

Committee for the Office of the First Minister and deputy First Minister

Report on Assembly Committee Priorities for European Scrutiny 2015

**Together with the Minutes of Proceedings Relating to the Report,
Written Submissions and Research**

**Ordered by the Committee for the Office of the First Minister
and deputy First Minister to be printed 11 March 2015**

Membership and Powers

Powers

The Committee for the Office of the First Minister and deputy First Minister is a Statutory Committee established in accordance with paragraphs 8 and 9 of the Belfast Agreement, Section 29 of the Northern Ireland Act 1998 and under Assembly Standing Order 48. The Committee has a scrutiny, policy development and consultation role with respect to the Office of the First Minister and deputy First Minister and has a role in the initiation of legislation.

The Committee has the power to;

- consider and advise on Departmental Budgets and Annual Plans in the context of the overall budget allocation;
- approve relevant secondary legislation and take the Committee stage of primary legislation;
- call for persons and papers;
- initiate inquiries and make reports; and
- consider and advise on matters brought to the Committee by the First Minister and deputy First Minister.

Membership

The Committee has eleven members, including a Chairperson and Deputy Chairperson, and a quorum of five members.

The membership of the Committee is as follows:

Mr. Mike Nesbitt (Chairperson)
Mr. Chris Lyttle (Deputy Chairperson)
Mr. Alex Attwood
Mr. Michael Copeland
Miss Megan Fearon
Mrs. Brenda Hale
Mr. Alex Maskey
Ms. Bronwyn McGahan
Mr. David McIlveen
Mr. Stephen Moutray
Mr. Jimmy Spratt

Table of Contents

List of abbreviations	iv
Introduction	1
Committee European Priorities 2015	3
Appendix 1	
Minutes of Proceedings	7
Appendix 2	
Statutory Committee Responses	
Committee for Agriculture and Rural Development	15
Committee for Culture, Arts and Leisure	17
Committee for Education	24
Committee for Employment and Learning	28
Committee for Enterprise, Trade and Investment	32
Committee for the Environment	39
Committee for Finance and Personnel	44
Committee for Health, Social Services and Public Safety	55
Committee for Justice	59
Committee for the Office of the First Minister and deputy First Minister	68
Committee for Regional Development	78
Committee for Social Development	79
Appendix 3	
Research Paper and Explanatory Memorandum	
European Commission Work Programme 2015	83
Explanatory Memorandum on European Union Documents	151
Appendix 4	
Stakeholder Responses	
European Economic and Social Committee – Jane Morrice	165
Member of the European Parliament – Martina Anderson	167
Member of the European Parliament – Diane Dodds	169
Member of the European Parliament – Jim Nicholson	174

List of Abbreviations

ACNI	Arts Council Northern Ireland
ADR	Alternative Dispute Resolution
AFBI	Agri-Food and Biosciences Institute
ALB	Arm's Length Body
APHIS	Animal and Public Health Information System
BTWG	Barroso Taskforce Working Group
CAL	Culture, Arts and Leisure
CAP	Common Agricultural Policy
CFP	Common Fisheries Policy
COSME	EU Programme for Competitiveness of Small and Medium sized Enterprises
CWP	Commission Work Programme
DARD	Department of Agriculture and Rural Development
DCAL	Department of Culture, Arts and Leisure
DE	Department of Education
DECC	Department of Energy & Climate Change
DEL	Department for Employment and Learning
DETI	Department of Enterprise, Trade and Investment
DFF	Department of Finance and Personnel
DOE	Department of the Environment
DOJ	Department of Justice
EC	European Commission
ECOC	European Capital of Culture
ECHR	European Convention on Human Rights
EESC	European Economic and Social Committee
EFF	European Fisheries Fund
EFSD	European Fund for Strategic Investments
EM	Explanatory Memorandum
ERDF	European Regional Development Fund
ESF	European Social Fund
EU	European Union
EU-ETS	European Union Emissions Trading System

EURES	The European Job Mobility Portal
EWOS	European Week of Sport
INTERREG	European Union Programme for Interregional Co-operation
ISDS	Industry State Dispute Settlement
I-SEM	Integrated Single Electricity Market
IPR	Intellectual Property Rights
LCM	Legislative Consent Motion
MEP	Member of the European Parliament
NIE	Northern Ireland Executive
NIFAIS	Northern Ireland Food Animal Information System
NILGA	Northern Ireland Local Government Association
OFMDFM	Office of the First Minister and deputy First Minister
PACE	Police and Criminal Evidence (Northern Ireland) Order 1989
PEACE	European Union Programme for Peace and Reconciliation in NI
PfG	Programme for Government
PSNI	Police Service of Northern Ireland
QUB	Queen's University, Belfast
R&D	Research & Development
RaISe	Assembly Research and Information Service
REFIT	Regulatory Fitness and Performance Programme
SEUPB	Special European Union Programmes Body
SME	Small and Medium Enterprises
T:BUC	Together: Building a United Community
TEN-T	Trans European Transport Network
TEU	Treaty on the European Union
TFEU	Treaty on the Functioning of the European Union
TTIP	Transatlantic Trade and Investment Partnership
UN	United Nations
UU	Ulster University
WEEE	Waste Electrical and Electronic Equipment
WFD	Waste Framework Directive
WRAP/ReNEW	Waste & Resources Action Programme/Resource Innovation Network for European Waste

Introduction

1. This report sets out the European priorities for scrutiny by Assembly statutory committees for 2015. In setting their priorities committees have considered issues of relevance to them which are included in the European Commission Work Programme for 2015.
2. The European Commission Work Programme is normally updated annually in the autumn. In 2014 elections to the European Parliament were held in May and a new Commission (the 'Juncker Commission') took office on 1 November. The 2015 work programme was therefore not adopted by the Commission until mid-December 2014.
3. The Commission Work Programme 2015 is significantly shorter than in previous years, containing 23 legislative and non-legislative policy initiatives. It also includes 80 proposals for withdrawal or modification and 79 actions for review under the Regulatory Fitness and Performance (REFIT) programme. The Commission views this as a radically different approach and states

*"What we commit to in this Work Programme are the things we will deliver in 2015. We will propose other actions to fulfil the ten priorities in our work programmes for future years – the preparatory work will start for some of these in 2015."*¹

The ten priorities are²:

- 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
 - Towards a New Policy on Migration
 - A Stronger Global Actor
 - A Union of Democratic Change
4. The Foreign and Commonwealth Office produced an Explanatory Memorandum on the Commission Work Programme 2015. This outlines the most significant initiatives and the Government's initial views on them. It includes details of measures within the work programme of interest to the devolved administrations and states

"The Northern Ireland Executive (NIE) has a close interest in the Common Agricultural and Fisheries Policies, the Jobs and Growth Investment Programme, the Connecting Europe Facility, Horizon 2020, Digital Single Market, Regulatory Fitness and the EU Structural Funds Programme 2014-20. The NIE will also wish to follow developments in energy and climate change policy, waste policy, youth unemployment and TTIP [Transatlantic Trade and Investment Partnership]."

5. In line with established practice, Assembly Research and Information Services (RaISe) produced an analysis of the Commission's work programme which focused on devolved issues of specific interest to statutory committees. The analysis is based upon a set of criteria agreed by the Committee for the Office of the First Minister and deputy First Minister

1 http://ec.europa.eu/atwork/pdf/cwp_2015_en.pdf

2 http://ec.europa.eu/priorities/docs/pg_en.pdf

on 24 October 2012. A copy of the analysis of the 2015 Commission Work Programme is included at Appendix 3.

6. The RaISe analysis was forwarded with the Foreign and Commonwealth Office's Explanatory Memorandum on 3 February 2015 to all statutory committees who were invited to provide a response detailing their European priorities for the year ahead. In addition to matters of relevance or interest from the Commission's work programme, committees have highlighted other European related activity that they plan to undertake this year.
7. In following the approach taken in 2014 to streamline the reporting process, statutory committees have also provided a brief report on the activity undertaken on the 2014 European priorities as detailed in the Report on Assembly Committee Priorities for European Scrutiny in 2014.³
8. The key European priorities selected by Assembly committees for 2015 are set out below. The full reports, from each committee, including updates in respect of activity undertaken on 2014 priorities, are included at Appendix 2.
9. The Committee also wrote to the Northern Ireland Members of the European Parliament, members of the Committee of the Regions and representatives on the European Economic and Social Committee for their views on priority areas for European engagement in 2015. The responses received are provided at Appendix 4.
10. The Committee for the Office of the First Minister and deputy First Minister will seek to hold a debate on this report following Easter 2015 recess.

3 <http://www.niassembly.gov.uk/assembly-business/committees/2011-2016/office-of-the-first-minister-and-deputy-first-minister/reports/report-on-assembly-committee-priorities-for-european-scrutiny-in-2014/>

Committee European Priorities 2015

11. The priorities for European engagement for statutory committees in 2015 are listed below. Full details of individual committee responses are provided at Appendix 2.

Committee for Agriculture and Rural Development

- Beef Labelling Rules
- Fishing Authorisation Regulation
- Common Fisheries Policy

Committee for Culture, Arts and Leisure

- A connected Digital Single Market
- Study on the efficacy of co-and self-regulating aspects in promoting effective implementation of the Audiovisual Media Services Directive for 2015; and Audiovisual Media Services Directive (Evaluation of Study)
- Creative Europe Programme (2014-2020)
- Horizon 2020
- European Capital of Culture
- Sport (Erasmus+)
- Workplan for Culture (2015-18)
- Eels

Committee for Education

- SEUPB Peace IV Programme including the proposed Shared Education elements

Committee for Employment and Learning

- Promoting integration and employability in the Labour Market
- Labour Mobility Package
- Mid-term Review of the Europe 2020 Strategy
- Trade and Investment Strategy for Jobs and Growth
- European Agenda on Migration
- Recast and Merger of three Directives in the area of Information and Consultation of Workers

Committee for Enterprise, Trade and Investment

- The Investment Plan for Europe
- Mid-term Review of the Europe 2020 Strategy
- Strategic Framework for the Energy Union
- Internal Market Strategy for Goods and Services
- Trade and Investment Strategy for Jobs and Growth

Committee for the Environment

- Strategic Framework for the Energy Union
- Communication on the Road to Paris – multilateral response to climate change
- Evaluations carried out under the REFIT Programme

Committee for Finance and Personnel

- PEACE and INTERREG Programmes
- Public Procurement issues (including access for SMEs, social/community benefits, prompt payment to contractors and subcontractors)
- Evaluation of Directive 2007/66/EC relating to the improvement of the review procedures concerning the award of public contracts
- Other policy and legislation influenced by European legislation, such as: access to finance for local businesses; Corporation Tax issues; Buildings Regulations; and Civil Law

Committee for Health, Social Services and Public Safety

- Health (Miscellaneous Provisions) Bill
- Workforce Planning Review in support of Transforming Your Care, including best practice in other EU countries/regions

Committee for Justice

- Simplify access to justice; promote effective remedies and use of technological innovations including the use of e-justice
- Reinforce the protection of victims
- Human trafficking
- Combatting serious and organised crime
- Mutual recognition of decisions and judgements in civil and criminal matters
- Scrutiny of EU legislative proposals requiring a UK opt-in decision
- Continued monitoring of progress on issues highlighted previously:
 - Framework for Administrative Measures for the Freezing of Funds, Financial Assets and Economic Gains of Persons and Entities Suspected of Terrorist Activities inside the EU
 - Fighting Money Laundering
 - Fighting Cigarette Smuggling
 - Initiatives on Firearms: Reducing Gun Crime in Europe
 - Establishment of a European Public Prosecutor's Office (EPPO) to protect the Financial Interests of the Union
 - Nuclear insurance and liability

Committee for the Office of the First Minister and deputy First Minister

- Labour Mobility Package
- European Agenda on Migration
- EU Accession to the European Convention on Human Rights (ECHR)
- Subsidiarity monitoring

Committee for Regional Development

- Trans-European Transport Network (TEN-T)

Committee for Social Development

- Social investment through the European Social Fund
- Social Inclusion



Northern Ireland
Assembly

Appendix 1

Minutes of Proceedings

Wednesday 21 January 2015

Senate Chamber, Parliament Buildings

Present: Mr Mike Nesbitt (Chairperson)
Mr Chris Lyttle (Deputy Chairperson)
Mr Alex Attwood
Ms Megan Fearon
Mrs Brenda Hale
Mr Alex Maskey
Ms Bronwyn McGahan
Mr David McIlveen
Mr Stephen Moutray
Mr Jimmy Spratt

Apologies: Mr Michael Copeland

In Attendance: Mrs Kathy O'Hanlon (Assembly Clerk)
Miss Karen Jardine (Assistant Assembly Clerk)
Mr Stephen Magee (Clerical Supervisor)
Miss Zuzana Polackova (Clerical Officer)

2.00 pm The meeting began in closed session.

2.08pm Mr Spratt left the meeting.

2.09pm Mr McIlveen left the meeting.

2.12pm Mr Moutray left the meeting.

2.15pm The meeting moved into open session.

3. Chairperson's Business

Assembly Committee European Priorities

The Chairperson reminded the Committee of its role in co-ordinating the annual report on Assembly Committee European Priorities.

Agreed: Members agreed to commission Assembly Research to undertake an analysis of the European Commission work programme to identify areas of potential interest for each statutory committee.

Agreed: Members agreed to forward the RaISe analysis of the European Commission work programme to statutory committees once it is available.

Agreed: The Committee agreed to request input from relevant stakeholders including the Department, Northern Ireland's MEPs, the Committee of the Regions and the European Economic and Social Committee.

2.50pm Mr Attwood joined the meeting.

4.56 pm The Chairperson adjourned the meeting.

Committee for the Office of the First Minister and deputy First Minister

Wednesday 4 February 2015

Room 30, Parliament Buildings

Present:	Mr Mike Nesbitt (Chairperson) Mr Chris Lyttle (Deputy Chairperson) Mr Alex Attwood Mrs Brenda Hale Ms Bronwyn McGahan Mr David McIlveen Mr Stephen Moutray Mr Jimmy Spratt
Apologies:	Mr Michael Copeland Ms Megan Fearon Mr Alex Maskey
In Attendance:	Mrs Kathy O'Hanlon (Assembly Clerk) Miss Karen Jardine (Assistant Assembly Clerk) Mr Stephen Magee (Clerical Supervisor) Miss Zuzana Polackova (Clerical Officer) Mr Alyn Hicks (Assistant Assembly Clerk) Item 1 only

2.02 pm The meeting began in closed session.

2.07 pm The meeting moved into open session.

3.17pm Mr Attwood left the meeting.

3.27pm Mr Moutray left the meeting.

3.42pm Ms McGahan left the meeting.

10. European Issues – EU Commission Work Programme 2015

Members noted an Assembly Research paper which provided an update on the actions points which the Committee had identified in the European Commission work programme as priorities for 2014.

The Committee noted an Assembly Research paper which provided an analysis of the European Commission work programme and identified areas of potential interest for each statutory committee. Members noted that this was been circulated to statutory committees as agreed at the previous meeting, to aid Committees in their identification of their EU Priorities for 2015.

Agreed: The Committee agreed to invite Assembly Research to provide an oral briefing on EU issues relevant to the Committee.

Agreed: The Committee agreed to write to forward the research paper to the House of Lords European Committee, and also to the relevant committees in the House of Commons, the Scottish Parliament and National Assembly for Wales for information.

4.30 pm The Chairperson adjourned the meeting.

Committee for the Office of the First Minister and deputy First Minister

Wednesday 18 February 2015

Interaction Belfast, 638 Springfield Road, Belfast

Present: Mr Mike Nesbitt (Chairperson)
Mr Chris Lyttle (Deputy Chairperson)
Mr Alex Attwood
Mrs Brenda Hale
Mr Alex Maskey
Ms Bronwyn McGahan
Mr Stephen Moutray

Apologies: Mr Michael Copeland
Mr Jimmy Spratt
Ms Megan Fearon

In Attendance: Mrs Kathy O'Hanlon (Assembly Clerk)
Miss Karen Jardine (Assistant Assembly Clerk)
Mr Stephen Magee (Clerical Supervisor)
Miss Zuzana Polackova (Clerical Officer)

2.30pm The meeting began in public session.

3.27pm Mr Moutray left the meeting.

4.04pm Mrs Hale left the meeting.

9. **European Issues – briefing on the EU Commission Work Programme for 2015**

The Committee noted correspondence from the House of Lords European Scrutiny Committee indicating that they found the RalSe paper on the EU Commission Work Programme 2015 to be of great use.

Agreed: The Committee agreed to forward the letter from the House of Lords European Scrutiny Committee to RalSe and other Statutory Committees for information.

4.58pm An officer from the Assembly Research and Information Service joined the meeting.

Mr Michael Potter from the Northern Ireland Assembly Research and Information Service briefed the Committee on priorities for 2014 and the EU Commission Work Programme for 2015

Agreed: The Committee agreed to include the identified items in its European priorities for 2015; and, as the proposals develop, to seek briefings as appropriate to examine what the initiatives mean for Northern Ireland.

Agreed: The Committee agreed to ask staff to prepare a draft of the Committee's 2015 EU Priorities for consideration at next week's meeting.

5.02pm The witness left the meeting.

5.04 pm The Chairperson adjourned the meeting.

Committee for the Office of the First Minister and deputy First Minister

Monday 2 March 2015

Room 21, Parliament Buildings

Present: Mr Mike Nesbitt (Chairperson)
Mr Chris Lyttle (Deputy Chairperson)
Mr Alex Attwood
Mrs Brenda Hale
Mr Alex Maskey
Ms Bronwyn McGahan
Mr David McIlveen
Mr Stephen Moutray
Mr Jimmy Spratt

Apologies: Mr Michael Copeland

In Attendance: Mrs Kathy O'Hanlon (Assembly Clerk)
Miss Karen Jardine (Assistant Assembly Clerk)
Mr Stephen Magee (Clerical Supervisor)
Miss Zuzana Polackova (Clerical Officer)
Mr Alyn Hicks (Assistant Assembly Clerk) Item 1 only

1.32 pm The meeting began in closed session.

1.45pm Mr McIlveen left the meeting.

1.46 pm The meeting moved into open session.

7. European Issues – Committee's European Priorities for 2015

The Committee considered its submission to the Committee Report on Assembly EU Priorities for 2015 which included an update on its work in this area for 2014.

Agreed: The Committee agreed to bring the draft for agreement at its next meeting.

1.59 pm The Chairperson adjourned the meeting.

Committee for the Office of the First Minister and deputy First Minister

Wednesday 11 March 2015

Ballymoney Resource Centre, Acorn Business Centre, Ballymoney

Present: Mr Mike Nesbitt (Chairperson)
Mr Alex Attwood
Mrs Brenda Hale
Ms Bronwyn McGahan
Mr David McIlveen
Mr Stephen Moutray
Mr Jimmy Spratt

Apologies: Mr Michael Copeland
Mr Chris Lyttle (Deputy Chairperson)
Mr Alex Maskey

In Attendance: Mrs Kathy O'Hanlon (Assembly Clerk)
Miss Karen Jardine (Assistant Assembly Clerk)
Mr Stephen Magee (Clerical Supervisor)
Miss Zuzana Polackova (Clerical Officer)
Mr Alyn Hicks (Assistant Assembly Clerk) Item 1 only
Mr Jonathan McMillen (Legal Adviser) Item 1 only

2.00 pm The meeting began in closed session.

2.23 pm The meeting moved into open session.

2.23pm Mrs Hale and Mr Spratt left the meeting.

7. European issues – Assembly European Priorities 2015

The Committee considered its draft Report on the Assembly's European Priorities for 2015.

Agreed: The Committee agreed to amend the report to include late information received by the Committee for Education.

Agreed: The Committee agreed the Membership and Powers.

Agreed: The Committee agreed the list of Appendices to be included in the report.

Agreed: The Committee agreed the report Introduction.

Agreed: The Committee agreed the Assembly EU Committee Priorities as amended.

Agreed: The Committee agreed to include the relevant extract from the minutes of this meeting detailing the Committee's agreement of the report in the Appendices.

Agreed: The Committee agreed that this Report be the thirteenth report of the Committee for the Office of the First Minister and deputy First Minister to the Assembly; and agreed to publish the report.

Agreed: The Committee agreed to publish the report.

Agreed: The Committee agreed to have a 'Take Note' debate on the report and agreed the following motion:

"That this Assembly notes the Report of the Committee for the Office of the First Minister and deputy First Minister (NIA/225/11-16) on Assembly Committees' European Priorities for 2015".

4.21 pm The Chairperson adjourned the meeting.

Committee for the Office of the First Minister and deputy First Minister

Wednesday 18 March 2015

Room 30, Parliament Buildings

Present: Mr Chris Lyttle (Deputy Chairperson)
Mr Alex Attwood
Ms Megan Fearon
Mrs Brenda Hale
Mr Alex Maskey
Mr David McIlveen
Mr Stephen Moutray
Mr Jimmy Spratt

Apologies: Mr Michael Copeland
Mr Mike Nesbitt (Chairperson)
Ms Bronwyn McGahan

In Attendance: Ms Stella McArdle (Assembly Clerk)
Miss Karen Jardine (Assistant Assembly Clerk)
Mr Stephen Magee (Clerical Supervisor)
Miss Zuzana Polackova (Clerical Officer)

2.15pm The meeting began in public session.

2.17pm Mr Attwood joined the meeting.

4. **Matters Arising**

Consideration of European Priorities for 2015

The Committee considered an amendment to its Report on the Assembly Committee European Priorities for 2015, following receipt of a revised submission from the Committee for the Environment.

Agreed: The Committee agreed to amend its report to reflect the revised priorities from the Environment Committee; and to replace the Committee for Environment submission at Appendix 2 to the Report with the revised submission.

Agreed: The Committee agreed to include the relevant extract of the meetings from this meeting in the Report.

List of Outstanding Correspondence

The Committee noted the list of outstanding correspondence.

2.56pm Mr Spratt joined the meeting.

5.00pm The Chairperson adjourned the meeting.

Committee for the Office of the First Minister and deputy First Minister

[EXTRACT]



Northern Ireland
Assembly

Appendix 2

Statutory Committee Responses

Committee for Agriculture and Rural Development

European Commission Work Programme 2015 – Committee Priorities

Committee: Committee for Agriculture and Rural Development

Background

The Committee for Agriculture and Rural Development Committee considered correspondence from the COFMDFM at its meeting on 17 February 2015 and agreed to forward its response on EU Committee Priorities 2015.

The Committee agreed that as well as the priorities listed below, it will continue to undertake work around the Implementation of CAP Pillar 1 & 2, Implementation of CFP and consideration of AFBI Special Advisor on Horizon 2020.

Agreed Priorities from the 2015 European Commission Work Programme

Beef Labelling Rules

Evaluation of Regulation EC No 1760/2000 establishing a system for the identification and registration of animals. The Regulation required Member States to create systems that enabled the identification and registration of bovine animals through the following mechanisms: ears tags to identify individual animals; computerised databases; animal passports and individual registers kept on farm. The regulation also contained compulsory and voluntary labelling specifications with DARD's APHIS system being central to compliance. Potential changes to beef labelling will need to be taken into account of in the development of NIFAIS. The Commission would benefit from a full appraisal of the experience gained by DARD via the operation of APHIS.

Seek a briefing from DARD

Fishing Authorisation Regulation

Proposed replacement of Regulations (EC) 1006/2008 which deals with fishing authorisations. The current regulations would be recast to simplify the current system, harmonise highly variable data requirements from Members States and improve the efficiency of sanctions

Seek a briefing from DARD

Common Fisheries Policy

Evaluation of the impacts of Fisheries Control Regulations EC 1224/2009, which forms the legislative basis for Community system for control, inspection and enforcement to ensure compliance with the rules of the CFP

Seek a briefing from DARD

Other EU activity planned for 2015

- Ongoing work to be continued through 2015;
- Updates from RalSe as required;
- Regular updates on EU matters from departmental officials;

- Briefings with the Minister on EU matters as required;
- EU dimension in inquiries/reviews if appropriate; and
- Committee initiative engagement.

Committee Activity on 2014 European Priorities

CAP Reform

The Committee undertook in depth scrutiny of how the revised Pillar 1 would be implemented by the Department. It commissioned research papers, had briefings from DARD and key stakeholders and the industry.

The Committee focused on the policy issue of Areas of Natural Constraint, coupling schemes, regionalisation of NI payments and young farmer schemes. The Committee also concentrated on CAP Pillar 2 Rural Development Programme

Single Farm Payments and LPIS Mapping

The Committee continued its ongoing scrutiny of Single Farm Payments and the new mapping system and the area of disallowance. The Committee held regular oral evidence sessions with the Department on these issues.

Dairy Industry

The Committee has received numerous briefings on the Dairy Industry and the current crisis it is facing due to a decline in the market for a number of reasons. In response to issues raised by Dairy UK, the Committee has written to MEPs, the European Commission, the Department, local banks and its counterparts in the Republic of Ireland.

The Committee has also commissioned research on the Dairy Industry in the Republic of Ireland.

December EU Fisheries Meeting

The Committee receives an oral briefing from the Department as soon as is practicable following the annual December EU Fisheries Council in order to be kept informed on agreements over fishing opportunities, Total Allowable Catch and the amount of time the fleet can spend fishing and the impact these decisions may have on the Northern Ireland fleet.

Committee for Culture, Arts and Leisure

Northern Ireland Assembly

Committee for Culture, Arts and Leisure

Mr Mike Nesbitt MLA
Chairperson
Committee for the Office of the First Minister and deputy First Minister
Room 435
Parliament Buildings
Stormont
Belfast
BT4 3XX

Our Ref: C492/15

27th February 2015

Dear Mike,

Culture, Arts and Leisure Committee European Commission Work Programme and other EU priority workstreams

At its meeting on 12th February 2015, the Committee for Culture, Arts and Leisure considered your letter regarding the European Union Commission's Work Programme (CWP) for 2015. You also wrote asking for details of the Committee's response to the CWP and any other EU priority workstreams that Members might choose to pursue, and an update on the Committee's work on its 2014 EU priority workstreams.

At its meeting on 26th February 2015, the Committee agreed the response below.

As you are aware, there were no CAL-related issues coming out of the EU CWP in either 2013 or 2014. However, as indicated in the Committee's responses in 2013 and 2014 to your Committee, Members are very keen to pursue EU workstreams and engage with stakeholders around EU-related issues.

The 2015 EU CWP has three CAL-related priorities, as highlighted in the research paper you forwarded. These are as follows:

- 2) A connected Digital Single Market.
- 15) Study on the efficacy of co- and self- regulating aspects in promoting effective implementation of the Audiovisual Media Services Directive for 2015.
- 17) Audiovisual Media Services Directive.

