this function is an excepted matter and as such is the responsibility of the Secretary of State for Transport. It is administered in Northern Ireland by the DVA under agreement between DOE and DfT.
6. The Committee was content with the Department's response and requested that I forward the information on to your Committee.

**Alex McGarel**

**Clerk to the Committee for the Environment**



**Northern Ireland  
Assembly**

**Committee for Agriculture and Rural Development**

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**From: Stephen Graham  
Clerk to the Committee for Agriculture and Rural  
Development**

**Date: 7 June 2011**

**To: Shane McAteer  
Clerk to the Committee for Finance and Personnel**

**Subject: Legislative Consent Motion: Mutual Assistance Recovery  
Directive**

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In response to your memo date 26 May 2011, I can confirm that at its meeting of 7 June 2011 the Committee for Agriculture and Rural Development considered a letter dated 2 June 2011(attached) from the Department.

The Committee noted;

- that the proposal has no new implications for the Department other than the responsibilities that are already in place;
- that the Department is content with the proposal for a legislative consent motion to go before the Assembly; and
- that the Department also indicates it will work closely to ensure the paying authorities in Northern Ireland and the Republic of Ireland will work on the practicalities.

In the circumstances the Committee for Agriculture and Rural Development is also content with the proposal for a Legislative Consent Motion to go before the Assembly.

Yours Sincerely

**Stephen Graham**  
**Committee Clerk**

Stephen Graham  
Clerk to the Committee for  
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Our Ref:  
Your Ref:  
Date: 2 June 2011

Dear Stephen

I am writing to ask the Agriculture and Rural Development Committee to consider the proposal by the Minister for Finance and Personnel for a legislative consent motion to allow Westminster to legislate for the devolved aspects of the 2010 Mutual Assistance Recovery Directive through the Finance (No. 3) Bill.

The Department's interest in the proposal is in regard to the DARD Paying Agency being in a position to provide mutual assistance to other member states seeking to recoup agricultural payments from individuals or businesses who are receiving payments from DARD. This responsibility has been in place since 2002.

I would wish to advise the Committee that the proposal has no new implications for the Department other than the responsibilities that are already in place for mutual assistance to be provided to other member states that may wish to seek to recoup agricultural levies or other payments from individuals or businesses in this jurisdiction. The Department is therefore content with the proposal for a legislative consent motion to go before the Assembly.

As the most usual outworking of the Mutual Assistance Recovery Directive is likely to apply to arrangements between Northern Ireland and the Republic of Ireland, officials will engage with the Department of Agriculture, Fisheries and Food in the south to ensure that the two paying agencies are in a position to work closely on the continued implementation of the Directive in a practical sense.

Yours sincerely



**Joe Cassells**  
**Departmental Assembly Liaison Officer**

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If you have a hearing difficulty you can contact  
the Department via the textphone on 028 9052 4420



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