Committee for Culture, Arts and Leisure, Room 344, Parliament Buildings, Ballymiscaw, Stormont, Belfast BT4 3XX
Telephone: 028 90521718 Fax: 028 90521355 E-mail: committee.cal@niassembly.gov.uk

The Committee will adopt these as priorities within its EU workstream, as highlighted in the attached pro forma.

Many of the priorities identified in the Committee's 2014 and 2013 returns will continue to be priorities as programmes are now fully on stream and the Committee will continue to engage with stakeholders on these, particularly Creative Europe, Horizon 2020 and the new Erasmus+ sports funding. The Committee is continuing to prioritise the outworkings of its Maximising Creative Industries' Potential Inquiry Report (March 2013), which highlights a number of key EU-related priorities. This will also be the case for the Committee's current Inquiry into Inclusion in the Arts, which will report later this year. These non-CWP priorities are also highlighted on the attached pro forma.

Yours sincerely,

Nelson McCausland

Mr Nelson McCausland MLA
Chairperson
Committee for Culture, Arts and Leisure

Draft Priorities**EUROPEAN COMMISSION WORK PROGRAMME 2015 – COMMITTEE PRIORITIES**

Committee: **Committee for Culture, Arts and Leisure**

Background

The Committee for Culture, Arts and Leisure agreed the response below based on the three CAL-related issues identified in the 2015 European Commission Work Programme and highlighted by the research paper forwarded by the OFMDFM Committee.

Agreed Priorities for 2015 from the European Commission Work Programme**2) A connected Digital Single Market**

The Committee has kept a watching brief on copyright and intellectual property rights over the past couple of years as the audiovisual sector has grown considerably here. This sector is reliant on education, skills and digital/audiovisual infrastructure, therefore it is a sector in which we can compete well as labour costs are not the key driver of location. The sector is also fairly footloose, which is also a factor. Northern Ireland has massively increased its output of audiovisual material and must act to ensure that copyright and IPR are properly secured. There is considerable potential for copyright and IPR income once the Digital Single Market becomes a reality and Northern Ireland must be ready for it.

As DCAL has the lead for the Creative Industries here, it is important that the Department ensures that the local audiovisual sector protects itself as a Digital Single Market develops. The Department is responsible for the Strategic Action Plan on the Creative Industries, as well as the Creative Industries Innovation Fund; therefore, DCAL must champion the awareness of 'creators' regarding copyright and IPR. The Department is also co-sponsor of NI Screen, which has been very successful in expanding the audiovisual production sector here, as well as broadening the sectoral skills base.

The Committee will press the Department for its plans to ensure that the impact of the Digital Single Market on the indigenous audiovisual sector has been considered and that an action plan for responding to it is in place and widely known and understood. The Committee will also engage with NI Screen and Pact (the trade association representing the commercial interests of UK independent television, film, digital, children's and animation media companies) on the same basis.

15) Study on the efficacy of co- and self- regulating aspects in promoting effective implementation of the Audiovisual Media Services Directive for 2015 AND 17) Audiovisual Media Services Directive (Evaluation of Study)*

The Audiovisual Media Services Directive was passed in 2010, providing for a joined-up approach across the EU in terms of certain standards for audiovisual broadcasts and in terms of their methods of distribution. It is designed to enable audiovisual products to be circulated more easily across EU Member States and so allow, potentially, a wider market for television programmes and films.

The results of the study of the Audiovisual Media Services Directive will inform evaluation of the Directive and the recommendations will lead to reform. This sector is highlighted as being important in the Northern Ireland Economic Strategy. This sector may benefit, or be hampered, by changes to cross-border broadcasting rules, potentially affecting the scale and speed of product distribution.

As with the Digital Single Market, the AMS Directive allows local to sell their products more easily across the EU. The indigenous sector must be ready to respond to any reform of the Directive and DCAL, as the lead department for Creative Industries, must ensure that the sector is properly prepared.

Again, the Committee will press the Department for its plans to ensure that it assesses the impact of any reform to the ASM Directive for 2015 on the indigenous audiovisual sector has been considered and that an action plan for responding to it is in place and widely known and understood. The Committee will also engage with NI Screen and Pact (the trade association representing the commercial interests of UK independent television, film, digital, children's and animation media companies) on the same basis.

(*Intellectual Property Rights / Online Distribution of Audiovisual Works in the EU / Issues around music piracy and copyright protection: The Committee will roll its previous work around these issues into its work on CWP priorities 15 and 17 above)

Other non-CWP EU activity planned for 2015 and review of 2014 activities

Creative Europe programme (2014–2020):

The Committee is currently engaging with the Department and the Arts Council of Northern Ireland on how it is responding to funding calls for this programme. The ACNI has recently appointed (November 2014) a DCAL-funded Creative Europe Desk Officer and the Committee will seek briefing from her in due to assess the effectiveness of her work. The Committee is currently undertaking its own research to ascertain how much the DCAL ALBs are engaging with the EU to seek policy influence or funding. The Committee will work with the Department, ACNI and key stakeholders to provide opportunities to disseminate information regarding how to engage with and to apply to the fund. Additionally, the Committee will work with these key partners to facilitate awareness of the programme and capacity building to ensure stakeholders can respond to it. This is a continuation of the work that the Committee began in 2014 with respect to this programme.

Horizon 2020 (2014-2020):

Although this is essentially an R&D funding programme, the Committee believes that there is considerable potential for the Creative Industries to make use of Horizon 2020. The Committee has discussed the potential for the creative sector of this programme and Members are keen to see more activity. Recent Committee scrutiny of DCAL's EU engagement has indicated that this is at a low level and needs considerable development. The Committee will seek out examples of successful engagement with Horizon 2020 from the creative sector, and will work to support capacity building to enable this success to be replicated. Again, this follows on from work the Committee began in 2014 with respect to this programme.

European Capital of Culture (ECOC)

The European Capital of Culture programme has been formally extended until 2033. The next UK opportunity will be in 2023, and applications must be submitted at least six years before the due date. After its very successful year as UK City of Culture in 2013, Derry/Londonderry would be well placed to make an application as a European Capital of Culture in 2023. The legal basis of the new programme states that, the Member States concerned shall publish a call for submission of applications at least six years before the year

of the title. This means that any preparation for the city to apply for the UK round of ECOC in 2023 must be ready by 2016 at the latest. However, official EU guidance suggests that 'most successful ECOCs start their preparation 2-3 years in advance of this call'. This means that any Derry/Londonderry application would need to get underway immediately. The Committee will pursue this opportunity with DCAL and the city.

Sport (Erasmus+)

The EU was given 'a supporting, coordinating and supplementing competence for sport which calls for action to develop the European dimension in sport' in Article 165 of the Lisbon Treaty. While this is a fairly new competency and the EU is largely still exploring how it can have a positive impact on sport, funding is one key area which it has now identified. The Committee believes that there is some potential for sports bodies and clubs etc. to draw down some of this funding. The Committee has particularly focused on the sports strand of the new Erasmus+ programme. There is a €210m fund available for sport and it is open to:

- Public sporting bodies;
- Sporting organisations, leagues, and clubs at any level;
- Sporting unions or representations;
- Organisations active in promoting physical activity, including social inclusion in sports; and
- Event organisers in the sport sector.

The fund may be used for three specific project types:

- Transnational collaborative projects:
 - Projects tackling issues affecting the integrity of sport (such as doping, violence or match-fixing) on a cross-border basis;
 - Promoting cross-border good governance and support for ensuring support for athletes to stay in education or work while playing sport; and
 - Promoting voluntary sporting activity and equal access on a cross-border basis.
- Not-for-profit major sporting events involving at least 12 countries can receive support for:
 - Promotional activity;
 - Transnational training for participants, volunteers or coaches;
 - Side activities (seminars, workshops etc.) related to the event; and
 - Legacy activities.
- Research into producing evidence-based policy for sport related to:
 - Participation in physical activities;
 - Prevalence of discrimination;
 - The presence of social inclusion measures; and
 - Levels of corruption, violence, and doping in sport.

Androulla Vassiliou, the European Commissioner responsible for sport announced plans on 11 June 2014 for the first **European Week of Sport (EWOS)**, which will take place in September 2015. The Committee is engaging with Sport NI with respect to its plans for the EWOS in September. The aim of the event is to promote exercise and sport at all levels. Guidance is as follows:

- The focus should be broader than sport to bring in large parts of society; physical activity should be added to the scope of the week and cross-sectoral partnerships should be created;
- An EU summit on sport (broader than the EU Sport Forum) could be organised;
- Flagship event(s) should be organised and specific theme(s) per year in line with the EU policy agenda should be considered;
- Standard events should be envisaged, and specific days of the week should be reserved for different target groups;
- Positive early sport experiences for children including a relational element would be key, as well as efforts to seek integration of physical activity in everyday life;
- Activities to strengthen the evidence base should be envisaged, e.g. launching of studies/surveys and organising conferences involving academics and research institutes to discuss results and exchange best practices;
- Existing initiatives should be given visibility during an EWoS; experiences from national activities should be taken into account;
- Specific sports for people with a disability and inclusive sport activities should be promoted;
- Open doors or substantial discounts and promotions at the local level in e.g. public sport facilities, sport clubs, fitness clubs, swimming pools, should be envisaged;
- Physical activity / education in schools would need specific attention; and
- Different kinds of awards (e.g. most active city, teacher, club) could be created.

Workplan for Culture (2015-18)

In November 2014 a Workplan for Culture 2015–2018 was established, containing four key policy areas: **accessible culture; cultural heritage; creative economy and innovation; and culture in the EU external relations**. Below these over-arching key priorities, the workplan states that working groups of experts will be put together to examine and explore 13 specific ‘topics’. The Committee has a particular interest in and will maintain a watching brief on the following:

- **Development of ‘cultural awareness and expression’:** experts will identify good practice for the development of this key competence and its integration into education policies.
- **Promoting access to culture via digital means:** the ‘impact of the digital shift’ on the way in which audiences engage with culture will be examined.
- **Fostering the contribution of culture to social inclusion:** good practice will be identified where culture has made a significant contribution to policy areas such as healthcare, social care, and prison services.
- **Access to finance:** the ‘financial ecosystem’ of the cultural and creative sectors will be examined to identify the performance of alternative financial instruments such as loans, equities, business angels, crowdfunding and venture capital.

EELS

The Committee has engaged extensively in this issue, communicating with the House of Lords EU Scrutiny Committee and ensuring that the principle of subsidiarity is upheld in view of the important Northern Ireland eel fishing industry. The European Commission report on eels has outlined some particular concerns:

- Humanly induced mortality was identified as a major concern, and the report suggested 'additional measures may need to be considered to reduce current levels of humanly induced mortality';
- Restrictions on fisheries are seen as something which the EU would 'assess the impact of';
- Another key area of concern was non-fishing anthropogenic mortality factors such as hydro-power or pumping stations; and
- As there were grave concerns regarding the data received from the Member States, the Commission suggested 'Standardization of data table formats and calculation methods' to better assess the impact of the measures.

As an action point in the report, the Commission states that it intends to 'request an external scientific review of the methodologies used by Member States, and, where relevant, an update or a new estimation of stock indicators regarding eel'. The Committee is very aware of these issues and maintains a watching brief on the subject.

General Comments:

The Committee will continue to seek regular updates from both RalSe, the Department and the DCAL ALBs with respect to EU issues.

Committee for Education



Northern Ireland Assembly

Miss Michelle McIlveen
Chairperson, Committee for Education

Mr Mike Nesbitt MLA
Chairperson
Committee of the Office of the First Minister and deputy First Minister
Room 285
Parliament Buildings
Ballymiscaw
Stormont
Belfast
BT4 3XX
committee.ofmdfm@niassembly.gov.uk

6 March 2015
Our Ref: PMcC/KM/2009

Dear Mr Nesbitt

European Commission Work Programme – 2015.

At its meeting on 3 March 2015, the Committee considered your correspondence regarding the European Commission Work Programme 2015. The Committee response template is attached for your information.

Yours sincerely

Committee for Education

Room 375, Parliament Buildings, Ballymiscaw, Stormont, Belfast, BT4 3XX

Tel: (028) 9052 1201 Fax: (028) 9052 2194

E-mail: peter.mccallion@niassembly.gov.uk

**Michelle McIlveen MLA
Chairperson
Committee for Education
Enc.**

Committee for Education

Room 375, Parliament Buildings, Ballymiscaw, Stormont, Belfast, BT4 3XX

Tel: (028) 9052 1201 Fax: (028) 9052 2194

E-mail: peter.mccallion@niassembly.gov.uk

EUROPEAN COMMISSION WORK PROGRAMME 2015 – COMMITTEE PRIORITIES

Committee: **Committee for Education**

Background

The Committee for Education considered correspondence from the Committee for OFMDFM regarding the European Commission Work Programme on 25 February 2015. Members noted that the relevant Assembly Research paper indicated that the Commission Work Programme included no activities which were relevant to the Committee for Education.

The Committee therefore agreed that as with 2014-15, it would not be undertaking any activities relating to the Commission Work Programme in 2015-16.

The Committee's other EU-related work carried out in 2014-15 is summarised below.

Agreed Priorities from the 2015 European Commission Work Programme

None

Other EU activity planned for 2015

Further consideration of the SEUPB Peace IV programme including the proposed Shared Education elements.

Other comments

None

COMMITTEE ACTIVITY ON 2014 EUROPEAN PRIORITIES

None

Other EU activity undertaken in 2014-15

The Committee scrutinised DE's International Education Programme and the Department's progress in drawing down EU funding. The Committee also hosted "The World in your Classroom" event with the British Council who are the funding organisation in the UK for Erasmus+. The event successfully highlighted funding opportunities for schools wishing to internationalise the curriculum. The Committee followed this up with a request to the Department of Education seeking further information on the DE International Education Programme; an update on education-related projects funded under Peace IV; and an explanation as to how the Department plans to disseminate Erasmus+ information from the relevant Steering Group to schools and education sectoral organisations. A response from DE was considered at the Committee's meeting on 3 September 2014.

The Committee also responded to the SEUPB consultation on Peace IV welcoming the proposed Shared Education elements of the new funding programme.

Other comments

None

Committee for Employment and Learning

To: Kathy O'Hanlon
Clerk to the Committee for the Office of First Minister and deputy First Minister

From: Cathie White
Clerk to the Committee for Employment and Learning

Date: 19 February 2015

Subject: Committee for Employment and Learning European Priorities 2015-2016

Kathy,

At its meeting yesterday, the Committee for Employment and Learning agreed its response to your request for its European Priorities for 2015-2016 and a review of its European Priorities for 2014-2015 and agreed to forward this to you for information. I should be grateful if you would bring this to the attention of your Committee.

Regards,

Cathie White
Committee Clerk

Committee for Employment and Learning
Room 416
Parliament Buildings
Tel: +44 (0)28 9052 1448
cathie.white@niassembly.gov.uk

European Commission Work Programme 2015 – Committee Priorities

Committee: Committee for Employment and Learning

Background

On receipt of the request by the Committee for the Office of First Minister and deputy First Minister for its forthcoming EU priorities the Committee requested a paper from Assembly Research and Information Service on the European Commission Work Programme and scheduled a briefing from the Department and RalSe in its forward work programme.

Agreed Priorities from the 2015 European Commission Work Programme

Promoting integration and employability in the Labour Market.

A package of measures to support Member States in getting people, especially the longer term unemployed and younger people, into work and developing a skilled workforce. This will include measures to follow up on the implementation of the Youth Employment Initiative, a proposal for a Council Recommendation on integration of the long-term unemployed, as well as measures to promote skills development.

It must be noted that the support provided under the Youth Employment Initiative is not applicable to NI as the NI youth unemployment rate is below 25%.

The UK Government has stated in regards the proposal that: it is for individual Member States “to decide on their own policy direction to meet individual countries’ skills needs”.

The proposal appears to still be at an early stage of the development. The Committee will write to Department for Employment and Learning to ascertain if it has had any input into the development of the proposal to date and for information on whether any new measures will be applicable to NI.

Labour Mobility Package.

The package aims at supporting labour mobility and tackling abuse by means of better coordination of social security systems, the targeted review of the Posting of Workers Directive and an enhanced EURES.

This issue has been a Committee priority since 2014 and it has wrote to the Department for further information and received a briefing on the 8 October 2014. During the briefing the officials agreed to provide following information:

- a breakdown on the statistics by east/west split for those who are economically inactive and for those who are seeking employment.
- The Departments Disabilities Action Plan when available.
- all the statistical information used to formulate the graphs included in the Departments briefing.

The Committee continues to monitor this issue and request updates from the Department.

Mid-term review of the Europe 2020 strategy.

Improved and updated Europe 2020 strategy, drawing lessons from the first four years of the strategy and ensuring it acts as an effective post-crisis strategy for growth and jobs in Europe.

The proposal appears to still be at an early stage of the development.

The Committee agreed to ask the Department for Employment and Learning if it has had any input into the development of the proposal to date or on the consultation and to provide written briefing on what the proposed changes are and what they would mean for NI if implemented.

Trade and Investment strategy for Jobs and Growth

This initiative involves a comprehensive review of the EU's trade policy strategy, and in particular its contribution to jobs, growth and investment. The review will cover all aspects of trade policy, including bilateral, plurilateral and multilateral negotiations as well as autonomous measures. It will include policy orientations in all these areas for the next five years.

The proposal appears to still be at an early stage of the development.

The Committee agreed to ask the Department for Employment and Learning if it has any input into the development of the proposal to date.

European Agenda on Migration

The European Agenda on Migration is intended to develop a new approach on legal migration to make the EU an attractive destination for talents and skills, as well as to improve the management of migration by intensifying cooperation with third countries, fostering burden sharing and solidarity and fighting against regular migration and smuggling. The agenda includes a review of the Blue Card Directive, the EU-wide work permit for highly skilled workers.

Migration is a non-devolved matter and as such Northern Ireland will have a limited role in developing a stance in regards this policy.

Recast and Merger of three Directives in the area of Information and Consultation of Workers.

This is the recast and merger of three Directives following a fitness check (a check to ensure Regulations remain fit for purpose) published in July 2013 in order to address some of the issues raised by a Commission Staff Working Document (and improve the operation of the Directives).

The three Directives are:

- Directive 98/59/EC on collective redundancies;
- Directive 2001/23/EC on transfers of undertakings; and
- Directive 2002/14/EC establishing a general framework relating to information and consultation of workers in the EC.

This issue has been a Committee priority since 2014 and it has wrote to the Department for further information. The Departmental response advised that the Department had no further information but would keep the Committee notified as any EU consultation was rolled out.

Other EU activity planned for 2015

The Committee for Employment and Learning will continue with its EC scrutiny in 2015, which will include biannual briefings from the Department and Assembly Research and Information Service on EU Issues. The Committee will also receive regular briefings on the European Social Fund, ESF 2014-2020 and Horizon 2020.

The Committee will consider any European Union Memorandum's identified by Assembly Research and Information Service as relevant to the Committee and consult with the Department on what action it will be taking in relation to these.

Committee Activity on 2014 European Priorities

Tackling the gender pay gap (Previously referred to in the Q3 CWP 2013 briefing as: Commission Recommendation on strengthening the principle of equal pay between men and women through transparency)

This initiative would promote and facilitate effective application of the principle of equal pay in practice and assist Member States in finding the right approaches to reduce the persisting gender pay gap.

The Committee wrote to the Department asking how NI compares with other EC jurisdictions regarding Equal Pay and what the proposals will mean for NI. The Department's response advised that the matter was under the remit of OFMDFM.

Recast* and merger of three Directives in the area of information and consultation of workers

Recast and merger of three Directives further to a fitness check published in July 2013 in order to address some of the issues raised by the Commission SWD (and improve the operation of the Directives). This initiative is subject to a consultation of social partners.

The three Directives are:

- Directive 98/59/EC on Collective redundancies;
- Directive 2001/23/EC on transfers of undertakings; and
- Directive 2002/14/EC establishing a general framework relating to information and consultation of workers in the EC

See the Committee's current priorities for 2015.

Labour mobility package

The initiative will facilitate the free movement of persons within the EU by means of better coordination of social security schemes, thus making citizens' rights more effective and contributing to growth and jobs. The package will present recent achievements and include the revision of Regulation 883/2004 and Regulation 987/2009 on social security coordination as well as the initiative on highly mobile workers.

See the Committee's current priorities for 2015.

Communication on job creation in the 'green economy'

The Communication will focus on the main actions to support job creation and improve resource efficiency at the workplace as one of the main challenges for Europe's competitiveness. It will focus on key economic sectors and on anticipation and emerging skills development for a more resource efficient economy.

The Committee wrote to the Department seeking further information on this issue and highlighting the possible job opportunities for Northern Ireland if the Department can ensure that the right skills are available in the local labour market. The Department's response provided information on the issues raised and agreed to keep the Committee informed of any changes.

Committee for Enterprise, Trade and Investment



**Northern Ireland
Assembly**

Committee for Enterprise, Trade and Investment

Room 375
Parliament Buildings
Tel: +44 (0) 28 905 21614

From: Jim McManus, Committee for Enterprise, Trade & Investment
To: Kathy O'Hanlon
Date: 19th February 2015
Subject: Assembly Statutory Committee European Priorities 2015

At its meeting of 10th February 2015, the Committee for Enterprise, Trade and Investment noted correspondence from the Committee for the Office of the First Minister and deputy First Minister in regards to the Assembly's European Priorities for 2015. The Committee agreed its response on its European Commission Work Programme at its meeting on the 17th February 2015.

I would be grateful if you would bring this information to attention of your Committee.

Regards

Jim McManus
Clerk to the Committee
Ext: 21230

EUROPEAN COMMISSION WORK PROGRAMME 2015 – COMMITTEE PRIORITIES

Committee: **Committee for Enterprise, Trade and Investment**

Background

The Committee considered the RalSe Paper at its meeting on 10th February 2015 and agreed to provide a response.

Agreed Priorities from the 2015 European Commission Work Programme

The Investment Plan for Europe

The follow-up actions include setting up of the European Fund for Strategic Investments (EFSI), promoting cooperation with National Promotional Banks and improving access to finance for SMEs

Despite the focus on the South of Europe, the Committee will scrutinise the Department's work to investigate how Northern Ireland SMEs can avail of the range of measures to improve access to finance for SMEs.

Mid-term Review of the Europe 2020 Strategy

Improved and updated Europe 2020 strategy, drawing lessons from the first four years of the strategy and ensuring it acts as an effective post-crisis strategy for growth and jobs in Europe.

The Committee will continue to scrutinise the Department's work on the target to have 40% of electricity consumed from renewable sources and 10% of heat from renewable sources by 2020. This will contribute to the UK target and the overall EU target for 20% of energy to come from renewable sources by 2020.

The Committee will continue to scrutinise the Department's promotion of investment in EU sources support for research and development.

Strategic Framework for the Energy Union

The Strategic Framework will focus on: energy supply security; integration of national energy markets; reduction in European Energy demand; decarbonising the energy mix and promoting research and innovation in the energy field. It will include revision of the EU Emissions Trading System as part of the legislative framework post 2020.

The Committee will continue to scrutinise the introduction of the Integrated Single Electricity Market (I-SEM) and the Department's renewable energy targets.

Internal Market Strategy for Goods and Services

A strategy for a renewed and integrated approach for the Single Market, to deliver further integration and improve mutual recognition and standardisation in key industrial and services sectors where the economic potential is greatest, e.g. business services, construction, retail, regulated professions, advanced manufacturing and combined services/goods provision. A particular focus will be on SMEs.

The NI Economic Strategy seeks to improve Northern Ireland ability compete globally. The Committee will continue to scrutinise the implementation of the Economic Strategy including increasing exports and the number of exporters; establishing and growing businesses; and joint working with the Committee for Agriculture & Rural Development on the work of the Agri-food Strategy Board.

Trade and Investment Strategy for Jobs and Growth

A comprehensive review of the EU's trade policy strategy, and in particular its contribution to jobs, growth and investment. The review will cover all aspects of trade policy, including bilateral, plurilateral and multilateral negotiations as well as autonomous measures. It will include policy orientations in all these areas for the next five years.

The Committee will consider the outcomes of negotiations on the Transatlantic Trade and Investment Partnership (TTIP) negotiations and the potential impacts on the NI Economic Strategy, for Northern Ireland businesses and for inward investment.

Other EU activity planned for 2015

The Committee is undertaking a visit to Stuttgart in March 2015. The Committee will consider a paper from RalSe on the visit following Easter Recess. This information will be used to inform the Committee's ongoing Inquiry into Growing the Economy and Creating Jobs with Lower Corporation Tax.

The Committee will continue to scrutinise the work of ONIEB and its impact on supporting businesses and growing the economy.

The Committee will continue to follow developments in relation to EU plans to abolish mobile phone roaming charges.

Continued scrutiny of the DETI Broadband Improvement Project.

Scrutiny of the Work of the Northern Ireland Contact Points for Horizon 2020.

Other comments

COMMITTEE ACTIVITY ON 2014 EUROPEAN PRIORITIES

Agreed Priorities from the 2014 European Commission Work Programme

2030 Framework for Climate and Energy Policies

The initiative will frame energy and climate policies beyond 2020 for the period up to 2030 to provide a long-term perspective for investments, achieve a more sustainable, secure and competitive EU energy system and ensure that the EU post 2020 is on track to meet climate and energy objectives.

The Committee continued scrutiny of DETI implementation of its vision for energy up to 2050. This included three Committee reviews into Security of Electricity Supply, Electricity Pricing and Grid Connections.

State Aid Modernisation in Key Sectors

The package completes State Aid modernization in key sectors, including an assessment of the guidelines on Research, Development and Innovation.

The Committee followed up on work to support DETI in retaining Northern Ireland's 100% Assisted Area Status by scrutinising and advising the Department on support for businesses through Foreign Direct Investment and increased levels of EU support for innovation and R&D for SMEs. This included accompanying Invest NI on a trade mission and visit to California.

State of Implementation of the Internal Energy Market and Action Plan to Implement the Internal Energy Market at Retail Level

The Commission intends to complete the internal energy market by 2014. With this in mind, they will report on progress in implementation of the energy acquis and the actions identified in the Action Plan outlined in the Communication on Internal Energy market from November 2012. The Commission will also issue a retail market initiative aiming at facilitating consumer engagement, fostering competition and strengthening energy system architecture to the benefit of energy consumers.

The Committee followed developments in the review of the Single Electricity Market and work to meet the EU requirements for integration of markets in electricity and gas by 2016.

A New Approach to Business Failure and Insolvency

The objective of this initiative is to set up minimum standards in the field of pre-insolvency procedures (reorganisation) and second chance for honest entrepreneurs. It aims to remove

obstacles to cross-border trade and investment by providing a level-playing field for debtors and creditors situated in different Member States.

The Committee stage of the Insolvency (Amendment) Bill is coming to an end.

Research and Innovation as New Sources of Growth

To follow on from the Commission's work on the Innovation Union it will produce a Communication to assess how the innovation economy promotes competitiveness and provide an evidence base for identifying priority investments alongside the necessary structural reforms in the context of fiscal consolidation and unlocking growth potential.

The Committee continued to advise the DETI and scrutinise its plans for increasing uptake of research and development opportunities through Horizon 2020 and the COSME programme for SMEs. This included briefing sessions from the Department and from the NI Contact Points for Horizon 2020 in QUB and UU, scrutiny of the work of the North-South Steering Group on Horizon 2020 and engagement with the Oireachtas Joint Committee on Jobs, Enterprise & Innovation and joint scrutiny of the work of InterTradeIreland in relation to opportunities for collaboration with the RoI under Horizon 2020.

Other EU activity undertaken in 2014

The Committee followed developments in relation to EU plans to abolish mobile phone roaming charges.

The Committee undertook scrutiny of the DETI NI Broadband Improvement Project including oral briefings.

The Committee continued to engage with and scrutinise the work of the NI Executive Desk Officers in Brussels as their work relates to the Department of Enterprise, Trade & Investment and attempts to draw down funding from the Connecting Europe Facility.

Other comments

Committee for the Environment

Committee for the Environment

Room 245

Parliament Buildings

Tel: +44 (0)28 9052 1720

Fax: +44 (0)28 9052 1795

To: Kathy O'Hanlon
Clerk to the Committee for the Office of the First and Deputy First Minister

From: Sheila Mawhinney
Clerk to the Committee for the Environment

Date: 12th March 2015

Subject: Response to OFMDFM Committee on European Priorities.

1. At its meeting on 12th March 2015 the Committee for the Environment considered a slightly amended response regarding European Priorities.
2. The Committee agreed that I forward the response to you for your information.

Sheila Mawhinney

Clerk

Committee for the Environment

Enc.

European Commission Work Programme 2015 – Committee Priorities

Committee: Committee for Environment

Background

The Committee considered Mr Nesbitt's letter about the European Commission (EC) Work Programme on 12 February and received a briefing from RalSE on the EC priorities which are relevant to the Department of the Environment's remit on the same date.

RalSE identified a number of relevant priorities for the Environment Committee in its analysis of the EC's 2015 work programme and the Committee agreed to prioritise two of these for the forthcoming year.

1. Strategic Framework for the Energy Union
2. Communication on the Road to Paris – multilateral response to climate change.
3. Evaluations carried out under the Regulatory Fitness and Performance programme (REFIT)

Following the briefing the Committee wrote to the Department seeking additional information on a number of these issues. The Committee considered the Department's response at its meeting on 26 February 2015.

Agreed Priorities from the 2015 European Commission Work Programme

Priority 1: Strategic Framework for the Energy Union

The Strategic Framework will focus on: energy supply security, integration of national energy markets, reduction in European energy demand, decarbonising the energy mix and promoting research and innovation in the energy field. It will include the revision of the EU Emissions Trading System (EU ETS) as part of the legislative framework post 2020.

Part of this framework will fall under the remit of DETI. However, the revision of the EU ETS Directive may be of interest to the DOE who will need to update associated guidance documents

Proposed Committee action

The Commission launched a public consultation 19th December 2014 on the revision of the EU ETS Directive post 2020. It also focuses on a new emission reduction target of at least 40% in 2030 as compared to 1990.

The consultation runs until the 15th March. The Committee will ask the Department whether it has or intends to feed into the consultation.

Priority 2: Communication on the Road to Paris – multilateral response to climate change

A new international climate change agreement between UN countries is to be developed and adopted at the Paris Climate Conference at the end of 2015 – and implemented from 2020.

The objective of the communication is to outline the EU vision and expectations in the context of the 2015 Agreement. It sets out how the EU will contribute to the targets set under the final Agreement – this is based on conclusions made by the European Council in October 2014.

Proposed Committee Action

The Committee will monitor how the Department proposes to prepare for the implementation of an agreement which sets targets beyond the times scales of current NI action plans or programmes. These include a Greenhouse Gas Emissions Action plan for the period up to 2025, which was produced by the Department in 2011, and in 2014 an Adaptation Programme was introduced for the period 2015-2019, setting out actions needed to respond to the impacts of climate change

Priority 3: Evaluations carried out under the Regulatory Fitness and Performance programme (REFIT)

REFIT is the European Commission's Regulatory Fitness and Performance programme.

Under this programme the Commission is to conduct an evaluation of existing legislation covering the following area:

- Geological storage of carbon dioxide
- Reduction of CO2 emissions from light duty vehicles
- Fuel Quality
- Environmental Liability
- Drinking Water
- Environmental Noise
- European Pollutant Release and Transfer Register
- Volatile organic compound emissions Stages I and II
- Wild animals in zoos
- Combined transport
- And also, Natura 2000 (Birds and Habitats Directives)

Committee action

The Committee will wish to establish what actions the Department is taking to feed into these evaluations, particularly in relation to the Birds and Habitats Directives which are currently ongoing and which are due to be completed in 2016.

Other EU activity planned for 2015

Planned visit to waste recycling plant at Indaver County Meath as part of ongoing Committee interest in waste reuse and recycling.

Committee Activity on 2014 European Priorities

Priority 1: Climate and Energy Framework for the period up to 2030

The three specific objectives identified by the EC are:

- To meet 80-95% greenhouse gas emission reduction objective in 2050 compared to 1990
- To foster long term competitiveness, security of supply and sustainability
- To provide a long-term perspective for investments until 2030

Current policies will not allow the EU to meet its objectives of 80-95% carbon emissions reduction by 2050. It is believed that this is largely due to the significant policy gap

between 2020 and 2050. The Framework is the next intermediary step in the binding 2030 renewables, CO2 and energy efficiency targets to fill this gap

Activity undertaken

The Committee has just completed an Inquiry into Wind Energy and the role of renewable energy in Northern Ireland, and its recommendations on the way in which carbon emission targets should be met will be published at the beginning of March 2015.

The Committee has also scrutinised a wide range of subordinate legislation, both NI and UK, relating to the regulation of carbon emissions; the majority of these Statutory Rules and Instruments represent the implementation of EU Directives. The Committee has had an opportunity for comment and input at all stages of the legislative process, including UK wide consultations issued by DECC.

The Minister for the Environment has also told the Committee that he still plans to introduce a Climate Change Bill before the end of this mandate.

Priority 2: Review of Waste Policy and Legislation

This initiative will review key targets in EU waste legislation (in line with the review clauses in the Waste Framework Directive, the Landfill Directive and the Packaging Directive) and carry out an ex-post evaluation of waste stream directives, including ways to enhance coherence between them. Currently the Waste Regulations (Northern Ireland) 2011 have fully transposed the requirements of the revised Waste Framework Directive (2008/98/EC) (WFD) in Northern Ireland.

Activity undertaken

Over the last year, the Committee has had a number of briefings, both from the Department and from other stakeholders, on the implementation of the Revised Waste Framework Directive and the draft Waste Prevention Programme for Northern Ireland. The Committee has considered subordinate legislation in relation to the Controlled Waste Duty of Care Code of Practice and the Waste Electrical and Electronic (WEEE) recast Directive and, where appropriate has requested further details and oral briefings from the Department. The Committee has also undertaken a fact-finding study visit to the Vito and Metabolon research sites in Belgium and Germany to investigate waste refining and reuse and the outworking of the circular economy.

Priority 3: Framework to enable safe and secure unconventional hydrocarbon extraction

Against the background of existing EU legislation this initiative will examine options to ensure that opportunities to diversify energy supplies and improve competitiveness, including by production of unconventional gas, can be taken up. The framework would target a level playing field across the EU, clarity and predictability for both market operators and citizens including for exploration projects, full consideration of greenhouse gas emissions and management of climate and environmental risks in line with public expectations.

Activity undertaken:

The Committee has been kept updated by the Department on recent actions in relation to proposed shale gas extraction by Tamboran in Fermanagh. It has agreed not to actively pursue this topic further at the present time but instead to maintain a watching brief on this issue.

Priority 3: State aid modernisation in key sectors

State Aid measures, such as those which support energy saving and waste management or to improve production processes, can result in a direct benefit to the environment.

Activity undertaken:

The Committee has engaged with the WRAP/ ReNEW project which receives funding from various EU governments and universities, as well as Horizon 2020. This engagement will continue as future funding is sought by the project to develop a waste innovation centre in Northern Ireland.

Other EU activity undertaken in 2014

The Committee received a briefing from RAISE and departmental officials on European funding over the last year; the Committee has also agreed to have a regular item on EU issues on a monthly basis.

Other comments

Committee for Finance and Personnel



**Northern Ireland
Assembly**

Committee for Finance and Personnel

Room 144

Parliament Buildings

Tel: 028 9052 1843

From: Shane McAteer
Clerk to the Committee for Finance and Personnel

Date: 4 March 2015

To: Kathy O'Hanlon Clerk to Committee for the Office of the First Minister
and deputy First Minister

European Priorities and European Commission Work Programme 2015

At its meeting today, the Committee for Finance and Personnel agreed the enclosed response on the above.

SHANE MCATEER

☎ 21843

Enc.

EUROPEAN COMMISSION WORK PROGRAMME 2015 – COMMITTEE PRIORITIES

Committee: **Committee for Finance and Personnel**

Background

The Committee first considered the OFMDFM Committee correspondence at its meeting on 28 January 2015 and agreed that, in order to inform its response, it would seek comment from the Department of Finance and Personnel (DFP). The DFP response arrived on 24 February 2015 and members considered this correspondence alongside a draft response to OFMDFM Committee at the Committee meeting on 4 March 2014.

The Committee for the First Minister and deputy First Minister commissioned Assembly Research (RaSe) to analyse the European Commission's Work Programme (CWP) for 2015. As such various initiatives and actions have been identified and broken down by departmental responsibility. Nine such initiatives relevant to DFP have been assigned to the Committee for Finance and Personnel for consideration.

The Committee forwarded the RaSe paper to the DFP for comment. The Department has noted these initiatives and the high level "description of scope" associated with each. In its response, DFP indicates "that the Department is taking forward a wide-ranging programme for work, as outlined in its Corporate and Business Plans, which complements and seeks to address, at regional level, many of the issues identified in CWP 2015"

Annex 1 of this return contains DFP's view on each of the 9 initiatives identified in the RaSe paper.

Agreed Priorities from the 2015 European Commission Work Programme

The Committee noted the initiatives identified in the RaSe paper and the Department's response to them. Members will continue to work with the Department to monitor developments in these areas.

The Committee has noted a potential issue in relation to an evaluation of the public procurement Directive, namely "**Evaluation of Directive 2007/66/EC**" relating to the improvement of the review procedures concerning the award of public contracts. The Directive revised the specific review and remedy procedures which apply under the Public Procurement Directives by making a number of changes to improve the effectiveness of review procedures. For example, this includes introducing the requirement for public authorities to wait for a number of days, known as a 'standstill period', before concluding a

public contract. This gives rejected bidders the opportunity to start an effective review procedure at a time when unfair decisions can still be corrected. If this standstill period has not been respected, the Directive requires national courts under certain conditions to set aside a signed contract, by rendering the contract "ineffective".

DFP has highlighted that the "Strategic Review of the Commissioning and Delivery Systems for Major Infrastructure Projects in Northern Ireland" recommended that pre-contract award Alternative Dispute Resolution (ADR) mechanisms are introduced to public procurement processes to avoid expensive and protracted legal proceedings. The Committee concurs with the Department that ARDs should be considered alongside the aforementioned evaluation.

It is understood that Commission's review of this Directive will be completed in 2015.

Therefore, the members of the Committee have agreed to write to the Department and encourage it to make representations to the applicable Whitehall department requesting that the ADR mechanism is included in the evaluation. The Committee will also enquire what direct contribution the UK Government intends to make to the evaluation. Furthermore, The Committee for the Office of the First Minister and deputy First Minister may wish to make similar representations.

As part of its routine scrutiny of DFP-relevant areas, the Committee will be examining various other issues identified in the DFP response, namely: access to finance for local businesses; Corporation Tax devolution; and prompt payment to contractors and sub-contractors.

Other EU activity planned for 2015

The Committee receives regular briefings from the Department on developments in relation to the European Union Structural Funds Programme relevant to DFP and will continue to do so in 2015.

The most recent half-yearly update briefing from both DFP and the Special European Union Programmes Body (SEUPB) took place on 18 February 2015.

As well as focusing on the outcomes from current PEACE and INTERREG programmes, members explored issues identified by stakeholders as well as lessons learnt moving forward in respect of future programmes. The Committee also agreed to further consider how applications to PEACE IV and INTERREG V will be assessed by SEUPB and accountable departments as part of a single process, thereby facilitating faster turnaround times. Members also pressed SEUPB to consider scheduling additional pre-application development workshops for locations not covered in the existing programme.

Aside from EU Funding issues, the Committee will continue to scrutinise the various areas of policy and legislation within the DFP remit which are influenced by European Directives and legislation, such as Buildings Regulations, Civil Law and Public Procurement. On the latter issue, most recently the Committee examined the key changes arising from various new EU procurement directives, including Public Procurement, Utilities and Concessions Directives.

Other comments

None

COMMITTEE ACTIVITY ON 2014 EUROPEAN PRIORITIES

The Committee has noted the previous Committee activity on 2014, as per previous return and has no further comment to make.

Other EU activity undertaken in 2014

As per previous return

Other comments

Annex A

Assembly Section

Clare House
 303 Airport Road West
 BT3 9ED
 Tel No: 02890 816715
 email: Gearoid.cassidy@dfpni.gov.uk



Mr Shane McAteer
 Clerk
 Committee for Finance and Personnel
 Room 419
 Parliament Buildings
 Stormont

Our Ref – CFP/415/11-15

24 February 2015

Dear Shane,

European Priorities and European Commission Work Programme 2015

Your letter of 6 February refers. The European Commission's Work Programme (CWP) 2015 identifies several work streams of relevance to Northern Ireland, in particular the (RaISe) research briefing provided references to 9 initiatives in CWP 2015 that have been assigned to the Committee for Finance and Personnel for consideration:

- The Investment Plan for Europe;
- Framework for Resolution of Financial Institutions other than Banks;
- Action Plan on Efforts to Combat Tax Evasion and Tax Fraud;
- Excise Duty;
- Mini One Stop Shop;
- Integrating Social Statistics;
- International Accounting Standards;
- Remedies in the field of Public Procurement; and
- Late Payment Directive.

CWP 2015 covers several initiatives which relate to national governments, rather than regional or devolved administrations. Nevertheless the

Department has noted these initiatives and the high level 'description of scope' associated with each. The Department is taking forward a wide-ranging programme of work, as outlined in its Corporate and Business Plans, which complements and seeks to address, at a regional level, many of the issues identified in CWP 2015. **Annex 1** sets out the Department's view on each of the 9 initiatives identified above. With regard the CWP 2014 initiative; *"Framework for Crisis Management and Resolution for Financial Institutions other than Banks"*, an update is provided in Annex 1.

You also asked for *"information on what specific work and activity is planned for the coming year to ensure that DFP is fully engaged in the European sphere"*. As you know, the Department already updates the Committee separately, on a regular basis, on the developments on European Union Structural Funds Programmes relevant to DFP and will continue to do so during 2015. **Annex 2** gives an overview of the Department's activity with regard the EU Structural Funds Programmes.

Yours sincerely,



GEARÓID CASSIDY
Departmental Assembly Liaison Officer

Annex 1

European Commission Work Programme 2015

Title	DFP View
The Investment Plan for Europe	<p>Inputs to the Investment Plan for Europe are coordinated at Country level. However, the Department has been liaising with HM Treasury to ensure that Northern Ireland input was reflected in the overall UK returns to the European Commission. It is not anticipated that the Investment Plan for Europe will in any way impede the introduction of a Northern Ireland Investment Fund. In fact, a Northern Ireland Investment Fund is entirely aligned with the objectives of the European Investment Plan. The Northern Ireland Investment Fund will ensure that Northern Ireland projects will benefit from the financing available, while the EU Investment Fund will have to service the whole of the EU with no guarantees that local projects would benefit from the financing available.</p> <p>Also, a key focus for the Department has been to ensure that everything possible is being done to improve Access to Finance for local businesses, particularly through the work of the Joint Ministerial Taskforce on Banking and Access to Finance. And in that regard the lending environment is improving with more businesses successfully securing the finance they need to prosper and grow.</p>
Framework for Resolution of Financial Institutions other than Banks	Financial regulation is a reserved matter in the United Kingdom. However, the Department retains an interest and will liaise with HM Government as

	appropriate and monitor outcomes.
Action Plan on Efforts to Combat Tax Evasion and Tax Fraud	This OECD work is currently informing the Department's thinking around the devolution of Corporation Tax in Northern Ireland.
Excise Duty	Excise Duty is an excepted matter, and as such the evaluation of Directive 2008-118/EC will be a matter for the UK Government to consider.
Mini One Stop Shop	Evaluation of the Mini One Stop Shop 2008/8/EC is not relevant to the Department.
Integrating Social Statistics	The Department is aware of this initiative.
International Accounting Standards	The N. Ireland Executive is already involved in assessing the impact of IFRSs through DFP's role within FRAB, which is represented by all relevant authorities, public sector and private sector reps and the audit office.
Remedies in the field of Public Procurement	The Remedies Directive as implemented in UK Law requires bidders to seek a court injunction if they wish to stop the award of a contract before the end of a standstill period. The Strategic Review of the Commissioning and Delivery System for Major Infrastructure Projects in Northern Ireland has recommended that pre-contract award Alternative Dispute Resolution (ADR) mechanisms are introduced to public procurement processes to avoid expensive and protracted legal proceedings. The Committee may wish to suggest consideration of ADRs as part of the evaluation of the Directive.
Late Payment Directive	All Public Sector organisations are bound by the Late Payment of Commercial Debts (Interest) Act 1988 (as amended by the Late Payment of Commercial Debt (No. 2) Regulations 2013) which requires payments to be made to suppliers within 30 calendar days of receipt of an undisputed invoice. CPD's tender documentation requires payment to a contractor within 30 days

	<p>of receipt of a valid invoice and that no less favourable terms are passed on to sub-contractors from the prime contractor. Where possible Government aims to pay within 10 days of receipt of an undisputed invoice.</p> <p>Government has introduced Project Bank Accounts, in appropriate construction contracts, to facilitate prompt payment to subcontractors many of which are SMEs. Consideration is also being given to piloting Project Bank Accounts in non-construction projects where it would be appropriate to do so. Government construction contracts require clients, contractors and subcontractors to sign a Fair Payment Charter. This Fair Payment Charter is an agreement developed in partnership with the construction industry through the Construction Industry Forum Northern Ireland (CIFNI). It is made between the client, main contractor and subcontractors to honour payments as they fall due.</p>
--	--

Annex 2

EU Structural Funds Programmes – DFP Update (Feb 2015)

Northern Ireland is eligible to apply for funding from the Transnational programme envelope, traditionally regarded as INTERREG V (B&C) programmes comprising Northern Periphery and Arctic programme, Atlantic Area programme and North West Europe programme as well as the Interregional Europe programme. There are no set Member State allocations for any of these programmes as all funding is awarded on a competitive basis. European Division, DFP has been ensuring Northern Ireland's interests are reflected in the development of these Programmes.

The themes in these programmes support the Europe 2020 strategy for smart, sustainable, inclusive growth and to the achievement of economic, social and territorial cohesion.

The Department, in conjunction with the SEUPB and in accordance with the aims of the European Task Force Working Group, will continue efforts to increase Northern Ireland's participation in these programmes. The Department circulates details of all programmes and calls for proposals to Northern Ireland departments and the SEUPB, they in turn circulate to interested parties and work on the ground with projects to ensure they are in as strong as possible a position to secure funding.

The 2014-20 Northern Periphery and Arctic Programme was approved by the Commission in December 2014, and the North West Europe and Interreg Europe programmes are currently with the Commission awaiting approval. The Atlantic Area Programme is expected to be submitted to the Commission by end of March 2015.

DFP attends all Transnational Programme Monitoring/Selection Committee meetings in order to support Northern Ireland project proposals. The role of Chair rotates amongst participating members - in 2015 DFP will assume the role of Chair of the Northern Periphery and Arctic Programme Monitoring Committee and will be hosting this event in Northern Ireland in June.

Committee for Health, Social Services and Public Safety



Committee for Health Social Services and Public Safety

Room 284
Parliament Buildings
Tel: +44 (0) 28 90521841

From: Kathryn Aiken
Clerk, Committee for Health Social Services and Public Safety

To: Kathy O'Hanlon
Clerk, The Committee for the Office of the First Minister and deputy First Minister

Date: 18 February 2015

Subject: European Commission Work Programme – 2015

At its meeting on 11 February 2015 the Committee for Health, Social Services and Public Safety considered correspondence from the Committee for the Office of the First Minister and deputy First Minister regarding European Commission Work Programme 2015 – Committee Priorities.

Please see attached response from the Committee.

Kathryn Aiken

Dr Kathryn Aiken
Clerk, Committee for Health, Social Services and Public Safety

EUROPEAN COMMISSION WORK PROGRAMME 2015 – COMMITTEE PRIORITIES

Committee: **Committee for Health, Social Services and Public Safety**

Background

The Committee considered correspondence on the European Commission work programme 2015 at its meeting on 11 February 2015. It noted that one issue had been highlighted in the paper prepared by Assembly Research & Library Service.

That issue is the fitness check on Regulation (EC) No 178/2002 which will assess the effectiveness, efficiency, coherence, relevance, and EU added value of the main tools used in food law.

Agreed Priorities from the 2015 European Commission Work Programme

None

Other EU activity planned for 2015

In 2015 the Committee will consider the Health (Miscellaneous Provisions) Bill. This Bill is expected to be introduced in February/March 2015 by the DHSSPS in order to deal with issues arising from the EU Tobacco Products Directive which was adopted in March 2014. The EU Tobacco Products Directive will require all nicotine – containing products, including e-cigarettes, to be regulated as consumer products from May 2016. However, the Directive does not contain any requirements around restricting the age of sale of e-cigarettes to under 18s. The DHSSPS therefore intends to introduce the Health (Miscellaneous Provisions) Bill to prohibit the sale of e-cigarettes to under 18s; to deal with proxy purchasing; and to amend the Tobacco Retailers Act to allow for offences in relation to the underage sale of nicotine – containing products.

The Committee is carrying out a review of workforce planning in support of the implementation of Transforming Your Care. The review will involve identifying examples of best practice in other European countries/regions which have been used in relation to workforce planning to support a “shift left” in service provision.

The Committee regularly deals with secondary legislation implementing EU directives, particularly in relation to food hygiene & safety.

Other comments

None

COMMITTEE ACTIVITY ON 2014 EUROPEAN PRIORITIES**Other EU activity undertaken in 2014**

In 2014 the Committee completed a review into waiting times for elective care. The purpose of the review was to assess the effectiveness of the Department's current approach to reducing waiting times, and to identify effective approaches which have been used in other countries/regions which could be applied in Northern Ireland. The Committee undertook this piece of working by hearing from expert witnesses who have carried out research into waiting times across Europe and further afield. In addition, the Committee heard from government officials from Portugal and Scotland on policies which are operating in these countries.

In 2014 the Committee considered issues arising from the EU Tobacco Products Directive (TPD) which was adopted in March 2014. It will require all nicotine – containing products (NCPs), including e-cigarettes, to be regulated as consumer products from May 2016. However, the EU Tobacco Products Directive does not contain any requirements around restricting the age of sale of e-cigarettes to under 18s. The Committee was briefed by the Department on this issue and was advised that in England and Wales, the Children and Families Act 2014 contains regulation – making powers to restrict the sale of e-cigarettes to under 18s. However, that Act does not cover Northern Ireland. The Department therefore intends to bring forward primary legislation in the form of the Health (Miscellaneous Provisions) Bill to prohibit the sale of e-cigarettes to under 18s.

In 2014 the Committee held an evidence session with the Department on Connected Health, which is the term given to technology to facilitate interaction between healthcare providers and patients and the transmission of patient data. Connected Health involves the establishment of international networks to promote collaboration, and the Committee welcomed the Department's ambition of securing EU funding from Horizon 2020.

The Committee also considered a range of secondary legislation which implemented various EU Directives around food safety and food hygiene.

Other comments

None

Committee for Justice

Report on Assembly Committee Priorities for European Scrutiny in 2015

EUROPEAN COMMISSION WORK PROGRAMME 2015 – COMMITTEE PRIORITIES

COMMITTEE FOR JUSTICE

BACKGROUND

The Committee for Justice has considered the 2015 European Commission Work Programme (CWP) which focuses on completing work on the many proposals pending in the legislative process and on accelerating implementation on the ground. While a limited number of new initiatives will be brought forward none are relevant to the area of Justice and Home Affairs.

However, the Lisbon Treaty (ratified by all Member States of the European Union including the UK in December 2009) established the principle of increased legal co-operation based upon 'mutual recognition'. This is predicated upon Member States acknowledging that the decisions adopted by other legal systems in other Member States are applicable. The aim of this is to enhance mutual legal assistance between Member States and, where possible, provide a minimum standard of protection to EU citizens in civil and criminal proceedings.

The UK's participation as a Member State in EU measures on Justice and Home Affairs is governed by Protocol 19 to the Treaty on the European Union (TEU) and by Protocol 21 on the Functioning of the European Union (TFEU).

The UK negotiated an opt-in protocol within the Treaty which enables the UK Government to decide within three months of an EU initiative relating to Justice and Home Affairs being published, whether to opt-in. In this regard the UK Government is required to seek and include the views of the devolved administrations and Justice Ministers are asked to consider implications for their region. The Committee for Justice previously requested sight of all EU legislative proposals requiring a UK opt-in decision at the earliest opportunity and, as far as possible, before the Minister of Justice confirms agreement or otherwise to enable it to submit opinions.

The President of the European Commission, President Juncker outlined that one of the Commission's 10 priorities was Justice and Fundamental Rights¹ and the Commission's objectives in relation to this priority were:

- Making it easier for citizens and companies in the EU to defend their rights outside their home country, by improving mutual recognition of judgments by courts across the EU.
- Cracking down on organised crime, such as human trafficking, smuggling and cybercrime and tackling corruption;
- Concluding the accession of the EU to the Council of Europe's Convention of Human Rights.
- Obtaining guarantees that US government agencies and companies adequately protect EU citizens' personal data.
- Pushing for an EU-wide law against discrimination.

Article 68, TFEU sets out that the European Council shall define the strategic guidelines for legislative and operational planning within the area of freedom, security and justice. In this regard, the Stockholm programme (2010 – 2014) has now expired. The European Council at its meeting

¹ European Commission , http://ec.europa.eu/priorities/justice-fundamental-rights/index_en.htm

on 26/27 June 2014, set out their strategic guidelines² for legislative and operational planning for the 2015-2020 period. These guidelines will form the post-Stockholm Programme 2015-2020.

The Department of Justice advised in a written update on 25 November 2014, that many of the key policy areas in the strategic guidelines address non-devolved matters such as migration, borders and asylum. However, the Committee for Justice will keep a watching brief on the post-Stockholm Programme 2015-20 as it is progressed by the European Commission.

COMMITTEE FOR JUSTICE EUROPEAN PRIORITIES FOR 2015

The Committee for Justice will consider the following European priorities in 2015.

➤ **Simplify access to justice; promote effective remedies and use of technological innovations including the use of e-justice**

This is one of the policy measures that the European Commission outlined in its strategic guidelines document. The Committee will consider, in Part 6 of the Justice Bill, special safeguards in criminal proceedings for suspected or accused persons who are vulnerable and the advancement of e-justice. Part 6 of the Justice Bill expands the provision for the use of live video link facilities in courts to include committal proceedings, certain hearings at weekends and public holidays and proceedings relating to failure to comply with certain order or licence conditions. It is designed to increase the use of live links in courts, prisons and hospital psychiatric units providing a cost effective and secure means for defendants to participate in hearings.

Action: The Committee will complete Committee Stage of the Bill and continue to engage with the Department of Justice on progress and implementation of the Bill. The Committee will also liaise with various agencies and organisations to consider how to simplify access to justice and innovation. The Committee will consider EU policy developments in this area as they are brought forward.

➤ **Reinforce the protection of victims**

This is another of the Commission's policy areas outlined in its strategic guidelines document. As part of its consideration of the Justice Bill, the Committee will consider the mechanism to bring into operation the Victims Charter (Part 4 of the Justice Bill). The Bill seeks to improve services and facilities for victims and witnesses by creating a new statutory Victim and Witness Charters; through the introduction of a legal entitlement to be afforded the opportunity to make a victim statement (to be known as a victim personal statement); and proposals for video link powers being expanded between courts and a number of new locations.

Action: The Committee will complete Committee Stage of the Bill and will monitor the progress and implementation of the Victims Charter and EU Directive 2012/29/EU, which sets out the standard of services to be provided to victims of crime. The Committee will consider EU policy developments in this area as they are brought forward.

² European Council, *Strategic guidelines for EU Justice and Home Affairs to 2020* - (a) Commission Communication: *The EU Justice Agenda for 2020 — Strengthening Trust, Mobility and Growth within the Union* & (b) Commission Communication: *An open and secure Europe: making it happen*

Report on Assembly Committee Priorities for European Scrutiny in 2015

➤ **Human Trafficking**

The introduction of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Bill highlighted the issue of human trafficking in Northern Ireland. The Bill was introduced to provide Northern Ireland with a more robust legal framework in relation to the prosecution of traffickers and support for victims. The Bill also sought to achieve improved compliance with international obligations under the Council of Europe Convention on Action against Trafficking in Human Beings and the European Directive on Preventing and Combating Trafficking in Human Beings and Protecting its Victims.

Action: The Committee will monitor implementation of the Bill, the Department of Justice's Human Trafficking and Exploitation Action Plan 2014-15 and the development of the annual strategy as outlined in the Bill. The Committee will also keep a watching brief on policy developments emanating from the Commission's strategic priorities document in the area of human trafficking.

➤ **Combatting serious and organised crime**

The Commission's strategic guidelines document highlights the issue of combatting serious organised crime as a key priority area.

Action: The Committee will consider any EU policy proposals that are brought forward in the area of combatting serious and organised crime and their impact on the work of the relevant justice agencies in Northern Ireland.

➤ **Mutual recognition of decisions and judgments in civil and criminal matters**

The European Commission outlines that the smooth functioning of a true European area of justice with respect for the different legal systems and traditions of the Member States is vital for the EU. In this regard, the European Commission believes that mutual trust in one another's justice systems should be further enhanced.

Action: The Committee will consider further developments in this area as subordinate legislation is brought forward by the Department of Justice.

➤ **UK's opt-in decision**

The Committee will continue to scrutinise all EU legislative proposals requiring a UK opt-in decision.

The Committee will also continue to monitor progress on a number of issues that have been highlighted in previous EU Priority Reports

- Framework for Administrative Measures for the Freezing of Funds, Financial Assets and Economic Gains of Persons and Entities Suspected of Terrorist Activities inside the EU

Report on Assembly Committee Priorities for European Scrutiny in 2015

- Fighting Money Laundering
- Fighting Cigarette Smuggling
- Initiatives on Firearms: Reducing Gun Crime in Europe
- Establishment of a European Public Prosecutor's Office (EPPO) to Protect the Financial Interests of the Union
- Nuclear insurance and liability

Report on Assembly Committee Priorities for European Scrutiny in 2015

COMMITTEE ACTIVITY ON 2014 EUROPEAN PRIORITIES

In the *Report on Assembly Committee Priorities for European Scrutiny in 2014*, the Committee for Justice identified a range of EU specific issues for consideration; the work undertaken by the Committee in this regard is detailed as follows:

EU Directive on Human Trafficking (2011/36/EU) (legislative and other changes required to fully comply with, and implement this Directive)

The UK opted into Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims in July 2011, thus NI's compliance is necessary.

Activities undertaken:

- The Committee has already carried out substantial scrutiny work on this matter by way of undertaking the committee stage of the Bill itself. In April 2014 the Committee produced its report; *Report on the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill*.³ The report encompassed detailed commentary and broad support for the majority of clauses, notably, the Committee undertook considerable work regarding Clause 6 (Paying for sexual services of a person). The report detailed the Committee's visit to Sweden to discuss its legislation which criminalises the purchase of sex. The Committee also met with the Oireachtas Joint Committee on Justice, Defence and Equality in early 2014 to discuss the findings of its report; a *Review of Legislation on Prostitution* which recommended the introduction of a summary offence penalising the purchase of sexual services. The Committee also took evidence from a number of key stakeholders, including victims of trafficking, service providers and criminal justice agencies on the provisions in the Bill.

The Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Bill went through its consideration stages in October and November 2014 and the Committee made a number of recommendations in relation to the Bill and supported a number of amendments to the Bill. The Committee Members took part in very lengthy debates in the House on the Bill and the Bill passed its final stage on 9 December 2014 and received Royal Assent on 13 January 2015.

- During 2014, the Committee also considered responses from the *Consultation on Strengthening Northern Ireland's Response to Human Trafficking and Slavery* of which there were 40. In light of this, the Committee considered DoJ proposals regarding: the consolidation of offences and the creation of preparatory and lifestyle offences; increasing the maximum sentence for human trafficking and slavery-like offences to life imprisonment; introducing Slavery and Trafficking Prevention Orders and; Creating a statutory duty on first responders to report suspected cases of trafficking to the UK Human Trafficking Centre.
- During November 2014, the Committee for Justice considered and endorsed a proposed Legislative Consent Motion (LCM) pertaining to the Modern Slavery Bill at Westminster which it considered necessary for a holistic approach to the issue of human trafficking. The motion covered three main areas;
 - Provisions introducing new enforcement powers in relation to ships in order to tackle human trafficking and slavery where they occur at sea.

³ Committee for Justice, *Report on the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill* (NIA 26/11-15) April 2014

Report on Assembly Committee Priorities for European Scrutiny in 2015

- Provisions under Part 3 of the Bill to establish the office of Independent Antislavery Commissioner (as opposed to Clause 16 establishing a NI Rapporteur).
- Provisions to enhance transparency in supply chains.

EU Directive on standards relating to the rights, support and protection of victims of crime (2012/29/EU)

This Directive sets out the standard of services that are to be provided to victims of crime and should be transposed by November 2015.

Activities undertaken:

- The Committee already made extensive recommendations during 2012 in regards to the formulation of Victim and Witness Charters; they recommended that the Victim Charter should, as a minimum cover, the following entitlements:⁴
 - To receive information on the progress of their case and the reasons for any delay.
 - To be informed about the outcome of their case in accordance with the timescales set out in the Code of Practice.
 - To be given the reasons for the decision not to prosecute in accordance with the timescales set out in the Code of Practice.
 - To be provided with additional support if they are vulnerable or intimidated.
 - To receive information on the offender's release from custody and arrangements for their supervision in the community.
- The Committee noted the Department's intention to bring forward separate Victim and Witness Charters to reflect the fact that a different set of entitlements applies to witnesses who are not the victim of a crime. The Committee noted the Department's intention to introduce the Victim Charter on an administrative basis by the end of 2014 and place it on a statutory footing towards the end of 2015, coinciding with implementation of the EU Victims Directive. The Committee considered the draft consultation document and agreed to the Department conducting a 16 week public consultation.
- The Committee considered responses to the consultation, which closed in mid-September 2014, and, as a result of the views expressed, a number changes were made to the draft Charter which relate to: Entitlements; Support services/Individual needs; Accessibility; Additional information and; Increased clarity. In September 2014, the Committee considered an update on the Victim and Witness Strategy Plan 2013-15 from the Department and questioned officials on the 30 actions of which 18 had been achieved, 10 were on target, and slippage had occurred in relation to 2.

OTHER EU ACTIVITY IN 2014

UK's 2014 Opt-Out from the EU's Pre-Lisbon Police and Criminal Justice Measures

Protocol 36 of the Treaty of Lisbon enabled the UK Government to decide, by 31 May 2014, whether or not the UK should continue to be bound by the approximately 130 police and criminal justice measures that were adopted by unanimity in the Council of Ministers before the Lisbon Treaty came into force, or if it should exercise its right to opt-out of them.

⁴ Committee for Justice, *Report on the Inquiry into the Criminal Justice Services available to Victims and Witnesses of Crime in Northern Ireland*, (NIA 31/11-15) 2012

Report on Assembly Committee Priorities for European Scrutiny in 2015

The opt-out would apply to all of the 130 measures, but the UK Government could apply to re-join individual measures at any time. The UK Government did exercise the opt-out and has indicated its intention to seek to re-join 35 of the measures; one of the measures included the European Arrest Warrant.

In September 2014, the Committee noted a briefing paper from the Department providing an update on the UK Government's progress in opting into the 35 measures. In December 2014, the Committee received confirmation that negotiations had been successfully completed and that the UK was formally opting into the 35 measures.

EU Justice and Home Affairs Bi-annual reports

The Committee considered 2 six-monthly up-date reports from the Department of Justice on EU Justice and Home Affairs measures. The reports summarised the current position in relation to the EU measures being dealt with by the Department of Justice, the known impact for Northern Ireland and the next steps to be taken.

The November update advised that in relation to progress to accessing EU funding streams, the PSNI successfully scored high enough to be placed on a reserve list for funding to conduct research into human trafficking and that the PSNI has also submitted two applications in August to lead on Horizon 2020 projects. The Committee sought further information on the PSNI's applications in relation to Horizon 2020 projects and any other similar projects which involve co-operation between the PSNI and An Garda Síochána. The Department also advised that the PSNI were looking at a number of funding calls to be released with the next round of proposals under the Secure Societies strand of Horizon 2020 and are in discussions with a number of consortia.

Initiatives on Firearms: Reducing Gun Crime in Europe

The Committee considered this issue and noted that from 31 December 2014, Article 4 of Council Directive 91/477/EEC, as amended by Directive 2008/51/EC (on the control of the acquisition and possession of weapons) imposes an obligation on Member States to ensure the establishment and maintenance of a computerised filing system to record specified firearms transactions. The system must be kept for a period of at least 20 years. In doing so Member States have the choice to either maintain a filing system centrally or impose a decentralised system sitting elsewhere. In this respect, the Committee requested and considered a research paper from the Assembly's Research and Information Service on what EU Directive 2008/51/EC covers and its application in Northern Ireland.⁵

Amendments to Article 38 and Schedule 3 of the Firearms (Northern Ireland) Order 2004 were needed to transpose the requirements of Article 4 of Directive 91/477/EEC, as amended by Directive 2008/51/EC. The Department advised that the Home Office had agreed in principle to include these amendments in their legislation. At its meeting on 12 November 2014, the Committee considered the Departmental Regulatory Impact Assessment which concluded that overall, the option to implement the centralised system via the PSNI is the most cost effective and would have limited impact. The Committee agreed that it was content with this approach.

⁵ Research & Information Service *Directive 2008/51/EC*, (Paper 115/14, NIAR 622-14) 10 November 2014

Report on Assembly Committee Priorities for European Scrutiny in 2015

Police and Criminal Evidence (1989 Order) (Codes of Practice) (Specifically Revision of Codes C and H) Order (Northern Ireland) 2014

EU Directive 2010/64 lays down common minimum standards across Member States on the provision of information about rights and the charge to be given to persons suspected or accused of having committed a criminal offence.

The UK Government chose to opt in to this Directive thus it had to be transposed into UK domestic law by 2 June 2014. The Committee considered the Departmental proposal to make a Statutory Rule under powers conferred by Article 66 (4) of the Police and Criminal Evidence (Northern Ireland) Order 1989 (PACE) to make revisions to PACE Codes C and H to facilitate the implementation of EU Directive.

During November 2014, the Committee considered the draft consultation document and noted the proposed 12 week period of consultation on the proposed draft PACE Codes of Practice A-H. The outcome of the public consultation will be reported back for the Committee's scrutiny in due course.

EU Regulation on Mutual Recognition of Protection Measures in Civil Matters 606/2013

The EU Regulation provides a mechanism to enable civil protection measures from one Member State to be enforced in others. The types of measures covered include orders made in domestic violence cases (i.e. non-molestation and occupation orders), civil injunctions and the equivalent measures in other Member States. At its meeting on 8 October 2014, the Committee considered a draft statutory rule on the implementation of EU Regulation 606/2013 along with the Civil Jurisdiction and Judgments (Protection Measures) Regulations 2014 which was prepared to implement the Regulations at Westminster. The Committee agreed that it was content with the proposed rules.

Mutual Recognition of Probation Measures, Licence Supervision and Alternative Sanctions across Member States of the European Union - Directive 2011/99/EU

The policy objective of the Directive is to provide for the mutual recognition between EU Member States of 'protection measures' in criminal proceedings. These protection measures are essentially measures preventing individuals from entering areas or approaching or contacting a 'protected person'. In Northern Ireland this would include restraining orders made under the Protection from Harassment (Northern Ireland) Order 1997 or bail conditions.

At the meeting on 8 October 2014, the Committee noted that it had been envisaged that the Regulations would be enacted in conjunction with England and Wales by way of Statutory Instrument but co-ordination difficulties rendered this not possible. The Committee considered and agreed to a Departmental proposal to bring forward a Statutory Rule to give effect to Directive 2011/99/EU, thus, Statutory Rule No 2014/320 - The Criminal Justice (European Protection Order) (Northern Ireland) came into operation on 11 January 2015.

Report on Assembly Committee Priorities for European Scrutiny in 2015

Implementation of EU Regulation 1215/2012 on Jurisdiction and the Recognition and Enforcement of Judgements in Civil and Commercial Matters;

The EU Regulations provide uniform rules on which a court in a Member State will take decisions in maintenance and civil cases and on the mutual recognition and enforcement of judgements in these cases, thus removing the need to re-litigate in another Member State. At its meetings on 30 January and 24 September 2014, the Committee noted the proposal to use Westminster regulations and the intention to make court rules to support implementation of EU Regulation 1215/2012 on Jurisdiction and the Recognition and Enforcement of Judgements in Civil and Commercial Matters. At its meeting on 19 November 2014, the Committee noted an update from the Department on this matter advising that the regulations at Westminster to support the implementation of the EU regulation.

Committee for the Office of the First Minister and deputy First Minister

European Commission Work Programme 2015 – Committee Priorities

Committee: Committee for the Office of the First Minister and deputy First Minister

Background

The Committee noted the Assembly Research and Information Service publication on the 2015 European Commission Work Programme at its meeting on 4 February 2015 and received a briefing from the Committee's Researcher on 18 February 2015. The Committee agreed to include the items of relevance to the Committee for OFMDFM in the RaISe analysis.

The Committee also considered the House of Lords European Union Committee's response to President Juncker on the Commission Work Programme 2015.

The Committee agreed four European Priorities for 2015:

- Labour Mobility Package
- European Agenda on Migration
- EU Accession to the ECHR
- Subsidiarity Monitoring

Agreed Priorities from the 2015 European Commission Work Programme

Priority 1: Labour Mobility Package

Priority 2: European Agenda on Migration

The Labour Mobility Package is aimed at supporting labour mobility and tackling abuse by better co-ordination of social security systems, the targeted review of the Posting of Workers Directive and an enhanced European Network of Employment Services (EURES). It includes the Posted Workers Enforcement Directive, which is a measure to increase the protection of workers temporarily posted abroad. The European Agenda on Migration aims to develop a new approach to legal migration to make the EU an attractive destination for talents and skills, balanced with firm measures against irregular migration and people trafficking and smuggling.

The initiatives aim to encourage and facilitate movement throughout the EU of both EU citizens and those from other countries for the purposes of employment. The EU policy of enlargement will also have implications for the movement of workers. Although there are currently restrictions on the movement of Croatian citizens to the UK after that country became a Member State in 2013, these will not extend beyond 2020. There are a further six recognised candidate states for membership and two potential candidate states.

The encouragement of labour mobility of both EU citizens and those from outside the EU through these initiatives could result in greater inward migration to Northern Ireland. While immigration is an excepted matter, the integration of migrant workers is a component of social cohesion in Northern Ireland. Priority 4 of the Programme for Government (PfG) focuses on 'Building a Strong and Shared Community,' which included a key commitment to 'Publish the Cohesion, Sharing and Integration Strategy to build a united community and improve community relations.' Although the Together: Building a United Community (T:BUC) strategy

published under this commitment notes that there has been ‘significant inward immigration [which] has led to the creation of a diverse, multicultural society,’ it does not include specific actions with regard to the integration of migrant workers. Instead, it refers to a new Racial Equality Strategy which will

take full account of recent developments, including the unprecedented inward migration we have seen in recent years and the challenges and opportunities that this presents. It will have a strong implementation mechanism to ensure that it makes a difference to the lives of members of minority ethnic communities and that it contributes appropriately to achieving the overarching vision of this Strategy.

The consultation on the draft Racial Equality Strategy for 2014-24 stated that the Strategy would

...establish a framework for Government departments and others:

- *to tackle racial inequalities and to open up opportunity for all;*
- *to eradicate racism and hate crime; and*
- *along with Together: Building a United Community, to promote good race relations and social cohesion.*

The consultation closed in October 2014; the Strategy has not yet been finalised and published.

Planned Committee Action

At this time it is unclear what form the initiatives will take. The Committee intends to maintain a watching brief on developments at an EU level.

The Committee notes that the UK Government intends to consult on the implementation of the Posted Workers Enforcement Directive during 2015. The Committee will seek information from OFMDFM on any input to the consultation by the Department, as well as details of how the Department is feeding into the UK Government’s position on the wider initiatives.

The Committee will continue to take quarterly briefings and monitor progress against PfG commitments, which will include progress against PfG 67 ‘Building a Strong and Shared Community’ and the Together: Building a United Community Strategy. The Committee is currently undertaking an Inquiry into Building a United Community, the purpose of which is to inform the Executive’s approach in the actions it takes to tackle sectarianism, racism and other forms of intolerance and to make recommendations to support and enhance policy in uniting communities and community integration. It is expected that the Inquiry will be completed before the end of the 2014-15 Assembly session.

The Racial Equality Strategy is cited as one of the ‘Building Blocks’ of the PFG. The Committee will be briefed on the draft Strategy on 25 March 2015 by both Departmental officials and key stakeholders.

Priority 3: EU Accession to the ECHR

The proposal to allow for the signature, conclusion and implementation of the EU’s accession to the European Convention on Human Rights is a continuation of an initiative from the Commission Work Programme 2014. Accession to the ECHR was an obligation under the Treaty of Lisbon, which states that The Union shall accede to the European convention for the Protection of Human Rights and Fundamental Freedoms. Such accession shall not affect the Union’s competences as defined in the Treaties.

Accession would permit cases to be brought to the European Court of Human Rights in respect of EU Acts.

The Court of Justice of the European Union has considered the draft accession agreement and ruled that it is incompatible with EU Treaties. The main areas of incompatibility (as set out by RalSe) are that:

- The EU would be subject to external control – specifically the EU would be subject to decisions by the European Court of Human Rights, which is not an EU institution, whereas the interpretation of EU law lies with the Court of Justice;
- There is no provision in the draft agreement for co-ordination with the EU Charter of Fundamental Rights;
- The agreement proposes treating the EU as an individual state, which misinterprets the intrinsic nature of the EU, as Member States will be required to check the observance of human rights in other Member States, undermining the EU principle of mutual trust.
- The right of Member States to request advisory opinions of the European Court of Human Rights on compatibility with ECHR undermines the autonomy of the preliminary ruling procedure provided for in the EU Treaty.

The Committee notes from the UK Government's Explanatory Memorandum (EM) 5080/15 on the Commission Work Programme 2015 that accession "in principle aligns with... commitments on civil liberties, in bringing the actions of the European Union directly within the jurisdiction of the European Court of Human Rights."

Planned Committee Activity

At this time there is insufficient information to determine what impact this proposal will have on Northern Ireland. The Committee will liaise with the European Committees in the House of Commons and House of Lords on developments. As the proposal develops, the Committee will seek the Department's view on the implications for Northern Ireland and if any legislation will be required to ensure compliance.

Priority 4: Subsidiarity Monitoring

The UK Government's EM 5080/15 on the Commission work programme notes that many of the noted that the subsidiarity implications of the individual proposals will depend on the individual proposals as they develop, and that it is not possible to provide a comprehensive view on subsidiarity implications at this stage. It advises that "more detail on subsidiarity will be provided in the EM on each legislative proposal as it is brought forward."

Planned Committee Activity

It is not clear at this time which proposals may present possible concerns in relation to compliance with the principle of subsidiarity. The Committee will continue to monitor developments in order to identify any proposals relevant to Northern Ireland which may have subsidiarity implications. The Committee will liaise with the European committees in Westminster and the other devolved regions on issues of common concerns.

Where any subsidiarity concerns are identified, the Committee will communicate its view to the European Committees in the House of Commons and the House of Lords to feed into deliberations at Westminster.

Other EU activity planned for 2015

- The Committee's Report on the Inquiry into the Barroso Task Force included 11 recommendations, all of which were accepted by the Department. The Committee will continue to monitor progress to ensure full implementation of the recommendations.
- The Committee will follow up with the Department on its efforts to ensure that the structure of the Northern Ireland Taskforce will continue with the new Juncker Commission.

- The Committee looks forward to considering the Northern Ireland Executive's European Priorities for 2015-16, which officials advise should be provided to the Committee before the end of February 2015. The Committee will also consider the review of the 2014-15 priorities later in the year.
- The Northern Ireland Assembly will host the next meeting of the EC-UK forum of chairpersons of the UK and devolved administrations' committees with responsibility for European affairs. The Chairperson will continue to represent the Assembly on the forum.
- The Committee will engage with the Latvian Presidency of the Council of the EU (January – June 2015) and with the forthcoming Luxembourg Presidency (July – December 2015) on their respective priorities.
- The Committee will continue its active engagement with counterpart committees in Parliament and in the devolved administrations on issues of common interest.

Committee Activity on 2014 European Priorities

Priority 1: Tackling The Gender Pay Gap (non-legislative)

This non-legislative initiative aims to promote and facilitate effective application of the principle of equal pay in practice and assist Member States in finding the right approaches to reduce the persisting gender pay gap.

Article 4 of the recast Directive 2006/54/EC of the European Parliament and of the Council states:

For the same work or for work to which equal value is attributed, direct and indirect discrimination on grounds of sex with regard to all aspects and conditions of remuneration shall be eliminated.

In particular, where a job classification system is used for determining pay, it shall be based on the same criteria for both men and women and so drawn up as to exclude any discrimination on grounds of sex.

The EU Strategy for Equality between Women and Men 2010-2015 states that the EU average pay gap between women's and men's hourly gross earnings is 17.8% and states that the Commission will

- With the European social partners, and respecting the autonomy of the social dialogue, explore possible ways to improve the transparency of pay as well as the impact on equal pay of arrangements such as part-time work and fixed-term contracts.
- Support equal pay initiatives at the workplace such as equality labels, 'charters', and awards, as well as the development of tools for employers to correct unjustified gender pay gaps.
- Institute a European Equal Pay Day to be held each year to increase awareness on how much longer women need to work than men to earn the same.

Article 1 of the European Pact on Gender Equality 2011-2020 reaffirms a Council commitment to close the gender gaps in employment and social protection, including the gender pay gap, with a view to meeting the objectives of the Europe 2020 Strategy, especially in three areas of great relevance to gender equality, namely employment, education and promoting social inclusion in particular through the reduction of poverty, thus contributing to the growth potential of the European labour force.

One of the actions urged is to ensure equal pay for equal work and work of equal value (Article 3(c)).

Equal pay is not mentioned in the current Northern Ireland Programme for Government 2011-15, but the Gender Equality Strategy is listed as a 'building block'

The Gender Equality Strategy 2006-2016 includes the gender pay gap as a key action area. The following strategic objectives are specified in the Strategy under this action area

- To achieve better collection and dissemination of data
- To achieve equal value for paid work and equitable participation in unpaid work
- To achieve gender balance in government appointed posts
- To actively promote an inclusive society
- To promote and protect the rights of girls and boys

The Executive also makes commitments to close the gender pay gap by

- making it easier for women to take up equal pay cases

- streamlining the tribunal system
- providing guidance
- tackling the wider causes of the pay gap

The main legislation in Northern Ireland in this area is the Equal Pay Act 1970, as amended. This provides for the equal treatment of women and men

- a. where the woman is employed on like work with a man in the same employment
- b. where the woman is employed on work rated as equivalent with that of a man in the same employment
- c. where a woman is employed on work which, not being work in relation to which paragraph (a) or (b) applies, is, in terms of the demands made on her (for instance under such headings as effort, skill and decision), of equal value to that of a man in the same employment

The following table uses figures for Northern Ireland in 2012 from the Equality and Human Rights Commission

Table 1: The Gender Pay Gap in Northern Ireland

	Gap Between Men's and Women's Full Time Pay
Median Hourly	£0.03
Median Weekly	£38.90 (8.1%)
Mean Hourly	£0.62
Mean Weekly	£57.90 (10.3%)

Calculating the gender pay gap is not straightforward. There are different results depending on whether the mean or median averages are used, different perspectives within and between industries and different outcomes for full time and part time work. For example, women occupy 71% of administrative and secretarial occupations and 85% of caring, leisure and service occupations, but only 10% of skilled trades. In addition, women comprise 80% of the part time workforce, which is paid significantly lower than full time work.

Committee Activity Undertaken

The Committee received a briefing from OFMDFM officials on the Review of the Gender Equality Strategy at its meeting of 12 February 2014, after approval for the development of a new strategy was received from Ministers. In follow-up correspondence the Department advised that a revised version of the Strategy has been developed with input from the Gender Advisory Panel. This document was being used as a starting point to generate discussion and animate thought in order to develop a suitable draft strategy to present to Ministers for consideration prior to full public consultation. The consultation on the revised strategy was due in the latter part of 2014 but has not yet materialised.

The Assembly and Executive Review Committee undertook a Review of Women in Politics and the Northern Ireland Assembly and the Chairperson participated in a roundtable stakeholder event in relation to this in October 2014.

There has been no further action on reviewing the gender pay gap in Northern Ireland and the Committee maintains a watching brief on developments at EU level.

Priority 2: Accession To The European Convention For The Protection Of Human Rights And Fundamental Freedoms (Legislative)

The initiative sets out legal rules which are required to make the forthcoming accession to the European Convention on Human Rights operational internally.

The Treaty of Lisbon amended the Treaty on European Union as follows

The Union shall accede to the European Convention for the Protection of Human Rights and Fundamental Freedoms. Such accession shall not affect the Union's competences as defined in the Treaties.

EU accession to the Convention is complex, as it will be the first time a multi-national body has done so. Negotiations on a final agreement for accession took place earlier this year and a text is being considered by both the Council of Europe and the EU

There is some ambiguity as to how accession will work in practice, as the EU already has a Charter of Fundamental Rights. The Charter only applies to EU law, however, and accession to the ECHR will mean, while all EU Member States are signatories to the Convention, the

EU would also be subject to the European Court of Human Rights.

The initiative is legislative, but there is no further detail on what form this legislation will take.

The ECHR is a 'building block' of the Northern Ireland Programme for Government. The Northern Ireland Assembly may also not pass legislation that is incompatible with the ECHR and the Human Rights Act provides for the articles of the ECHR to be brought into UK law.

Committee Activity Undertaken

The Committee has maintained a watching brief on this issue and there have been no further developments. This priority is carried forward into 2015.

Priority 3: European Accessibility Act (legislative and non-legislative)

This initiative is aimed at improving the market of goods and services that are accessible for persons with disabilities and elderly persons, based on a "design for all" approach. This 'business friendly' initiative will include binding measures to promote procurement and harmonisation of accessibility standards. The initiative is currently in a consultation process with industry and stakeholders.

The UK Government has stated that it is not convinced that there are gaps in EU legislation on accessibility to warrant such an Act. It believes the Act to be disproportionate and burdensome on businesses and that the promotion of a non-regulatory approach is sufficient.

Committee Activity Undertaken

The Committee has maintained a watching brief on this area, including regular updates on the progress of proposed age discrimination legislation during briefings on Programme for Government commitments.

Priority 4: Subsidiarity

The UK Government, in its Explanatory Memorandum 15521/13 on the European Commission Work Programme 2014 has identified a number of legislative proposals which present possible concerns in relation to compliance with the principle of subsidiarity.

- Establishment of the European Public Prosecutor's Office
- Data Protection Package

- Free Movement of Workers
- Future priorities in the areas of justice and home affairs
- Labour Mobility Package
- European Accessibility Act
- Business failure and insolvency

Committee Activity Undertaken

The Committee maintained close engagement with the European committees in the House of Commons and House of Lords and the devolved legislatures on subsidiarity concerns on specific legislative packages.

The Committee engaged with the European Union Committee at the House of Lords on document COM(2013)228 - a Proposal for a Regulation on promoting the free movement of citizens and businesses by simplifying the acceptance of certain public documents in the European Union. The Committee conveyed specific concerns for Northern Ireland regarding the potential regulatory burden and the House of Lords communicated these issues in its liaison with UK Government ministers prior to EU level negotiations. Communications continue as the proposal develops.

Priority 5: Committee Inquiry into the Barroso Task Force

The President of the European Commission, José Manuel Barroso announced a European Commission Task Force for Northern Ireland on 1 May 2007. This inaugural task force for a specific region in the EU was created in order to support the peace process, with particular emphasis on how to support Northern Ireland in its efforts to improve its economic competitiveness and to create sustainable employment. The vision for the Task Force was:

“The NITF represents, in effect, a new and closer partnership between Northern Ireland and the Commission services as the region’s long period as major recipient of European regional aid is gradually phased out, and where it will increasingly rely on its own resources.”

The Task Force comprises a group of representatives from the European Commission working with officials from the Northern Ireland Executive departments to strengthen European engagement.

In April 2008, the European Commission produced a report on the Northern Ireland Task Force which examined performance to date and included suggestions and recommendations for future activity. In response, the Northern Ireland Executive produced an Action Plan for 2008-09 setting out the European policy and programme priorities. The Executive now produces an annual European Priorities document.

In 2011, President Barroso announced the continuation of the work of the Northern Ireland Task Force in aligning the priorities of Northern Ireland with the priorities at EU level and linking them with the objectives of the Europe 2020 strategy for smart, sustainable and inclusive growth.

Committee Activity Undertaken

The Committee conducted a short inquiry to reflect the work of the Barroso Taskforce and what it has achieved with recommendations. The terms of reference for the Inquiry were to:

- Consider the work and structures of the Taskforce including the Barroso Taskforce Working Group (BTWG) since its inception in 2007
- Identify the outcomes from the Taskforce and assess against the objectives

- Identify and consider lessons learned from the functioning of the Taskforce in order to inform recommendations for future engagement in EU affairs post Barroso

The Committee took evidence from key stakeholders and made 11 recommendations for the support and enhancement of further engagement in European affairs. These included:

1. A continuing inter-departmental forum to support a cohesive and coherent Executive wide approach to EU engagement
2. A quick conclusion to the benchmarking exercise for the drawdown of EU funds
3. Timely publication of the Executive's annual European Priorities
4. Clearly defined SMART annual targets for the Barroso Taskforce Working Group
5. The capture of data on funding applications, including those from third parties and arm's length bodies
6. Embedding comprehensive and cohesive monitoring systems to capture information on funding applications in order to inform, develop and enhance future performance
7. Clarity around the architecture of EU engagement by the NI Executive
8. The development of a communications plan for the Taskforce and Working Group as a matter of urgency
9. Clarity on lines of authority and the mechanism for engagement with Assembly Committees
10. Active pursuit by the Executive of opportunities for two way secondments to the European institutions
11. Active exploration of opportunities for Northern Ireland to offer its experience and specialisms to other European partners in the development of EU policy.

The Department has accepted the recommendations and the Committee has been monitoring their implementation.

Other EU activity undertaken in 2014

In April 2014, the Committee hosted a visit of the Enlarged Presidency of the European Economic and Social Committee. The delegation visited Northern Ireland to see where the EESC can work with stakeholders in Northern Ireland in support of the work being done to move the peace process forward. The large delegation comprised representation from across the European Member States and included Henri Malosse, President of the EESC; Jane Morrice, Vice President of the EESC - Communication and Hans-Joachim Wilms – Vice President of the EESC – Budget. Members discussed progress on building a united community, European cohesion policy and EU issues affecting Northern Ireland.

In May 2014, the Committee Chairperson opened a NI Assembly and Business Trust event on 'What does Europe mean for your business?' which drew a large audience of MLAs and business people discussing EU issues specifically of interest to Northern Ireland businesses.

In October 2014, the Committee hosted a visit by the Italian Ambassador to the UK His Excellency Mr Pasquale Terracciano to the NI Assembly as part of a programme of events to mark Italy's Presidency of the Council of the EU. Members held an informal meeting with the Ambassador and discussed Italy's priorities for the Presidency and issues of relevance to Northern Ireland.

The Committee Chairperson attended the EC-UK forum meeting of Chairperson of European (and equivalent) committees of the House of Commons, House of Lords, Scottish Parliament

and National Assembly for Wales which was held in Edinburgh. The forum discussed issues of common concern, the operation of the subsidiarity monitoring mechanism and was briefed by Professor Sir David Edward on potential challenges facing national and regional parliaments in the EU.

In December 2014, the Committee hosted an event for the Latvian Ambassador to the UK, His Excellency Mr Andris Teikmanis to discuss plans for Latvia's forthcoming Presidency of the Council of the EU. MLAs took the opportunity to raise a number of issues relevant to the statutory committees of the Assembly in advance of Latvia's presentation of its priorities for the Presidency.

Committee for Regional Development

European Commission Work Programme 2015 – Committee Priorities

Committee: Committee for Regional Development

Background

Members noted the Raise briefing paper at the meeting of 4th February 2015.

Members noted that there were no measures relevant to their work identified in the RalSe analysis of the Commission's Work Programme.

However, from a European transport perspective, it is important that the specific regional circumstances facing Northern Ireland in the context of the Trans-European Transport Network (TEN-T) i.e. peripherality, isolation and proximity to another Member State, are appropriately considered and addressed within the overall Structural Funds landscape. In this regard, the continued strengthening of the TEN-T North Sea Mediterranean Core Corridor remains of greatest significance both regionally and territorially as a driver of economic growth and as a priority for funding. It is, therefore, important from a future EU funding perspective that strategically sponsored projects are conceived with these circumstances in mind.

Other EU activity planned for 2015

The Committee for Regional Development will continue to build on the established links with the Head of the Executive Office in Brussels in relation to EU policies impacting on Regional Development.

Other comments

None

Committee for Social Development

Committee for Social Development

Room 284, Parliament Buildings,
Stormont, Belfast BT4 3XX

Tel: 028 9052 1864

To: Kathy O'Hanlon, Clerk to the Committee for the Office of the First Minister and Deputy First Minister

From: Kevin Pelan, Clerk to the Committee for Social Development

Date: 23 February 2015

Subject: European Priorities 2015

At its meeting on 12 February 2015, the Committee for Social Development considered correspondence from the Committee for the Office of the First Minister and deputy First Minister regarding the European Commission Work Programme 2015.

The Committee recognises the importance of the relevant initiatives identified in the RAISE paper. However, given the Committee's busy programme of work in 2014 in respect of legislation and its Inquiry, the Committee agreed to carry forward its 2014 European priorities to 2015 (see enclosed).

Furthermore, the Committee agreed to schedule a briefing from the Department on its European activity including the action it is taking to source EU funding for projects under its remit.

Dr Kevin Pelan

Ext 21864

Enc.

European Commission Work Programme 2015 – Committee Priorities

Committee: Committee for Social Development

Background

At its meeting on 12 February 2015, the Committee for Social Development considered correspondence from the Committee for the Office of the First Minister and deputy First Minister regarding the European Commission Work Programme 2015. Given the Committee's busy programme of work in 2014 in respect of legislation and its Inquiry, the Committee agreed to carry forward its 2014 European priorities to 2015 (see details below).

Social investment through the European Social Fund

The Committee agreed to consider policies that will enable social enterprises and the third sector to develop new services and markets for communities.

It agreed that this could also include consideration of how housing associations could expand their range of services via development of social enterprises. This is particularly relevant in the context of the Social Housing Reform Programme.

Of important is the development of an appropriate enabling regulatory environment (such as the Social Business Initiative or Entrepreneurship 2020 Action Plan). The Committee can pursue this with the Department for Social Development and link it to the community asset transfer policy.

Social Inclusion

The Committee agreed on the need to progress work on issues relating to the terms and conditions faced by those in the voluntary and community sector vis à vis public sector employees.

The Committee agreed to monitor the Department's progress in maximising benefit uptake.

Other EU Activity planned for 2015

The Committee agreed to schedule a briefing from the Department on its European activity including the action it is taking to source EU funding for projects under its remit.



Northern Ireland
Assembly

Appendix 3

Research Paper and Explanatory Memorandum



Northern Ireland
Assembly

Research and Information Service Research Paper

Paper 000/00

30 January 2015

NIAR 64/2015

RaISe

European Commission Work Programme 2015

This research paper identifies initiatives contained in European Commission's 2015 Work Programme which are of potential interest to statutory committees of the Assembly, as part of their engagement with European issues.

Research and Information Service briefings are compiled for the benefit of MLAs and their support staff. Authors are available to discuss the contents of these papers with Members and their staff but cannot advise members of the general public. We do, however, welcome written evidence that relates to our papers and this should be sent to the Research and Information Service, Northern Ireland Assembly, Room 139, Parliament Buildings, Belfast BT4 3XX or e-mailed to RLS@niassembly.gov.uk

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, RalSe 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 2015 CWP 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 2015¹

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. The CWP is usually adopted in October but, as elections to the European Parliament were held in May 2014 and a new Commission subsequently took office on 1 November, the 2015 programme was not adopted by the Commission until mid December 2014. It is the first work programme of the 'Junker Commission'. Jean-Claude Juncker, a former Luxembourg prime minister, was elected by the European Parliament, on the basis of his Political Guidelines, to succeed Portugal's Jose Barroso as Commission president. In October 2014, in his opening statement to the European Parliament as candidate for President of the European Commission of the European Commission, President Elect Juncker set out the following ten Political Guidelines:
 - 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
 - A Stronger Global Actor
 - A Union of Democratic Change²

1 The 2014 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 29/01/15)

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

5. The 2015 CWP is titled 'A New Start' and is described by the Commission as 'an agenda for change' which sets out 'the actions the Commission intends to take over the next 12 months to make a real difference for jobs, growth and investment and bring concrete benefits for citizens'. Developing the 2015 CWP, the new Commission stated that it would 'apply the principle of political discontinuity to ensure that all the work that it undertook would be in line with its political priorities'. The Commission explained that:

The principle of political discontinuity applies at the start of a new political mandate. The incoming authority, in this case the European Commission, reviews the proposals which have been put to the legislators by its predecessor, but not yet adopted. It then decides whether or not to pursue work in these areas. This principle is set out in Article 39 of the Framework Agreement between the European Parliament and European Commission. This Article states that "The Commission shall proceed with a review of all pending proposals at the beginning of the new Commission's term of office, in order to politically confirm or withdraw them, taking due account of the views expressed by Parliament". The Commission has reviewed around 450 proposals, and has taken the decision to recommend the withdrawal of a significant number of them.³

6. The Commission states in the CWP that 'The proposals we announce in this Work Programme are chosen because we believe they can make a difference for jobs, growth and investment and can lead to concrete benefits for citizens next year. What we commit to in this Work Programme are the things we will deliver in 2015. We will propose other actions to fulfil the ten priorities in our work programmes for future years – the preparatory work will start for some of these in 2015'.⁴
7. 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 2015.
8. On 16 December 2014 a debate was held in the European Parliament on the CWP and this was followed by decision by Parliament on 15 January 2015. At this sitting, the European Parliament voted on seven draft resolutions (presented by the EPP, S&D, ALDE, Greens/EFA, ECR, GUE/NGL and EFDD groups)⁵ but none of the resolutions achieved the necessary majority to be adopted.
9. The UK Government's Foreign and Commonwealth Office (FCO) has prepared a European Memorandum⁶ (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.
10. 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 the Devolved Administrations to coordinate the UK positions on specific initiatives outlined in the CWP as these are developed'.⁷

3 European Commission (16 December 2014) Fact Sheet - Questions and Answers: the 2015 Work Programme Strasbourg. http://europa.eu/rapid/press-release_MEMO-14-2704_en.htm (accessed 29/01/15)

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

5 The Group of the European People's Party (EPP); The Progressive Alliance of Socialists and Democrats (S&D); The Alliance of Liberals and Democrats for Europe Party (ALDE); The Greens/European Free Alliance (Greens/EFA); The European Conservatives and Reformists (ECR); European United Left/Nordic Green Left (GUE/NGL); Europe of Freedom and Direct Democracy (EFDD) <http://www.europarl.europa.eu/aboutparliament/en/007f2537e0/Political-groups.html> (accessed 29/01/15)

6 Explanatory Memorandum on European Union Documents 5080/15+ ADD.1-4 COM(2014)910 <http://europeanmemoranda.cabinetoffice.gov.uk/memorandum/communication-from-the-commission-to-the-european-parliament-the-council-the-european-economic-social-committee-1422046511> (accessed 29/01/15)

7 EM 5080/15 paragraph 6

11. The EM also notes that 'The Northern Ireland Executive (NIE) has a close interest in the Common Agricultural and Fisheries Policies, the Jobs and Growth Investment Programme, the Connecting Europe Facility, Horizon 2020, Digital Single Market, Regulatory Fitness and the EU Structural Funds Programme 2014-20. The NIE will also wish to follow developments in energy and climate change policy, waste policy, youth unemployment and TTIP'.⁸
12. The EM also addresses the interests of local government and states that:

*The Local Government Associations have been consulted, and have identified in the 2015 Commission Work Programme the measures that are of most interest to them. 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.*⁹
13. The EM notes that all Local Government Associations expressed concerns about the inclusion of local authorities within the scope of the mandatory Transparency Register.¹⁰ Regarding the specific views of the Northern Ireland Local Government Association (NILGA) the EM states that NILGA has identified the following measures as being of most interest:
 - *The Investment Plan for Europe* - the Northern Ireland Local Government Association welcomes the Plan which could grow Northern Ireland capital infrastructure investment and improve access to SME finance;
 - *Trade and Investment Strategy for Jobs and Growth* - the Northern Ireland Local Government Association is supportive of the review of the EU's trade policy strategy and in particular Northern Ireland's opportunity to influence its development in order to promote, protect and grow regional commercial opportunities;
 - *Promoting integration and employability in the labour market* - the Northern Ireland Local Government Association welcomes the measures which could support getting long term unemployed and younger people into full-time work and in so doing strengthen a sustainable Northern Ireland skilled workforce;
 - *Proposal for an inter-institutional agreement on better law-making* - the Northern Ireland Local Government Association is supportive of better EU regulation and law making. It welcomes regulatory reform and encourages the provision of enhanced regional Impact Assessments.¹¹
14. 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'.¹²
15. The CWP is scheduled to be discussed by the European Scrutiny Committee in the House of Commons and the House of Lords EU Select Committee.
16. In the Oireachtas, the Joint Committee on European Union Affairs meet on 29 January 2015, to discuss the CWP. Appearing before the committee at this session were: Ms. Barbara Nolan, Head of the European Commission Representation in Ireland; Mr. Jonathan Claridge, Head of the Political Section; Ms. Lynn Boylan, MEP; Ms. Mairead McGuinness, MEP; and Mr. Matt Carthy, MEP

8 EM 5080/15 paragraph 9
9 EM 5080/15 paragraph 10
10 EM 5080/15 paragraph 15
11 EM 5080/15 paragraph 14
12 EM 5080/15 paragraph 51

17. Prior to the meeting the Committee Chair, Dominic Hannigan, TD, said: 'Tomorrow's meeting represents an important opportunity for the Committee to discuss the Commission's plans for the coming year. Jobs, growth and investment are the Commission's top priorities for 2015, though the wider programme will also be subject to scrutiny. The Committee is keen to assess the Commission's plans on ensuring the delivery of real benefits on the ground for citizens in terms of economic growth and job creation. The Committee in particular looks forward to engaging with Irish MEPs on the work programme, focusing on it from an Irish perspective'.¹³

30 January 2014

13 Houses of the Oireachtas Press Release (28/01/15) <http://www.oireachtas.ie/parliament/mediazone/pressreleases/name-26328-en.html> (accessed 29/01/15)

Annex A: New Initiatives and REFIT Actions by Departmental Responsibility

European Commission Work Programme – New Initiatives with implications for DCAL

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
2. A Connected Digital Single Market	DCAL	Strategy	<p>This package is aimed at creating a digital single market across the EU. Key objectives in this area include rapidly concluding negotiations on common EU data protection rules; modifying copyright rules to reflect new technologies; and boosting digital skills and learning.^{1[1]}</p> <p>A DSM strategy is yet to be published.</p> <p>According to the European Commission Vice-President for the Digital Single Market, Andrus Ansip, this will be published by May 2015.</p>	<p>This is of interest to the CAL Committee in two main respects: with regard to the reform of copyright rules in the EU, and in relation to the creative industries (particularly the audiovisual sector).</p> <p>As the screen industry develops in Northern Ireland, audiovisual companies will increasingly be looking to distribute products on a cross-border basis, so reforms of copyright law and measures to protect intellectual property rights (IPR) may be of significance.</p> <p>DCAL leads for the creative industries in Northern Ireland, is responsible for the Strategic Action Plan on the Creative Industries and the Creative Industries Innovation Fund, and is co-sponsor (with DETI) of NI Screen.</p>

European Commission Work Programme – REFIT Actions with implications for DCAL

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
15. Study on the efficacy of co- and self-regulating aspects in promoting effective implementation of the Audiovisual Media Services Directive for 2015	DCAL	Study	Study to assess the extent to which co- and self-regulation aspects in promoting effective implementation of the Audiovisual Media Services Directive can reduce regulatory complexity. Results expected for 2015.	<p>The Audiovisual Media Services Directive was passed in 2010. It provides for a joined-up approach across the EU in terms of certain standards for audiovisual broadcasts and in terms of their methods of distribution.</p> <p>In coordinating such factors, the Directive is designed to enable audiovisual products to be circulated more easily across Member States and so allow, potentially, a wider market for television programmes and films.</p> <p>DCAL is a co-sponsor of NI Screen, the government agency for the film, television and digital content industry, and Lottery distributor for film-related funding.</p>
17. Audiovisual Media Services Directive	DCAL	Evaluation	<p>Evaluation of Directive 2010/13/EU of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services.</p> <p>Ongoing, expected to end in 2016.</p>	<p>The results of the study of the Audiovisual Media Services Directive will inform this evaluation of the Directive. It will result in recommendations for reforms to the Directive.</p> <p>The growing audiovisual industry is identified as an important component in the Northern Ireland Economic Strategy. This sector may benefit, or be hampered, by changes to cross-border broadcasting rules, potentially affecting the scale and speed of product distribution.</p>

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
23. Review of the GMO decision making process	DARD/DOE	Legislative	Will look at the how the rules could be changed to better ensure the majority view of Member States is taken into account	<p>There is a lack of detail in relation to the terms of the proposed review but given the legislative emphasis in the title this may lead to changes to the current EU legislation in this area:</p> <ul style="list-style-type: none"> • Regulation (EC) No 1829/2003 – sets out the procedures for the evaluation and authorisation of GM food and feed within the EU and as such applies to the following 3 types of specific product: <ul style="list-style-type: none"> • Food and feed containing GMO's; • Genetically modified organisms for food and feed use; • Food and feed produced from or containing ingredients produced from GMOs.

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
				<p>• Directive 2001/18/EC – makes the release and placing on the market of GMOs more efficient and transparent. A key feature of this Directive is that it places a ten year (renewable) limit on release and reaching the market for GMOs whilst also introducing compulsory monitoring once a GMO has made it onto the market</p> <p>As things currently stand it would appear that there are no GM crops being grown within Northern Ireland. In line with most other parts of the EU however, food and animal feed using GM material is freely available subject to meeting the previously outlined regulations.</p> <p>DARDs remit is strictly limited to the enforcement of European law governing seed certification and the importing of animal feeding stuffs. DARD's remit in relation to GM does not cover the cultivation of GM crops.</p>

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
				<p>Any changes to the EU legislation – particularly in relation to the cultivation of GMOs - could have implications for Northern Ireland. Historically speaking, there have been differing industry and political views on the cultivation of GMOs here – the NI Executive does not appear to have a position on the issue. The concept of taking account of the ‘majority view of Member States’ is interesting in this regard as the UK position, and majority EU Member State position on GMO cultivation could differ from that in NI – in such instances what powers would we have to opt out of the majority view if we chose to?</p>

European Commission Work Programme – REFIT Actions with implications for DARD

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
1. Horizontal action declaring the obsolescence of a number of defunct acts in relation to the Common Agricultural Policy	DARD	Legislative - repeal	To formally declare that acts that have exhausted their effects are obsolete while they cannot be repealed for lack of a legal base	<p>The recently reformed and revised Common Agricultural Policy (CAP) has been live since the start of January 2015, having been agreed through co-decision in the latter half of 2014.</p> <p>DARD's focus is clearly on delivering and administering the requirements of the new CAP and as such it is hard to see any negative impacts from the action of declaring acts that have exhausted their effects as being obsolete.</p> <p>It should however be noted that this assessment is not definitive and is highly caveated, given that the Commission has failed to identify the specific acts that it deems as having exhausted their effects. Given this context, there is a real need for further information from the Commission.</p>

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
2. Beef Labelling rules	DARD	Evaluation	Evaluation of Regulation EC No 1760/2000 establishing a system for the identification and registration of animals	<p>Regulation 1760/2000 required Member States to create systems that enabled the identification and registration of bovine animals through the following mechanisms:</p> <ul style="list-style-type: none"> • ear tags to identify individual animals; • computerised databases; • animal passports; • individual registers kept on farm <p>The regulation also contained compulsory and voluntary labelling specifications as follows:</p> <ul style="list-style-type: none"> • Compulsory <ul style="list-style-type: none"> • reference number as a link between the meat and the animal; • approve the number of slaughterhouses • Voluntary <ul style="list-style-type: none"> • information on the label, • measures to be taken to ensure the accuracy of information, • controls carried out by independent body at all stages of production and sale,

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
				<ul style="list-style-type: none"> • measures to be taken those who fail to comply with specifications in the Regulation. <p>DARD's APHIS system has been central to compliance here and is generally recognised as being ahead of the game.</p> <p>Whilst the definitive time frame, terms of reference, and potential outcomes of the evaluation are unclear, DARD will need to maintain a watch on this process, particularly due to the fact that APHIS is scheduled to be replaced by a new NIFAIS system. In this context any potential changes to beef labelling will need to be taken account of in the development of NIFAIS. There may also be real value to the Commission in being fully appraised of the experiences of DARD gained through the operation of the APHIS system since 1998.</p>
				<p>It would also be useful to establish if there will be a period of consultation associated with the evaluation as this could afford DARD and local stakeholders the opportunity to both inform the evaluation and potentially shape any changes that it could propose</p>

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
3. Specific measures for agriculture in the outermost regions of the Union (POSEI) – specific measure for agriculture in favour of the smaller Aegean islands	Possibly DARD	Evaluation	Evaluation of the impact of specific measures for agriculture in the outermost regions of the EU (POSEI) and of specific measures that favour small Aegean islands	<p>At present the EU defined outer regions are as follows:</p> <ul style="list-style-type: none"> • France: Guadeloupe, French Guyana, Martinique, Réunion, Saint-Barthélemy and Saint-Martin • Portugal: the Azores and Madeira • Spain: the Canary Island <p>Outermost regions that qualify, receive EU support, drawn from their Member State CAP Pillar 1 allocations for the following actions:</p> <ul style="list-style-type: none"> • specific supply arrangements, aimed at mitigating the additional costs for the supply of essential products for human consumption, for processing and as agricultural inputs, and • measures to support the local agricultural production <p>No parts of the UK or Ireland currently qualify for this ‘outermost region’ status at present.</p>
				<p>Any revisions to the POSEI policy could theoretically mean that parts of Northern Ireland might qualify but without detailed information on the terms of the evaluation this is merely speculative. As a result there may be value in DARD maintaining a watching brief on this issue and there may also be value in assessing any potential benefits that could come to parts of Northern Ireland if they were deemed eligible.</p>

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
27. Fishing Authorisation Regulation	DARD	Legislative initiative - recast	Proposed replacement of Regulation (EC) No 1006/2008 which deals with fishing authorisations. The current Fishing Authorisation Regulation would be recast to simplify the current system, harmonise highly variable data requirements from Member States and improve the efficiency of sanctions	<p>Regulation (EC) No 1006/2008 effectively deals with authorisations for fishing activities of Community fishing vessels outside Community waters and the access of third country vessels to Community waters.</p> <p>Whilst there is a lack of detail within the proposal the concept of recasting this legislation and by so doing making it simpler will undoubtedly appeal to stakeholders from the sea fishing community within Northern Ireland. It does however need to be recognised that the impacts of recasting this legislation may be limited for the Northern Ireland fishing fleet as local fishing effort is predominantly focused within local waters (ICES Area VIIa) on the catching of nephrops.</p> <p>Despite this context, the harmonisation of data requirements and the improving of sanctions, particularly in relation to the potential accessing of local fishing grounds by 3rd country vessels would be positive developments.</p>
				<p>A key challenge here for DARD will be ensuring that any data harmonisation does not place increasing burdens on the local fishing fleet – particularly for those local vessels which do or might fish outside EU waters.</p>

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
28. Simplification of technical measures for the protection of marine organisms	DARD	Legislative initiative - simplification	Proposed simplified framework of technical measures amending Regulation (EC) No 850/98 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms	Regulation (EC) No 850/98 is a key component of the Common Fisheries Policy as it provides the legislative basis for a series of mechanisms designed to protect fish stocks such as:

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
				<ul style="list-style-type: none"> • minimum landing sizes and minimum conservation sizes • specifications for design and use of gears • minimum mesh sizes for nets • requirement of selective gears to reduce unwanted catches; • closed areas and seasons; • limitations on by-catches (catches of unwanted or non-target species) • measures to minimize the impact of fishing on the marine ecosystem and environment. <p>Whilst there have been a number of amendments of the legislation since its inception, the concept of simplification is one that would appeal to many sea fishing stakeholders.</p> <p>The local sea fishing fleet has had direct experience of the complexity of this legislation as a result of its protracted efforts to reduce the level of discards within the Irish Sea through the use of selective gear.</p> <p>The lack of detail in relation to timeframe and specific proposals makes further comment difficult but there will be a need to ensure that local views are heard by the Commission, given the recent selective gear experience, and in this regard DARD could have a key role to play.</p>

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
30. Common Fisheries Policy	DARD	Evaluation	Evaluation of the impacts of Fisheries Control Regulation EC No 1224/2009	<p>Regulation EC No 1224/2009 forms the legislative basis for Community system for control, inspection and enforcement to ensure compliance with the rules of the common fisheries policy. In existence since November 2009 the Regulation was not reviewed as part of the most recent Common Fisheries Policy that saw a revised CFP come into force on the 1st January 2014.</p> <p>Key components of Regulation EC No 1224/2009 include:</p> <ul style="list-style-type: none"> • Fishing authorisation • Marking of fishing gear • Vessel monitoring system • Completion and submission of the fishing logbook • Monitoring of fishing effort • Recording of catches and fishing effort • Closure of fisheries – conditions for action • Fishing vessel capacity

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
				<p>The range of areas covered by the regulation means that it has a highly significant and extensive impact on both the day to day operation of the Northern Irish fishing fleet and the work of the DARD staff tasked with ensuring compliance.</p> <p>Whilst the definitive time frame, terms of reference, and potential outcomes of the evaluation are unclear, DARD will need to maintain a watch on this process, particularly if there are any potential changes proposed to the Regulation as a result of the evaluation. It would also be useful to establish if there will be a period of consultation associated with the evaluation as this could afford DARD and local stakeholders the opportunity to both inform the evaluation and potentially shape any changes that it could propose</p>

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
39. Wild animals in zoos	DARD/DOE/DOJ (PSNI)	Evaluation	Evaluation of Directive 1999/22/EC relating to the keeping of wild animals in zoos.	<p>Directive 1999/22/EC deals with the keeping of wild animals in zoos. The Directive set out requirements for zoos including:</p> <ul style="list-style-type: none"> • participating in research from which conservation benefits accrue to the species, and/or training in relevant conservation skills, and/or the exchange of information relating to species conservation and/or, where appropriate, captive breeding, repopulation or reintroduction of species into the wild, promoting public education and awareness in relation to the conservation of biodiversity, particularly by providing information about the species exhibited and their natural habitats, • accommodating their animals under conditions which aim to satisfy the biological and conservation requirements of the individual species, inter alia, by providing species specific enrichment of the enclosures; and maintaining a high standard of animal husbandry with a developed programme of preventive and curative veterinary care and nutrition,

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
				<ul style="list-style-type: none"> • preventing the escape of animals in order to avoid possible ecological threats to indigenous species and preventing intrusion of outside pests and vermin, • keeping of up-to-date records of the zoo's collection appropriate to the species recorded. <p>The requirement marked in bold has a particular resonance as it relates to animal welfare issues.</p> <p>At present the licensing of zoos within Northern Ireland is a responsibility of the DOE.</p> <p>Zoo animals are also regarded as 'protected animals' under the auspices of the Welfare of Animals (Northern Ireland) Act 2011. The 2011 Act identifies that the welfare of farmed animals is the responsibility of DARD, local Councils are responsible for enforcement in respect of non-farmed animals</p>

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
				<p>i.e. domestic pets and equines (e.g. horses and donkeys etc) and the PSNI is responsible for incidents involving wild animals and animal fighting. Based on the Dangerous Wild Animals (Northern Ireland) Order 2004 definition of 'wild animals' it would appear that the PSNI is responsible for enforcement of welfare in relation to zoo animals</p> <p>Whilst the definitive time frame, terms of reference, and potential outcomes of the evaluation of Directive 1999/22/EC are unclear at this time, there could be implications for the Welfare of Animals (Northern Ireland) Act 2011, particularly if there are any potential changes proposed to the Regulation as a result of the evaluation. Given this context and being cognisant of the fact that DARD is currently finalising a Review of the Implementation of the Welfare of Animals Act 2011 there will be a real need for DARD, DOE, DOJ(PSNI) and local councils to maintain a watching brief on the evaluation of Directive 1999/22/EC and anything that emerges from it.</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
1. The Investment Plan for Europe Legislative Follow-up	DFP	Legislative	<p>The follow-up actions include:</p> <p>(a) setting up the European Fund for Strategic Investments (EFSI)</p> <p>(b) promoting cooperation with National Promotional Banks</p> <p>(c) improving access to finance for Small to Medium-sized Enterprises (SMEs)</p>	The CFP may wish to consider how the Executive could access this type of funding, or whether the legislation could impact on the introduction of the Northern Ireland Investment Fund, as introduced in the Budget 2015-16.
10. Framework for Resolution of Financial Institutions other than Banks	DFP	Legislative	<p>The proposal is to create a European framework for the recovery and resolution of systemically relevant financial institutions, such as Central Clearing Counterparties.</p> <p>The proposal looks to assess how and when the failure of a financial institution, other than a bank, can threaten financial stability. The main institutions considered in this respect are financial market infrastructures, such as central counterparties and central securities depositories, as well as d systemic insurance companies.</p> <p>Second, the proposal considers what arrangements could be needed to prevent their failure from compromising financial stability.</p>	The CFP may wish to consider how the legislation would impact on financial institutions in Northern Ireland – like the Presbyterian Mutual Society and Credit Unions - and whether such legislation could have prevented their collapse.

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
14. Action Plan on Efforts to Combat Tax Evasion and Tax Fraud, including a Communication on a renewed approach for corporate taxation in the Single Market in the light of Global Developments	DFP	Legislative	The Action Plan, starting from the work done on base erosion and profit sharing at Organisation for Economic Cooperation and Development (OECD) and G20 levels, include measures at an EU level to move to a system whereby the country where profits are generated is also the country of taxation, including the digital economy.	The CFP may wish to consider how the legislation would impact on Northern Ireland in light of the devolution of Corporation Tax to the Executive.

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
19. Excise Duty	DFP	Evaluation	<p>Evaluation of Council Directive 2008-118/EC concerning the general arrangements for excise duty, for:</p> <ul style="list-style-type: none"> (a) energy products and electricity (b) alcohol and alcoholic beverages (c) manufactured tobacco <p>The assessment covers the legal arrangements for cross-border movements of these goods released for consumption between traders and distance selling companies.</p>	The Committee for Finance and Personnel (CFP) may wish to consider whether it would like to have an input into the evaluation of this Directive.

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
20. Mini One Stop Shop	DFP	Evaluation	<p>Assessment of the implementation of the Mini One Stop Shop 2008/8/EC</p> <p>This regulation is due to be implemented in 2015 and relates to the supply of services for:</p> <p>(a) telecommunications services</p> <p>(b) radio and television broadcasting services</p> <p>(c) electronically supplied services, in VAT will be charged at the rate prevalent in the country where the customer resides</p>	The CFP may wish to consider whether it would like to have an input into the evaluation of this Directive.
23. Integrating Social Statistics	DFP	Legislative Initiative: Consolidation Simplification	<p>Consolidation and integration of statistical legislation concerning the production of European statistics relating to persons and households.</p> <p>The objective is to make the best possible use of the information provided by private households and individuals, to meet current future needs for European statistics, while keeping the response burden at the present level.</p>	The CFP may wish to consider whether it would like to have an input into the review of this Directive, given the Committee's remit includes scrutiny of the work of NISRA.
42. International Accounting Standards	DFP	Evaluation	<p>Evaluation of Regulation 1606/2002 on the application of international accounting standards.</p> <p>The objective of the evaluation is to assess the actual effects of 8 years of use of International Financial Reporting Standards (IFRS)2 in the European Union (EU), with respect to the initial objectives of the International Standards Board (IASB) Regulations.</p>	The CFP may wish to consider whether it would like to have an input into the evaluation the impact of International Financial Reporting Standards in both public and private sector accounts.

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
49. Remedies in the field of public procurement	DFP	Evaluation	<p>Evaluation of Directive 2007/66/EC relating to the improvement of the review procedures concerning the award of public contracts.</p> <p>This regulation requires public authorities to wait for a number of days, known as a 'standstill period', before concluding a public contract. This gives rejected bidders the opportunity to start an effective review procedure at a time when unfair decisions can still be corrected. If this standstill period has not been respected, the Directive requires national courts under certain conditions to set aside a signed contract, by rendering the contract "ineffective".</p>	The CFP may wish to consider whether it would like to have an input into the evaluation of this Directive, given the Committee's remit includes scrutiny of the work of CPD.
57. Late Payment Directive	DFP	Evaluation	<p>Evaluation of Directive 2011/7/EC relating to the combating of late payments in commercial transactions.</p> <p>This Directive puts in place measures to harmonise payment periods for payments made by public authorities to businesses.</p>	The CFP may wish to consider whether it would like to have an input into the evaluation of this Directive.

European Commission Work Programme – New Initiatives with implications for DoE

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
5. Strategic Framework for the Energy Union	DoE/DETI	Non-legislative/ Legislative	The Strategic Framework will focus on: energy supply security, integration of national energy markets, reduction in European energy demand, decarbonising the energy mix and promoting research and innovation in the energy field. It will include the revision of the EU Emissions Trading System (EU ETS) as part of the legislative framework post 2020. ³	<p>Part of this framework will fall under the remit of DETI. However, the revision of the EU ETS Directive may be of interest to the DOE who will need to update associated guidance documents.⁴</p> <p>The Commission launched a public consultation 19th December 2014 on the revision of the EU ETS Directive post 2020. It also focuses on a new emission reduction target of at least 40% in 2030 as compared to 1990.</p> <p>The consultation runs until the 15th March. It may be of interest to ask the Dept. whether it has/intends to feed into the consultation.⁵</p>

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
6. Communication on the Road to Paris-multilateral response to climate change	DoE/DETI	Non-legislative	<p>A new international climate change agreement between UN countries is to be developed and adopted at the Paris Climate Conference at the end of 2015 – and implemented from 2020.⁶</p> <p>The objective of the communication is to outline the EU vision and expectations in the context of the 2015 Agreement.</p> <p>It sets out how the EU will contribute to the targets set under the final Agreement – this is based on conclusions made by the European Council in October 2014.⁷</p>	<p>This is a non- legislative communication. However, it gives an indication of future GHG reduction targets, renewable energy and energy efficiency targets for post 2020. This may be of interest to both DETI and DOE when considering longer terms targets.</p> <p>In 2011 the Dept. produced a Greenhouse Gas Emissions Action plan for the period up to 2025.⁸</p> <p>In 2014 an Adaptation Programme was introduced for the period 2015-2019 – setting out actions needed to respond to the impacts of climate change.⁹</p> <p>It may be of interest to find out how the Dept. proposes to prepare for the implementation of an agreement which sets targets beyond the times scales of current NI action plans or programmes.</p>

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
23. Review of GMO decision-making process	DoE/DARD	Legislative	This will look at how the rules could be changed to better ensure the majority view of Member States is taken into account	<p>Responsibility for GMO falls under the remit of DOE and DARD.</p> <p>DOE's remit is in relation to the deliberate release of GMOs into the environment under the Genetically Modified Organisms (Deliberate Release) Regulations 2003.</p> <p>DARD is limited to the enforcement of European law governing seed certification and importing of animal feed.</p> <p>However, the responsibility and NI's position surrounding GMO cultivation is less clear- with both leading Departments holding opposite views (DOE in favour and DARD against)¹⁰.</p> <p>A consultation was conducted in 2007 by the Dept. - however nothing has progressed beyond this point.</p> <p>It may be of interest to ask the Dept. to clarify its position and responsibility in relation to the cultivation of GMOs.</p>
				<p>Any changes to the EU legislation could impact NI. If 'the majority view of Member States is taken into account' – how will this effect NI should its view differ from that of the UK and the majority of Member States?</p>

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
11. Geological storage of carbon dioxide 12. Reduction of CO2 emissions from light duty vehicles 13. Fuel Quality 31. Environmental Liability 32. Drinking Water 35. Environmental Noise 36. European Pollutant Release and Transfer Register 37. Volatile organic compound emissions Stage I 38. Volatile organic compound emissions Stage II 39. Wild animals in zoos 75. Combined transport	DoE	Evaluation	<p>REFIT is the European Commission's Regulatory Fitness and Performance programme. Under this programme the Commission is to conduct an evaluation of existing legislation covering the areas listed in the previous column. With some of the evaluations- the results are expected in 2015, while others will be started this year.¹¹</p> <p>The Commission states that it welcomes input from all member states and level of government with regards to the REFIT Programme.¹²</p>	<p>The areas listed in the first column fall under the remit of the DOE. Most of these areas have existing legislation implemented at the NI level -some of these include:</p> <p>Geological storage of carbon dioxide - allowing for the storage of carbon in geological formations under the Groundwater (Amendment) Regulations (Northern Ireland) 2011.</p> <p>Reduction of CO2 from light duty vehicles - the Vehicle Approval Scheme NI which ensures that vehicles meet relevant environmental and safety standards.</p> <p>Environmental Liability under the Environmental Liability Regulations 2009¹³</p> <p>Environmental noise -The Dept. published a Noise Policy Statement for NI in 2014 – this deals with environmental noise and not individual noise complaints which are the responsibility of local councils.¹⁴</p> <p>Wildlife animals in zoos under the Zoo licensing Regulations (Northern Ireland) 2003¹⁵</p> <p>DOE is the competent authority in relation to combined transport with regards to monitoring compliance through operator licensing¹⁶</p>
				<p>The outcomes of these evaluations are not yet known, however, should they bring any changes to the EU legislation –this may in turn have impacts on any associated national legislation.</p> <p>On this basis- the Committee may wish to find out whether the Dept. has had any input into to these evaluations.</p>

34. Natura 2000 (Birds and Habitats Directives)	DoE	Fitness check	<p>Under the Commission's Regulatory Fitness and Performance Programme, the Commission has reviewed the entire stock of EU legislation and decided on follow up actions – one of which is a 'fitness check'. This provides an evidence based analysis of whether the regulatory framework is fit for purpose in terms of: effectiveness, efficiency, coherence, relevance and EU added value.¹⁷</p> <p>This fitness check is ongoing and due to end in 2016.</p>	<p>The Birds and Habitats Directives are implemented by the Dept. under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended).¹⁸</p> <p>Once detail on the outcome of the fitness check is released- this may lead to changes in the EU and consequently any associated legislation in NI.</p> <p>The Committee may wish to explore whether the Dept. has had any involvement with the fitness check so as to keep informed of any possible legislative changes.</p>
---	-----	---------------	---	--

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
2. Promoting integration and employability in the Labour Market	DEL	Legislative/ non-legislative	A package of measures to support Member States in getting people, especially the longer term unemployed and younger people, into work and developing a skilled workforce. This will include measures to follow up on the implementation of the Youth Employment Initiative, a proposal for a Council Recommendation on integration of the long-term unemployed, as well as measures to promote skills development.	<p>The Initiative identifies a number of proposals, including:</p> <ul style="list-style-type: none"> • The Youth Employment Initiative: Aims to support particularly young people not in education, employment or training in regions with a youth unemployment rate above 25% - it should be noted that Northern Ireland's current youth unemployment rate (18-24 year olds) is at 19.2%¹⁹ and as such NI is not eligible for support under this initiative; • Council Recommendation on integration of the long-term unemployed: A search of EU Commission document registers was unable to find any additional information on this Recommendation. This suggests it may still be at an early stage of development; • Measures to promote skills development: A search of EU Commission document registers was unable to find any additional information on this Recommendation. This suggests it may still be at an early stage of development. <p>A search of available information sources was unable to identify any further details on the proposed packages.</p>
				<p>In the Northern Ireland context, the package could contribute to Programme for Government priorities, including:</p> <ul style="list-style-type: none"> • Priority 1: Growing a sustainable economy and investing in the future; and • Priority 2: Creating opportunities, tackling disadvantage and improving health and wellbeing.

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
3. Mid-term review of the Europe 2020 strategy	DEL	Non-legislative	Improved and updated Europe 2020 strategy, drawing lessons from the first four years of the strategy and ensuring it acts as an effective post-crisis strategy for growth and jobs in Europe.	<p>Five headline targets have been set for the EU to achieve by the end of 2020. These cover employment; research and development; climate/energy; education; social inclusion and poverty reduction. 20</p> <p>The objectives of the strategy are also supported by seven 'flagship initiatives' providing a framework through which the EU and national authorities mutually reinforce their efforts in areas supporting the Europe 2020 priorities such as innovation, the digital economy, employment, youth, industrial policy, poverty, and resource efficiency.²¹</p> <p>Other EU levers such as the European single market, the EU budget and the EU external agenda also contribute to the achievement of the goals of the Europe 2020 strategy.²²</p> <p>A consultation on Europe 2020 was carried out in May 2014 (closing in October 2014) and this will feed into the mid-term review.</p> <p>In the Northern Ireland Executives European Priorities for 2012-2015 it is stated that:</p>
				<p><i>The strategic framework to help shape and focus the Executive's European engagement is set with reference to the Europe 2020 Strategy for smart, sustainable and innovative economic growth and the European Commission's Legislative and Work Programme 2014.</i></p>

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
8. Labour Mobility Package	DEL	Legislative/ Non-legislative	The package aims at supporting labour mobility and tackling abuse by means of better coordination of social security systems, the targeted review of the Posting of Workers Directive and an enhanced EURES.	<p>The Initiative identifies a number of proposals, including:</p> <ul style="list-style-type: none"> • The coordination of social security systems: The purpose of the initiative is to increase the changes 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; • Targeted Review of the Posting of Workers Directive: A posted worker is someone who is employed in one EU Member State but is sent by their employer to work on a temporary basis in another Member State. To guarantee that the rights and working conditions of a posted worker are protected throughout the European Union, and to avoid “social dumping” where foreign service providers can undercut local service providers because their labour standards are lower, the European Community law has established a core of mandatory rules regarding the terms and conditions of employment to be applied to an employee posted to work in another Member State;

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
				<p>• An enhanced EURES: EURES is a co-operation network between the European Commission and the Public Employment Services of the EEA Member States (The EU countries plus Norway, Iceland and Liechtenstein) and other partner organisations. Implementing EURES reform is identified as an additional priority for the Department of Employment and Learning within the NI Executive's European priorities.</p> <p>It should be noted that involvement in networks such as EURES are part of the NI Executives overarching European Priorities – a stated priority in the 2014-2015 EU priorities document is to:²³</p> <p><i>Raise the region's positive profile by transferring knowledge and learning through participation in formal and informal European networks and partnerships.</i></p>
15. Trade and Investment strategy for Jobs and Growth	DEL	Non-legislative	A comprehensive review of the EU's trade policy strategy, and in particular its contribution to jobs, growth and investment. The review will cover all aspects of trade policy, including bilateral, plurilateral and multilateral negotiations as well as autonomous measures. It will include policy orientations in all these areas for the next five years.	<p>EU trade policy sets the direction for trade and investment in and out of the EU. Under its current aims, trade policy works to:</p> <ol style="list-style-type: none"> 1. Create a global system for fair and open trade; 2. Open up markets with key partner countries; 3. Make sure others play by the rules; and 4. Ensure trade is a force for sustainable development. <p>The second bullet point above is most of note to the Trade and Investment Strategy for Jobs and Growth initiative as it reflects similar aims regarding jobs and growth.</p> <p>The Commission states that:</p>

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
				<p><i>The consolidation of EU trade and investment links to new centres of growth in the world is not only vital for jobs, growth and enhanced productivity in the EU, but has important impacts on our neighbourhood and development policy as well as on EU participation in international financial institutions.</i></p>
18. European Agenda on Migration	DEL	Legislative/ Non-legislative	Develop a new approach on legal migration to make the EU an attractive destination for talents and skills, as well as to improve the management of migration by intensifying cooperation with third countries, fostering burden sharing and solidarity and fighting against regular migration and smuggling.	<p>The agenda includes a review of the Blue Card Directive, the EU-wide work permit for highly skilled workers.</p> <p>It should be noted that migration is a non-devolved matter and as such Northern Ireland will have a limited role in developing a stance in regards this policy.</p>

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
21. Recast and merger of three Directives in the area of information and consultation of workers	DEL	Legislative (Recast)	<p>Consolidation of three Directives in the area of information and consultation of workers taking into account the results of a consultation of social partners:</p> <ul style="list-style-type: none"> • Directive 2002/14/EC of 11 March 2002 establishing a general framework for informing and consulting employees in the European Community • Council Directive 98/59/EC of 20 July 1998 on the approximation of the laws of the Member States relating to collective redundancies • Council Directive 2001/23/EC of 12 March 2001 on the approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of businesses 	<p>This is the recast and merger of three Directives following to a fitness check (a check to ensure Regulations remain fit for purpose) published in July 2013 in order to address some of the issues raised by a Commission Staff Working Document (and improve the operation of the Directives).</p> <p>The three Directives are:</p> <ul style="list-style-type: none"> • Directive 98/59/EC on collective redundancies; • Directive 2001/23/EC on transfers of undertakings; and • Directive 2002/14/EC establishing a general framework relating to information and consultation of workers in the EC. <p>The fitness check identified a number of issues, including:24</p> <ul style="list-style-type: none"> • Some stakeholders questioned the Directives' potential to ensure the fundamental right of information and consultation arguing that a significant share of the workforce is not covered due to the exclusion of smaller SMEs, of public administration and of seafarers from the scope of application; and

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
				<ul style="list-style-type: none"> Some stakeholders identified issues in regards possible inconsistencies in definitions used within the Directives. <p>The three Directives being considered for recast and merger may have implications for employment law and business practice in Northern Ireland and across the EU.</p> <p>However, the extent of these implications will not be known until further information is published on the scope of the consultation.</p> <p>Please note, there are two REFIT initiatives of note to the work of the Department of Employment and Learning. However, both initiatives are yet to undergo evaluation and as such there is as yet no information on what scope the REFIT may have. The Initiatives are:</p> <ul style="list-style-type: none"> Part-Time Work and Fixed Term Work: Evaluation of Directive 97/81/EC of 15 December 1997 concerning the Framework Agreement on part-time work concluded by UNICE, CEEP and the ETUC. Directive 1999/70/EC of 28 June 1999 concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP. The results of the evaluation are expected in 2015; and
				<ul style="list-style-type: none"> Information Obligations: Evaluation of Directive 91/533/EC on an employer's obligation to inform employees of the conditions applicable to the contract or employment relationship. Evaluation expected to start in 2015 and is due to end in 2016.

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
43. Food law	DHSSPS	Fitness check	<p>Regulation (EC) No 178/2002 of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety.</p> <p>The objective of the Fitness check is to assess the effectiveness, efficiency, coherence, relevance, EU added value of the main tools used in food law (in particular science based legislation, use of precautionary principle, prevention of frauds and information of consumers, requirements that operators perform auto-controls and trace food, tools for the management of alerts, emergency/ crisis, EFSA).</p> <p>Results expected for 2015.</p>	<p>Regulation (EC) No 178/2002 of 28 January 2002 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. Furthermore, it establishes the European Food Safety Authority (EFSA) and the Standing Committee on the Food Chain and Animal Health.</p> <p>The EFSA provides independent scientific and technical support for EU legislation and policies related to food and feed safety. Every six years, starting in 2005, the EFSA commissions an independent external evaluation of its achievements, the impact of its activities and its working practices.</p> <p>The Standing Committee on the Food Chain and Animal Health assists the Commission. It is composed of representatives of the Member States and chaired by a representative of the Commission.</p> <p>The objective of the fitness check is to assess the effectiveness, efficiency, coherence, relevance, EU added value of the main tools used in food law (in particular science based legislation, use of precautionary principle, prevention of frauds and information of consumers, requirements that operators perform auto-controls and trace food, tools for the management of alerts, emergency/ crisis, EFSA).</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
8. Labour Mobility Package	DSD/DEL	Legislative/ Non-legislative	The package aims at supporting labour mobility and tackling abuse by means of better coordination of social security systems, the targeted review of the Posting of Workers Directive and an enhanced EURES.	<p>This European Commission initiative aims at supporting labour mobility and tackling abuse by means of better coordination of social security systems, the targeted review of the Posting of Workers Directive and an enhanced European network of Employment Services (EURES).</p> <p>The way social security is organised differs among European countries, since every Member State remains free to design its social security system independently. EU legislation does not replace the different national social security systems, but coordinates them in situations with an intra-EU cross-border element. The current EU law regulating social security coordination comprises Regulation (EC) 883/2004²⁵ and Regulation (EC) 987/2009²⁶. These Regulations coordinate the cross-border aspects of the different social security systems of the EU Member States, plus Iceland, Norway, Liechtenstein and Switzerland.²⁷</p> <p>The Labour Mobility Package initiative has carried over from the 2014 Commission Work Programme (CWP) 2014.²⁸ This initiative, which included the proposed revision of Regulation (EC) 883/2004 and Regulation (EC) 987/2009 on coordination of social security, is currently “under review”.²⁹</p>

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
				<p><i>Relevance to Northern Ireland</i></p> <p>In 2013, the UK Government expressed concern that the Labour Mobility Package would affect national welfare systems, reiterating that welfare systems are a competence of individual Member States.³⁰ There have been concerns, particularly in the current climate of fiscal austerity, that these coordination measures could potentially undermine the sustainability of Member States' social security schemes. In the UK, the issue of 'benefit tourism' has also become part of the broader political discourse on migration and membership of the European Union.</p> <p>However, in their initial response to the 2015 CWP the UK Government took a neutral position on the initiative, stating that it:³¹</p> <p><i>Looks forward to seeing the Commission's proposals for a revision of the Regulation on the coordination of social security systems.</i></p> <p>Even though social security is devolved to Northern Ireland the long-standing parity principle means that Northern Ireland, in most respects, maintains parity with social security legislation and policy in Great Britain.</p> <p>This initiative has also been identified as being of interest to the Committee for Employment and Learning.</p>

European Commission Work Programme – REFIT Actions with implications for DSD

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
60. Equal treatment in social security	DSD	Evaluation	<p>Evaluation of legislation regarding equal treatment in social security covering Council Directive 79/7/EEC on the progressive implementation of the principle of equal treatment for men and women in matters of social security. Results expected for 2015.</p>	<p>This REFIT initiative concerns the evaluation of legislation regarding equal treatment in social security covering Council Directive 79/7/EEC32 on the progressive implementation of the principle of equal treatment for men and women in matters of social security.</p> <p>This Directive applies to statutory social security schemes which provide protection against sickness, invalidity, accidents at work and occupational diseases, unemployment and risks related to old age and social assistance which supplements or replaces the basic schemes.³³</p> <p>An evaluation of this Directive may have implications for social security provision in Northern Ireland and across the EU. However, the extent of these implications will not be known until the evaluation is complete and any follow-up plans are published. Results of the evaluation are expected in 2015.</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
8. Labour Mobility Package 18. European Agenda on Migration	OFMdFM/ DEL	Legislative/ Non-legislative	The package aims at supporting labour mobility and tackling abuse by means of better coordination of social security systems, the targeted review of the Posting of Workers Directive ³⁴ and an enhanced EURES ³⁵ .	<p>Immigration is an excepted matter, but the integration of migrant workers is a component of social cohesion in Northern Ireland. Priority 4 of the Programme for Government states³⁶:</p> <p><i>This priority focuses on building relationships between communities, encouraging active citizenship, reducing the incidences, and impacts, of domestic and sexual violence and abuse, elder abuse and harm directed to other vulnerable groups, wherever it occurs and whoever is responsible, and unlocking the potential of the culture, arts and leisure sectors as instruments for positive change. Additionally, it seeks to encourage greater involvement in sporting and pastoral activities to advance social cohesion and integration.</i></p> <p>The Together: Building a United Community strategy states 'significant inward immigration has led to the creation of a diverse, multicultural society'³⁷.</p>

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
				<p>The strategy does not have any specific actions with regard to the integration of migrant workers, but refers to a new Racial Equality Strategy which³⁸:</p> <p><i>will take full account of recent developments, including the unprecedented inward migration we have seen in recent years and the challenges and opportunities that this presents. It will have a strong implementation mechanism to ensure that it makes a difference to the lives of members of minority ethnic communities and that it contributes appropriately to achieving the overarching vision of this Strategy.</i></p> <p>The draft Racial Equality Strategy for 2014-2024 was published for consultation in June 2014 and closed in October 2014³⁹. A final strategy has not yet been published.</p> <p>The new Initiatives aim at encouraging and facilitating movement throughout the EU of both EU citizens and citizens of countries outside the EU for the purposes of employment. Combined with this are the implications of EU enlargement⁴⁰:</p>

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
				<p>Croatia became a Member State in July 2013, although there are restrictions on the movement of Croatian citizens to the UK which cannot extend beyond 2020; there are six candidate countries⁴¹ and two potential candidate countries⁴².</p> <p>The encouragement of labour mobility within and into the EU could result in greater inward migration to Northern Ireland, which may necessitate further measures to facilitate the integration of migrant workers. In particular, racism has already been identified as a cause for concern in Northern Ireland⁴³.</p>
16. EU Accession to the ECHR	OFMdFM	Legislative	Proposals to allow for signature, conclusion and implementation of the accession agreement, in the light of the pending guidance from the Court.	<p>This is a continuation of the Initiative No 16 from the Work Programme last year⁴⁴. Subsequent to the publication of the Work Programme for 2015, the Court of Justice of the European Union has delivered its Opinion on 18 December 2014 on the compatibility with EU law of the draft agreement setting out the scope of changes required of the ECHR, the Council of Europe and the EU to enable accession⁴⁵.</p> <p>The main areas of incompatibility are stated as follows⁴⁶:</p>

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
				<ul style="list-style-type: none"> • The EU would be subject to external control, specifically the EU would be subject to decisions by the European Court of Human Rights, which is not an EU institution, whereas the interpretation of EU law lies with the Court of Justice • There is no provision in the draft agreement for co-ordination with the EU Charter of Fundamental Rights • The agreement proposes treating the EU as an individual state, which misinterprets the intrinsic nature of the EU, as Member States will be required to check the observation of human rights in other Member States, undermining the EU principle of mutual trust • The right of Member States to request advisory opinions of the European Court of Human Rights on compatibility with the ECHR undermines the autonomy of the preliminary ruling procedure provided for in the EU Treaty
				<p>The legal basis of a revised agreement would be required before there is further action, which is expected to be the main focus of work on this Initiative for 2015.</p>

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
1. The Investment Plan for Europe: Legislative Follow-up	DETI	Legislative	The follow-up actions include setting up of the European Fund for Strategic Investments (EFSI), promoting cooperation with National Promotional Banks and improving access to finance for SMEs.	<p>The Investment Plan for Europe (as published 26 November 2014) is aimed at:</p> <p>Reversing downward investment trends and help boost job creation and economic recovery, without weighing on national public finances or creating new debt; taking a decisive step towards meeting the long-term needs of the economy and increase our competitiveness;</p> <p>Strengthening the European dimension of human capital, productive capacity, knowledge and physical infrastructure, with a special focus on the interconnections vital to our Single Market; and</p> <p>Mobilising €315bn in additional investment over the period 2015-2017 through the establishment of the European Fund for Strategic Investments.⁴⁷</p> <p>The central piece of follow up legislation will create a European Fund for Strategic Investments. This fund, which is to be in operational by June 2015, will be backed by €16bn from the EU budget and a further €5bn from the European Investment Bank (Member States will also have the opportunity to contribute to the fund). The fund's purpose is to <i>'provide risk support for long-term investments and ensure increased access to risk-financing for SMEs and mid-cap companies [medium sized corporates]'</i>.</p>

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
				<p>The fund will use the €21bn of public funding to leverage a further €315bn of investment from private sources (a ratio 1:15, public: private). According to EurActiv <i>'the cash will be funnelled towards Europe's crisis-ravaged south, away from the wealthier north in an effort to boost solidarity.'</i>⁴⁸</p> <p>From an SME perspective the fund will provide credit protection to range of new activities such as <i>'new venture capital injections, loan guarantees, securitisations and seed financing designed to offer micro-loans to SMEs, to fund start-ups or offer mid-cap companies venture capital'</i>.⁴⁹</p> <p>Whilst it seems that the focus of the European Fund for Strategic Investment will be in rebalancing the EU economy by increasing investment in the European south, the Committee for Enterprise, Trade and Investment (ETI Committee) may wish to learn more on the SME side of the initiative as details emerge and to determine whether the funds will be of benefit to SMEs in Northern Ireland. The Northern Ireland economy is SME dominated economy with 98.8% of businesses having 50 or fewer employees.⁵⁰</p>

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
3. Mid-term Review of the Europe 2020 Strategy	DETI	Non-legislative	Improved and updated Europe 2020 strategy, drawing lessons from the first four years of the strategy and ensuring it acts as an effective post-crisis strategy for growth and jobs in Europe. Follows up on the recent public consultation.	<p>Europe 2020 is the EU's ten-year growth and jobs strategy. It sets five headline targets for 2020:</p> <p>Employment – 75% of the 20 to 64 years-olds to be employed;</p> <p>R&D – 3% of the EU's GDP to be invested in R&D;</p> <p>Climate change and energy sustainability – greenhouse gas levels to be reduced by 20% compared to 1990 levels, 20% of energy from renewables, and 20% increase in energy efficiency;</p> <p>Education – reducing the rates of early school leavers to below 10% and ensuring at least 40% of 30 to 34 year-olds completing third level education; and</p> <p>Fighting poverty and social inclusion – at least 20 million fewer people in or at risk of poverty and social exclusion.</p> <p>Of these targets two are of particular interest to (ETI Committee – the R&D and renewable energy targets.</p> <p>In March 2014 the Commission published a Communication assessing the progress of the Europe 2020. On those targets of particular interest to the ETI Committee this found:</p> <p>R&D investment was 2.06% of EU GDP in 2012. Investment in R&D is expected to reach 2.2% by 2020, although could be as high as 2.6% if Member States meet national targets. The overall target of 3% is not expected to be reached however;</p>

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
				<p>In 2012 the EU achieved a reduction in greenhouse gases of 18%, it is anticipated that greenhouse gases will be reduced by 24% compared to 1990 levels by 2020;</p> <p>In 2012 14.4% energy was sourced from renewable sources, the target of 20% is expected to be exceeded (a 21% share is predicted); and</p> <p>Between 2006 and 2012 EU energy consumption fell by 8%. A further 6.3% is required to meet 2020 targets. A large proportion of recent reductions had however been linked to the economic slowdown.⁵¹</p> <p>A consultation on the Europe 2020 Strategy ran between 5 May 2014 and 31 October 2014. Based on the outcome of this consultation, which is yet to be published, the European Commission will make proposals for the Europe 2020 Strategy in early 2015.⁵²</p>
4. Digital Single Market (DSM) Package	DETI	Legislative/ Non-legislative	<p>The aim is to ensure that consumers enjoy cross-border access to digital services, create a level-playing field for companies and create the conditions for a vibrant digital economy and society.</p> <p>The package will include, among other legislative proposals, the modernisation of copyright.</p>	<p>This package is aimed at creating a digital single market across the EU and in doing generating €250bn in additional growth. This is of interest to the ETI Committee for a number of reasons, particularly because it will impact areas such as online trade, roaming charges and copyright.</p> <p>Key objectives in this area include:</p> <p>Rapidly concluding negotiations on common EU data protection rules;</p> <p>Giving more ambition to the ongoing reform of telecoms rules;</p> <p>Modifying copyright rules to reflect new technologies;</p>

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
				<p>Simplifying consumer rules for online purchases;</p> <p>Making it easier for innovators to start their own company; and,</p> <p>Boosting digital skills and learning.⁵³</p> <p>A DSM strategy is yet to be published. According to the European Commission Vice-President for the Digital Single Market, Andrus Ansip, it will be published by May 2015.</p> <p>The package of measures anticipated as part of the DSM is expected to include new rules on copyright, data protection and telecommunications.⁵⁴ There are, however, some indications that Transatlantic Trade and Investment Partnership between the EU and the US may be ‘threatening’ progress of the DSM. In particular, there is concern that clauses within the proposed DSM regulations may impact the larger US companies offering so-called “over-the-top” data services, such as Google and Amazon, as well as the cloud computing sector (US accounts for 85% of cloud computing market globally).⁵⁵</p>

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
5. Strategic Framework for the Energy Union	DETI	Non-legislative/ Legislative	The Strategy Framework will focus on: energy supply security; integration of national energy markets; reduction in European energy demand; decarbonising the energy mix and promoting research and innovation in the energy field. It will include the revision of the EU Emissions Trading System as part of the legislative framework post-2020.	<p>The Strategic Framework for the Energy Union will take the form a Communication, which will set out an Action Plan for the Energy Union.</p> <p>The Action plan is expected to lay down the following pillars for the Energy Union:</p> <p>Security of Supply;</p> <p>Competitiveness and completion of the internal energy market;</p> <p>Moderation of demand and energy saving;</p> <p>Decarbonisation of energy mix; and</p> <p>Energy technologies.⁵⁶</p> <p>It will include a revision of the EU Emissions Trading System as part of the legislative framework post-2020.</p> <p>The Commission Communication is expected to be presented on the 25 February 2015. European Parliament resolution is anticipated for the third quarter 2015.</p> <p>This will be of interest to the ETI Committee due to its ongoing scrutiny of energy matters. The focus on energy market integration may be of particular interest given the current reform of the Single Electricity Market (I-SEM) arising from existing European legislation on market integration. Similarly, what the Action Plan has to say on the decarbonisation of the energy mix and security of supply will also be of interest to the Committee.</p>

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
7. Internal Market Strategy for Goods and Services	DETI	Legislative/ Non-legislative	A strategy for a renewed and integrated approach for the Single Market, to deliver further integration and improve mutual recognition and standardisation in key industrial and services sectors where the economic potential is greatest, e.g. business services, construction, retail, regulated professions, advanced manufacturing and combined services/goods provision. A particular focus will be on SMEs.	<p>This strategy will seek to strengthen the internal market in order to increase international competitiveness and create jobs. It will seek to foster greater market integration and improve mutual recognition and standardisation. The strategy will have a particular focus on SMEs.⁵⁷</p> <p>The strategy is due to be presented in 2015, although no date has yet been determined.</p> <p>Northern Ireland is an SME dominated economy (98.8% of businesses have 50 employees or fewer).⁵⁸ In addition the Northern Ireland Economic Strategy seeks to improve Northern Ireland ability to compete globally, including targets to:</p> <p>Secure total investment of £375m by establishing and growing externally owned companies;</p> <p>Encourage first time exporters by promoting 60 start ups selling outside UK markets; and</p> <p>Promote 440 new start-ups selling to GB</p> <ul style="list-style-type: none"> • Increase the value of manufacturing exports by 20% and the value of manufacturing exports to the emerging economies by 60% by 2014/15 • Develop an agri-food strategy and action plan to drive export led growth in the sector to 2020.⁵⁹
				This strategy and its implications will likely be of interest to the ETI Committee, particularly in light of its ongoing scrutiny of the Northern Ireland Economic Strategy.

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
9. Capital Markets Union	DETI	Legislative/ Non-legislative	An action plan for improving the financing of the economy through more efficient market-based financing instruments including work towards a framework for high quality securitisation.	<p>The Capital Markets Union (CMU) is a proposal to ‘develop and integrate capital markets as a source of financing for innovative projects and long-term investment’.⁶⁰</p> <p>The overall aim of the CMU is to develop non-bank, market based financing (including financial instruments such as shares, bonds, private placements and securitisation as delivered by venture capital, private equity and hedge funds) of the economy on a EU-wide basis.⁶¹</p> <p>It will take the form of a series of instruments designed to develop alternative sources of financing and facilitate their flow across borders.</p> <p>A key comparison is drawn between the EU and US markets. In the US, businesses financing is 70% market financing and 30% bank financing. In the EU, the split is reversed – 70% bank financing and 30% market financing. The aim is therefore to develop and increase the share of market financing in the EU.⁶²</p> <p>The project is expected to span 2015 to 2019, with an action plan expected by mid-2015.⁶³</p> <p>This will be of interest to the ETI Committee from the perspective of business access to finance and economic growth.</p>

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
15. Trade and Investment Strategy for Jobs and Growth	DETI	Non-legislative	A comprehensive review of the EU's trade policy strategy, and in particular its contribution to jobs, growth and investment. The review will cover all aspects of trade policy, including bilateral, plurilateral and multilateral negotiations as well as autonomous measures. It will include policy orientations in all these areas for the next five years.	<p>This will take the form of a comprehensive review of EU trade policy with particular reference to its influence on jobs, growth and investment. This includes moving towards increased in the Transatlantic Trade and Investment Partnership (TTIP) negotiations with the US.⁶⁴</p> <p>As outlined above, the Northern Ireland Economic Strategy is specifically focussed on improving the region's global competitiveness. Both the implications of any changes to EU trade policy and the outcome of the TTIP negotiations could have potential impacts (from the perspective of exporting and attracting foreign direct investment) on Northern Ireland's ability to compete globally and will therefore be of interest to the ETI Committee.</p> <p>There is as yet no indication of when this strategy will be published.</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
15. Study on the efficacy of co- and self-regulating aspects in promoting effective implementation of the Audiovisual Media Services Directive for 2015	DETI	Study	Study to assess the extent to which co- and self-regulation aspects in promoting effective implementation of the Audiovisual Media Services Directive can reduce regulatory complexity. Results expected for 2015.	<p>The Audiovisual Media Service Directive (2010) provides for a joined-up on certain standards for audiovisual broadcasts and in terms of their methods of distribution approach across the EU.⁶⁵</p> <p>This study will assess the extent to which co- and self-regulation aspects in promoting effective implementation of the Audiovisual Media Services Directive can reduce regulatory complexity.</p> <p>This outcome of this study may have implications for Northern Ireland film industry. NI Film, the government agency for the film, television and digital content industry, and Lottery distributor for film-related funding, is co-sponsored by DETI and DCAL. As such the ETI Committee may be interested in the study's findings.</p>

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
45. Company Law	DETI	Legislative: Codification	<p>Codification of 7 Company Law Directives into one instrument to increase transparency and readability (Directives 82/891, 2005/56, 2009/101, 2009/102, 2011/35, 2012/17, 2012/30).</p> <p>The purpose of codifying several company law directives into a single instrument is to increase transparency and readability.</p>	<p>This initiative will see the codification of seven Company Law Directives, namely:</p> <p>Directive 82/891 – concerning the division of public limited companies;⁶⁶</p> <p>Directive 2005/56 – concerning the cross border mergers of limited liability companies;⁶⁷</p> <p>Directive 2009/101 – concerning protecting the interests of members and third parties, and requiring companies to disclose certain documents;⁶⁸</p> <p>Directive 2009/102 – concerning company law on single-member private limited companies;⁶⁹</p> <p>Directive 2011/35 – concerning the merger of public limited companies;⁷⁰</p> <p>Directive 2012/17 – concerning the interaction of central, commercial and company registers;⁷¹ and</p> <p>Directive 2012/30 – concerning the protection of member states interest in respect to formation of public limited liability companies and the maintenance and alteration of their capital.⁷²</p> <p>The codification will see the directives merged into a single instrument to increase transparency and readability. This will be of interest to the ETI Committee due to their scrutiny of the business regulation.</p>

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
46. Petroleum/ Oil Refining Sector	DETI	Fitness check	<p>Fitness check of EU legislation relevant for the petroleum refining industry such as the Renewables Energy Directive, the Energy Taxation Directive, the EU Emissions Trading System, the Fuels Quality Directive, the Directive on Clean and Energy Efficient Vehicles, the Industrial Emissions Directive, the Strategic Oil Stocks Directive, the Marine Fuels Directive, the Energy Efficiency Directive and the Air Quality Directive.</p> <p>Results expected for 2015.</p>	<p>This initiative will see a fitness check on a range of regulation governing the petroleum and oil refining sector:</p> <p>Renewables Energy Directive;</p> <p>The Energy Taxation Directive;</p> <p>The EU Emissions Trading System;</p> <p>The Fuel Quality Directive;</p> <p>The Directive on Clean and Energy Efficient Vehicles;</p> <p>The Industrial Emissions Directive;</p> <p>The Strategic Oil Stocks Directive;</p> <p>The Marine Fuels Directive;</p> <p>The Energy Efficiency Directive; and</p> <p>The Air Quality Directive.</p> <p>This will again be of interest to the Committee from an energy perspective, particularly if there are any down-stream effects on residential and industrial consumers.</p> <p>Results of the fitness check are expected in 2015.</p>

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
47. Chemical Industry	DETI	Cumulative cost assessment	Cumulative cost assessment of the most relevant EU legislation and policies relevant for the European chemicals industry. Results expected for 2015.	<p>This initiative will see a cost assessment of relevant EU legislation on the European chemicals industry.</p> <p>Northern Ireland is home to 60 VAT or PAYE registered companies working in the production of chemicals and chemical products (March 2014).⁷³ The sector employs 1,870 people on a full and part time basis (September 2014).⁷⁴</p> <p>As such, any initiative which has a positive or negative impact on the cost base, profit margins and international competitiveness of the industry will likely be of interest to the Committee.</p> <p>Results of this assessment are expected in 2015.</p>
55. Forest Based Industries	DETI	Cumulative cost assessment	Cumulative cost assessment of the regulatory costs incurred by the most relevant EU legislation and policies for the EU forest-based industries (woodworking, furniture, pulp and paper and printing), notably on profit margins and international competitiveness. To be started in 2015.	<p>As with the above initiative, this will see a full cost assessment of relevant EU legislation on European forest based industries. It will focus on Northern Ireland is home to 45 for VAT or PAYE registered forestry and/or logging companies (March 2014).⁷⁵ The industry employs 220 people on a full and part time basis (September 2014).⁷⁶</p> <p>Again, any change to the industry's cost base, profit margins and international competitiveness, either negative or positive, will likely be of interest of the Committee.</p> <p>This assessment will commence in 2015.</p>

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
56. Glass/ Ceramic Industry	DETI	Cumulative cost assessment	Cumulative cost assessment of the regulatory costs incurred by the most relevant EU legislation and policies for the EU glass and ceramics industry, notably on profit margins and international competitiveness. To be started in 2015.	<p>This initiative is another cost assessment of European legislation on industry. In this case the focus is on the glass and ceramics industry.</p> <p>No data on the size of the industry is available (the industry does not a specific Standard Industrial Classification code). However, Northern Ireland is home to an internationally industry recognised brand in Belleek Pottery (who also own Galway Crystal).</p> <p>Any change to the industry's cost base, profit margins or international competitiveness will be potentially of interest to the Committee.</p> <p>This assessment will commence in 2015.</p>

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
58. Construction Industry	DETI	Fitness check	<p>Fitness Check of the most relevant EU legislation impacting on this sector in the area of internal market and energy efficiency.</p> <p>To be started in 2015.</p>	<p>This initiative will see a fitness check on legislation impacting the Construction Sector. It will specifically focus on how EU legislation impacts the sectors competitiveness and sustainability and will identify ways to strengthen the sector's efficiency.</p> <p>A call for tender for a study in support of the fitness check closed on 23 January 2015. The study will run for 14 months.⁷⁷</p> <p>There are 9,170 construction businesses registered for VAT or PAYE in Northern Ireland, equivalent to 13.5% of total industry (March 2014). The sector has been in decline with the number of business falling year-on-year from 12,270 in 2009.⁷⁸ The sector employs 29,860 people (4% of total employment) (September 2014).⁷⁹</p> <p>Any changes which impact the industry's competitiveness and sustainability will likely be of interest to the Committee.</p>

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
70. Trade Legislation	DETI	Legislative: codification/ Recast/ Repeal	Codification, recast and repeal of legislation amended by two enabling regulations bringing trade legislation in line with the TFEU - Regulation (EU) No 37/2014 of 15 January 2014 and Regulation (EU) No 38/2014 of 15 January.	<p>This initiative will see the codification, recast and repeal of trade legislation amended by Regulation (EU) 37/201480 and Regulation (EU) 38/201481 both of which relate to common commercial policy.</p> <p>Between them, these regulations amended a total of 29 individual regulations. It is not clear at this which of these are earmarked for codification, recasting or repeal.</p> <p>The purpose of the initiative is to bring trade legislation in line with the Treaty on the Functioning of the European Union.</p> <p>Any significant changes brought about by this process will be of interest to the Committee, due to the Committee's scrutiny and oversight of trade policy in Northern Ireland.</p>

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
Various	DETI	Evaluations		<p>Please note, there are number REFIT initiatives of note to the work of the Committee for Enterprise, Trade and Investment. These initiatives are yet to undergo evaluation and as such there is as yet no information on what scope the REFIT may have. The Initiatives are:</p> <p>Promotion of renewable energy – Evaluation of Directive 2009/28/EC of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC. Results of the evaluation are expected for 2015.</p> <p>Geological storage of carbon dioxide – Evaluation of Directive 2009/31/EC on the geological storage on carbon dioxide. Results of the evaluation are expected for 2015.</p> <p>Fuel Quality – Evaluation of the Fuel Quality Directive 98/70/EC. To be commenced in 2015.</p> <p>E-privacy Directive – Evaluation of Directive 2002/58/EC concerning the processing of personal and the protection of privacy in the electronic communications sector. Ongoing, expected to end in 2016.</p>

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
				<p>Telecoms Package – Evaluation of the 2009 Telecoms Package of 2009. Ongoing, expected to end in 2016.</p> <p>Excise duty – Evaluation of Council Directive 2008/118/EC concerning the general arrangement for excise duty. The assessment covers the legal arrangements for cross-border movements of excise goods release for consumption between traders and distance selling companies. Results of the evaluation are expected in 2015.</p> <p>Occupational Health and Safety – Evaluation of Council Directive 89/391/EEC (and 23 related directives) concerning improvements in health and safety of workers at work. Results of the evaluation are expected in 2015.</p> <p>Information Obligations – Evaluation of Directive 91/533/EC on an employer's obligation to inform employees of the conditions applicable to their contract or employment relationships. Results of the evaluation are expected in 2016.</p>

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
				<p>Application of the Principle of Mutual Recognition for Goods – Evaluation of the Article 34 of the Treaty on the Functioning of the European Union on Mutual Recognition of Goods (which obliges Member States to accept products lawfully marketed in another Member State and which are not subject to Union harmonisation unless very specific conditions are met). The evaluation will focus on how this principle is applied in Member States. Results are expected in 2015.</p> <p>Pre-packing directives – Evaluation of Directives 75/10/EEC, 76/211EEC and 2007/45/EC, which determine package size (quantity of product per packet) of consumer products when sold in the EU. Results expected 2015.</p>

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
				<p>Relevance of Standardisation Activities – Evaluation of EU standardisation systems to assess the relevance of system laid down in regulation (EU)1025/2012. This regulation concerns the standardisation of technical and quality specifications of current or future products, production processes or services. It also covers three standardisation bodies – the European Committee for Standardisation, the European Committee for Electrotechnical Standardisation and the European Telecommunications Standards Institute. The evaluation will commence in 2015.</p> <p>Machinery Directive – Evaluation of Directive 2006/42/EC on machinery concerning health and safety requirements, conformity assessment procedures, and market surveillance by Member States. The review will commence in 2015.</p> <p>Late Payment Directive – Evaluation of Directive 2011/7/EU on combating late payments on commercial transactions.</p>

Tables Footnotes

- 14 [1] http://ec.europa.eu/priorities/digital-single-market/index_en.htm
- 15 <http://www.ifrs.org/About-us/Pages/What-are-IFRS.aspx>
- 16 EC, New Initiatives 2015 http://ec.europa.eu/atwork/key-documents/index_en.htm
- 17 Guidance was produced in 2003 in line with the current ETS. The current guidance is produced in association with DEFRA, Scottish Government, Welsh Assembly and DOE NI <http://www.doeni.gov.uk/niea/eu-ets-guidance01.pdf>
- 18 The consultation is available at: http://ec.europa.eu/clima/news/articles/news_2014121901_en.htm
- 19 http://ec.europa.eu/clima/policies/international/negotiations/future/index_en.htm
- 20 The European Council conclusions can be accessed here http://ec.europa.eu/clima/policies/2030/documentation_en.htm
- 21 DOE, (2011) Greenhouse Gases Action Plan http://www.doeni.gov.uk/index/protect_the_environment/climate_change/ni_greenhouse_gas_emissions_annual_progress_reports.htm
- 22 DOE, Adaptation Programme http://www.doeni.gov.uk/index/protect_the_environment/climate_change/climate_change_adaptation_programme.htm
- 23 See RalSe paper Genetically Modified organismism –background and latest EU developments (2010) p.11/12 <http://www.niassembly.gov.uk/globalassets/documents/raise/publications/2010/agriculture-rural-development/10310.pdf>
- 24 For more details refer to *Refit Actions* http://ec.europa.eu/atwork/key-documents/index_en.htm
- 25 For more information see EC website http://ec.europa.eu/smart-regulation/refit/index_en.htm

- 26 For more information see DOE website http://www.doeni.gov.uk/index/protect_the_environment/local_environmental_issues/environmental_liability.htm
- 27 For more details see DOE website http://www.doeni.gov.uk/index/protect_the_environment/local_environmental_issues/noise.htm
- 28 For more details see DOE website http://www.doeni.gov.uk/niea/biodiversity/wildlife_management_and_licensing/wildlife.htm
- 29 For more information see DOE website http://www.doeni.gov.uk/index/road_users/tru.htm
- 30 For more information see EU Commission website *Fitness Check of EU Nature Legislation (Birds and Habitats Directives)* http://ec.europa.eu/environment/nature/legislation/fitness_check/index_en.htm
- 31 For more information- see DOE website *The Natura 200 Network* http://www.doeni.gov.uk/niea/protected_areas_home/natura_2000.htm
- 32 NISRA, Labour Market Statistics January 2015
- 33 European Commission, Europe 2020, Europe 2020 in a nutshell, http://ec.europa.eu/europe2020/europe-2020-in-a-nutshell/index_en.htm
- 34 Ibid
- 35 Ibid
- 36 Northern Ireland Executive, European Priorities 2014-15, <http://www.ofmdfmi.gov.uk/european-priorities-2014-2015.pdf>
- 37 European Commission, 26 July 2013, Commission Staff Working Document 'Fitness Check' on EU law in the area of Information and Consultation of Workers, <http://ec.europa.eu/social/BlobServlet?docId=10415&langId=en>
- 38 Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:166:0001:0123:en:PDF>
- 39 Regulation (EC) No 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:284:0001:0042:en:PDF>
- 40 European Commission Roadmap: *Partial Revision of Regulations (EC) Nos 883/2004 and 987/2009 (2013)* http://ec.europa.eu/smart-regulation/impact/planned_ia/docs/2013_empl_003_coordination_social_security_systems_en.pdf
- 41 European Commission *Commission Work Programme 2014 Annex II* http://ec.europa.eu/atwork/pdf/cwp_2014_annex_en.pdf
- 42 An impact assessment was carried out on the revision of EU legislation on social security coordination in 2012-2013. However, an expected date of adoption for the revised Regulations is not provided in the Road Map. European Commission Roadmap: *Partial Revision of Regulations (EC) Nos 883/2004 and 987/2009 (2013)* http://ec.europa.eu/smart-regulation/impact/planned_ia/docs/2013_empl_003_coordination_social_security_systems_en.pdf
- 43 Explanatory Memorandum on European Union Documents. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the Commission Work Programme 2014. Submitted by the Foreign and Commonwealth Office on 15 November 2013. COM(2013)
- 44 Explanatory Memorandum on European Union Documents: Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the Commission Work Programme 2015. Submitted by the Foreign and Commonwealth Office on 14 January 2015. http://europeanmemoranda.cabinetoffice.gov.uk/files/2015/01/EM_5080-15.doc
- 45 Council Directive 79/7/EEC of 19 December 1978 on the progressive implementation of the principle of equal treatment for men and women in matters of social security <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:31979L0007>
- 46 Council Directive 79/7/EEC of 19 December 1978 on the progressive implementation of the principle of equal treatment for men and women in matters of social security <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:31979L0007>
- 47 Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services: http://eur-lex.europa.eu/legal-content/EN/ALL/;ELX_SESSIONID=LSHsJCvp1TL1tm46GTyRZ2103ySWb56sp8SsQ53MLMzRsQYLpLg!-1794656578?uri=CELEX:31996L0071
- 48 EURES, The European Job Mobility Portal: <https://ec.europa.eu/eures/page/homepage>.
- 49 Northern Ireland Executive (2011), Programme for Government 2011-2015, Belfast: NI Executive, p.48: <http://www.northernireland.gov.uk/pfg-2011-2015-final-report.pdf>.
- 50 Northern Ireland Executive (2013), Together: Building a United Community, Belfast: NI Executive, p.10: <http://www.ofmdfmi.gov.uk/together-building-a-united-community-strategy.pdf>.
- 51 Ibid., p.18.
- 52 OFMdFM (2014), A Sense of Belonging: Delivering Social Change through a Racial Equality Strategy for Northern Ireland 2014 – 2024, Belfast: OFMdFM: <http://www.ofmdfmi.gov.uk/racial-equality-strategy-2014-2024-consultation.pdf>.
- 53 European Neighbourhood Policy, Europa website: <http://ec.europa.eu/enlargement/>.
- 54 These are Albania, the Former Yugoslav Republic of Macedonia, Turkey, Serbia and Montenegro.
- 55 These are Kosovo and Bosnia and Hercegovina.
- 56 Northern Ireland Human Rights Commission (2013), Racist Hate Crime *Human Rights and the Criminal Justice System in Northern Ireland*, Belfast: NIHRC: http://www.nihrc.org/uploads/publications/103141_NIHRC_Racist_Hate_

- Crime_4_Combined_%282%29.pdf.
- 57 See New Initiative 16, Annexes to EC (2013), Commission Work Programme 2014, Brussels: EC: http://ec.europa.eu/atwork/pdf/cwp_2014_annex_en.pdf.
- 58 Council of Europe (2013), Fifth Negotiation Meeting between the *CDDH Ad Hoc Negotiation Group and the European Commission on the Accession of the European Union to the European Convention on Human Rights*, 47+1(2013)008rev2, Strasbourg: CoE: [http://www.coe.int/t/dghl/standardsetting/hrpolicy/Accession/Meeting_reports/47_1\(2013\)008rev2_EN.pdf](http://www.coe.int/t/dghl/standardsetting/hrpolicy/Accession/Meeting_reports/47_1(2013)008rev2_EN.pdf).
- 59 'Court of Justice rejects draft agreement of EU accession to ECHR', Euractiv 19 December 2014: <http://www.euractiv.com/sections/eu-priorities-2020/court-justice-rejects-draft-agreement-eu-accession-echr-310983>.
- 60 <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2014:903:FIN>
- 61 <http://www.euractiv.com/sections/eu-priorities-2020/junckers-eu315bn-investment-plan-unveiled-fifteenfold-leverage-and>
- 62 Ibid
- 63 http://www.detini.gov.uk/idbr_publication_edition_17_-_july_2014.pdf?rev=0
- 64 http://ec.europa.eu/europe2020/pdf/europe2020stocktaking_en.pdf
- 65 http://ec.europa.eu/europe2020/public-consultation/index_en.htm
- 66 http://ec.europa.eu/priorities/digital-single-market/index_en.htm
- 67 http://www.euractiv.com/files/euractiv_special_report_-_digital_single_market.pdf
- 68 Ibid
- 69
- 70 UK Foreign and Commonwealth Office Explanatory Memorandum On European Union Documents: Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the Commission Work Programme 2015 (14 January 2014)
- 71 http://www.detini.gov.uk/idbr_publication_edition_17_-_july_2014.pdf?rev=0
- 72 <http://www.northernireland.gov.uk/ni-economic-strategy-revised-130312.pdf>
- 73 <http://www.ipe.com/news/regulation/european-commission-to-fast-track-capital-markets-union-reform/10005732.fullarticle>
- 74 Ibid
- 75 <http://enews.ebf-fbe.eu/2014/12/capital-markets-union-what-is-at-stake/>
- 76 Ibid
- 77 UK Foreign and Commonwealth Office Explanatory Memorandum On European Union Documents: Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the Commission Work Programme 2015 (14 January 2014)
- 78 <http://ec.europa.eu/digital-agenda/en/audiovisual-media-services-directive-avmsd>
- 79 <http://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX:31982L0891>
- 80 <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2005:310:0001:0009:en:PDF>
- 81 http://europa.eu/legislation_summaries/internal_market/businesses/company_law/mi0076_en.htm
- 82 <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:258:0020:0025:EN:PDF>
- 83 <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32011L0035>
- 84 <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:156:0001:0009:en:PDF>
- 85 <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:315:0074:0097:EN:PDF>
- 86 http://www.detini.gov.uk/1_vat_and_paye_tables_2014_v2.xls?rev=0
- 87 http://www.detini.gov.uk/20143_table_5.12_amended.xlsx
- 88 http://www.detini.gov.uk/1_vat_and_paye_tables_2014_v2.xls?rev=0
- 89 http://www.detini.gov.uk/20143_table_5.12_amended.xlsx
- 90 <http://www.publictenders.net/node/2839193>
- 91 http://www.detini.gov.uk/1_vat_and_paye_tables_2014_v2.xls?rev=0
- 92 http://www.detini.gov.uk/20143_table_5.4.xlsx
- 93 http://trade.ec.europa.eu/doclib/docs/2014/january/tradoc_152063.amend-procedures.en.L18-2014.pdf
- 94 <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32014R0038>

Explanatory Memorandum on European Union Documents

5080/15 + ADDS.1 - 4
COM(2014)910

Explanatory Memorandum on European Union Documents

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the Commission Work Programme 2015

Submitted by the Foreign and Commonwealth Office on 14 January 2015.

Subject Matter

1. The first Work Programme of the new Commission (CWP) 'A New Start' sets out the Commission's priorities for 2015. The CWP builds on the Strategic Agenda as set out by the European Council in June 2014 and President Juncker's top ten Political Guidelines. It presents the EU's 'agenda for change' and the Commission's aims in key policy areas together with a range of interventions for achieving these.
2. Annex I to the CWP lists the new legislative proposals, initiatives and communications that the Commission is planning to put forward during this period. 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 2015.
3. This Explanatory Memorandum outlines the most significant initiatives in the CWP and the Government's initial views on them. However, the Government's position may change when substantive individual proposals are put forward in 2015 and their precise implications become clearer.

Scrutiny History

4. An Explanatory Memorandum on the Commission Work Programme 2014 was submitted for Parliamentary Scrutiny on 15 November 2013. The House of Commons European Scrutiny Committee cleared the documents as "politically important" after the debate on the Floor of the House on 22 January 2014 (ESC 35453, 25th Report, Session 2013/14). The House of Lords Select Committee on the European Union cleared the documents on 28 January 2014.

Ministerial Responsibility

5. The Secretary of State for Foreign and Commonwealth Affairs is the Minister with overall responsibility for UK policy towards the EU. Ministers from other Government Departments will have responsibility for most of the specific initiatives proposed in the CWP, and Departments have contributed to this document accordingly.

Interest of the Devolved Administrations

6. The Devolved Administrations have been consulted on and expressed an interest in the entirety of the CWP.

We will continue to work closely with the Devolved Administrations to coordinate the UK positions on specific initiatives outlined in the CWP as these are developed.

7. The Scottish Government (SG) is supportive of a number of initiatives in the Commission's work programme. In particular, the Scottish Government:
 - welcomes the **Energy Union**, including a greater role in the EU energy mix for renewable energies and energy efficiencies; combating **climate change** and an ambitious target for reducing Greenhouse Gas emissions;
 - supports a deeper and fairer internal market, including a **Digital Single Market**; and unemployment initiatives to help long-term unemployed and youth unemployment;
 - recognises the potential economic benefits of the **Transatlantic Trade and Investment Partnership** (TTIP) but believes that these must be balanced by action to address concerns such as the possible impacts of TTIP on the NHS; and Investor State Dispute Settlement mechanisms;
 - welcomes the comprehensive review of the **EU's trade policy strategy** and the emphasis placed by the Commission on **fundamental rights and equality** and its work to tackle **serious organised crime** as well as plans to continue the development of migration policies to meet the shared goals of Member States;
 - welcomes the ambitions and initiative behind the **Investment Plan**, supports the emphasis on **smarter regulation** and is engaging constructively with the Commission on its REFIT agenda, for example on the fitness check of the Birds and Habitats Directives and on efforts by the Commission to consider further simplification of the Common Agricultural Policy; and
 - is very keen that the European Commission demonstrates high ambition and leadership in its **Circular Economy package**.
8. The Welsh Government (WG) supports the strengthened emphasis on EU added value, subsidiarity, better government and the closer partnership with regions and cities. The Welsh Government:
 - strongly supports the ambition of the **Investment Plan for Europe** but looks forward to seeing more detail on implementation;
 - **welcomes the initiatives to strengthen the Single Market, notably in the digital sector, and the proposals on youth unemployment, long-term unemployment and skills;**
 - **recognises the potential benefits of TTIP but emphasises that the right balance needs to be struck between encouraging trade, protecting investors and safeguarding the ability to regulate in the public interest including the freedom to manage the NHS;**
 - looks forward to proposals on a **Framework for the Energy Union** and to the **Communication on international climate negotiations** ahead of crucial UNFCCC talks in Paris in December;
 - will maintain a close interest in **REFIT actions** such as the Directives on: Birds and Habitats, Renewables, Drinking Water, Strategic Environmental Impact Assessment, Clean and Efficient Road Transport Vehicles and Remedies in the Field of Public Procurement;
 - **is disappointed with the withdrawal of the Waste Package in particular, and looks forward to seeing new proposals in the near future. More generally, the Welsh Government believes the consultation process with Member States and the regions for withdrawing proposals could also be improved.**
9. The Northern Ireland Executive (NIE) has a close interest in the Common Agricultural and Fisheries Policies, the Jobs and Growth Investment Programme, the Connecting Europe Facility, Horizon 2020, Digital Single Market, Regulatory Fitness and the EU Structural Funds

Programme 2014-20. The NIE will also wish to follow developments in energy and climate change policy, waste policy, youth unemployment and TTIP.

Interest of Local Government

10. The Local Government Associations have been consulted, and have identified in the 2015 Commission Work Programme the measures that are of most interest to them. 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.
11. The Local Government Association, representing local government in England, has identified the following measures of most interest:
 - **Inter-institutional Agreement on better lawmaking** - the Local Government Association is monitoring the development of this proposal as the EU has an unfulfilled Treaty obligation to assess the regulatory impact of new EU laws on local councils, and could expand this to consider the territorial impact;
 - **Investment Plan for Europe** - the Local Government Association notes the ambition and scope of this important initiative and awaits further details, notably as concerns the funding of the Plan given that it could potentially divert funds from EU cohesion policy;
 - **International trade agreements** - the Local Government Association will monitor the impact of international trade agreements (CETA, TTIP, TISA) as concerns public procurement, services of general interest, accounting standards and technical standards;
 - **Promoting integration and employability in the labour market** - the Local Government Association welcomes the package of measures to get people into work and developing a skilled workforce;
 - **Revision of environment laws and initiatives on energy and climate change** - the Local Association will monitor the ongoing reviews of existing environment laws and the modification of proposals on air quality and the circular economy package.
12. The Convention of Scottish Local Authorities has identified the following measures of most interest:
 - **Inter-institutional agreement on better law-making** - the Convention of Scottish Local Authorities welcome the initiative addressing further improvements in legislative processes, and would encourage the inclusion of provisions for territorial and subsidiarity assessments;
 - **Late Payments Directive Review** - the Convention of Scottish Local Authorities note that as part of the review there may be changes in remedy process and sanctions that may affect current arrangements in Scotland. They would prefer that current arrangements on late payment remain unchanged.
13. The Welsh Local Government Association has identified the following measures of interest:
 - **The Investment Plan for Europe** - the Welsh Local Government Association is closely monitoring initiatives resulting from this plan with a potential impact on Wales;
 - **Circular Economy Package and the Clean Air Policy Package** - the Welsh Local Government Association has concerns about the uncertainty of future legislation and that the work that has already gone into these packages would be lost if scrapped or replaced with new proposals;
 - **Promoting integration and employability in the labour market** - the Welsh Local Government Association is supportive of the package which will help Wales with tackling long-term and youth unemployment;

- **Boost on jobs, growth and investment** - the Welsh Local Government Association supports enhancing links with cohesion policy but has concerns over linkages to macroeconomic conditionalities and their potential negative impact.
14. The Northern Ireland Local Government Association have identified the following measures of most interest:
- **The Investment Plan for Europe** - the Northern Ireland Local Government Association welcomes the Plan which could grow Northern Ireland capital infrastructure investment and improve access to SME finance;
 - **Trade and Investment Strategy for Jobs and Growth** - the Northern Ireland Local Government Association is supportive of the review of the EU's trade policy strategy and in particular Northern Ireland's opportunity to influence its development in order to promote, protect and grow regional commercial opportunities;
 - **Promoting integration and employability in the labour market** - the Northern Ireland Local Government Association welcomes the measures which could support getting long term unemployed and younger people into full-time work and in so doing strengthen a sustainable Northern Ireland skilled workforce;
 - **Proposal for an inter-institutional agreement on better law-making** - the Northern Ireland Local Government Association is supportive of better EU regulation and law making. It welcomes regulatory reform and encourages the provision of enhanced regional Impact Assessments.
15. All Local Government Associations expressed concerns about the inclusion of local authorities within the scope of the **mandatory Transparency Register**.

Policy Implications

16. This year's Commission Work Programme contains: a preview of 23 legislative and non-legislative policy initiatives; 80 proposals for withdrawal or modification; and 79 acts to be reviewed, recast, merged, replaced or shortened as part of the Commission's REFIT programme. This compares positively with the 2014 Work Programme which proposed 29 new initiatives, along with 26 measures that were priorities for adoption before the term end of the then Commission. The number of measures for withdrawal or modification and the number of REFIT measures are significantly larger than the numbers proposed last year (i.e. 53 and 14 respectively).
- If and when the Commission adopts new proposals, the Government will submit an EM for each, and any proposed legislation will be subject to Parliamentary scrutiny in the normal way.
17. The Government welcomes the focus of the 2015 Work Programme on strategic priorities set out by the European Council in June 2014. It is also encouraging to note the Commission's pledge for a closer partnership with Member States, national parliaments, regions and cities.
18. The UK has long pushed for EU legislation to be designed in a way that minimises unnecessary costs to business, particularly for SMEs which are hit disproportionately hard by regulatory costs. It is encouraging to see this reflected in the Work Programme of the new Commission. The EU needs to focus resolutely on delivering jobs, growth and competitiveness. The UK will continue to work with our EU partners and to engage constructively with the Commission to ensure that the new proposals add real value.
19. In this vein, the Government welcomes the priority accorded in the Work Programme to **jobs, growth and investment**, and its commitment to withdraw proposals that do not fit these priorities. It is encouraging that the Commission's political priorities recognise the importance of **smart regulation** and that this is reflected in the number of proposals identified for withdrawal. There is also positive wording on ensuring that EU rules are properly applied,

implemented and enforced to deliver real benefits. This is a key part of the Government's **Single Market** agenda.

20. In addition, the Government welcomes the focus on **energy and climate policy** as well as the **environmental protection agenda**. Commitment to effective cooperation against **illegal migration, people trafficking and smuggling** is also encouraging. With regard to measures in the area of **justice**, the Commission's approach is aimed at **effectively implementing and consolidating the legal instruments in place, rather than bringing forward new legislation**.
21. Finally, the Government welcomes the Commission's continued focus on delivering an **ambitious TTIP agreement** in 2015 which safeguards Europe's health, social, environmental and data protection standards, as well as work on **transparency**; post-2015 **sustainable development goals**; the **EU Neighbourhood policy** and its commitment to the fight against **Ebola**.
22. What follows is an overview of the key policy initiatives in the Work Programme and the Government's initial view of their implications. This analysis is focussed on initiatives that the Government has identified as the most significant.

New initiatives

23. **The Investment Plan for Europe** – planned legislative actions include setting up a European Fund for Strategic Investments (EFSI), promoting cooperation with National Promotional Banks and improving access to finance for SMEs. The Government welcomes this initiative. The legislative proposal to establish the new €21bn EFSI is expected in January. It is at this point that the Government will be able to assess the benefit to the UK and any risks. At this stage, we have identified two primary risks.

The first relates to how the EU budget is used to support the EFSI, potentially creating new pressures on the MFF. The second relates to how projects to be supported by the initiative are assessed and selected.

24. **Promoting integration and employability in the labour market** - includes a package of measures to support Member States in getting people, especially the longer term unemployed and younger people, into work, and developing a skilled workforce. This will include measures to follow up on the implementation of the Youth Employment Initiative, a proposal for a Council recommendation on integration of the long-term unemployed, as well as measures to promote skills development. Regarding the skills element of this proposal, the Government believes that it is for Member States to decide on their own policy direction to meet individual countries' skills needs.
25. **Mid-term review of the Europe 2020 strategy** - seeks to improve and update the Europe 2020 strategy, ensuring it acts as an effective post-crisis strategy for growth and jobs in Europe. It follows up the recent public consultation. The Government welcomes this proposal and will proactively engage with the Commission to ensure the focus of this work remains on growth and jobs, including by avoiding new or extended EU-level targets. The Government believes that Europe 2020 can support growth across the EU if accompanied by a renewed and ambitious EU-level structural reform agenda, including regulatory reform, a stronger Single Market and far-reaching free trade agreements. The Government will also safeguard Member States' competence by ensuring that health related policies remain outside the scope of this strategy.
26. **Digital Single Market (DSM) Package** - is aimed at ensuring that consumers enjoy cross-border access to digital services, creating a level-playing field for companies and creating the conditions for a vibrant digital economy and society. The package will include legislative proposals for the e-commerce, telecoms and modernisation of copyright. The Government supports this initiative and believes the Commission should bring forward a bold package of measures which will in turn promote growth and jobs. The Government appreciates the need to update the current Data Protection rules but considers that any new regime must yield

benefits for both businesses and citizens alike. We will push hard for proportionate legislation that provides appropriate safeguards for people's data while at the same time creating the right conditions for innovation and economic growth.

27. **Strategic Framework for the Energy Union** - is expected to focus on: energy supply security, integration of national energy markets, reduction in European energy demand, decarbonising the energy mix and promoting research and innovation in the energy field. It will include the revision of the EU Emissions Trading System as part of the legislative framework post-2020. The Government is broadly supportive of the Energy Union concept. We believe it presents a number of opportunities to enhance the EU's energy security and contribute to the realisation of our 2030 climate and energy targets.

28. **Communication on the Road to Paris (multilateral response to climate change)** - will set out the Commission's views on expectations and partners' positions in the context of the 2015 UN Agreement on climate change.

29. **Internal Market Strategy for goods and services** - includes a strategy for a renewed and integrated approach for the Single Market, to deliver further integration and to improve mutual recognition and standardisation in key industrial and services sectors where the economic potential is greatest. A particular focus will be on SMEs. The Government welcomes this proposal. The Government has been encouraging the Commission to bring forward new measures to strengthen and deepen the single market, especially in the field of services, for several years, and continues to do so. We recently published a paper setting out UK proposals for further market integration in services. The key risk is that the Strategy is not sufficiently concrete or ambitious. The Government will, therefore, continue our influencing to ensure that it drives real integration.

30. **Labour Mobility Package** - is aimed at supporting labour mobility and tackling abuse by means of better coordination of social security systems, the targeted review of the Posting of Workers Directive and an enhanced European network of Employment Services (EURES). The Government looks forward to seeing the Commission's proposals for a revision of the Regulation on the coordination of social security systems, and welcomes the draft Regulation on EURES. The proposed package also includes the Posted Workers Enforcement Directive (single market measure to address perceived breaches of employment rights when businesses or agencies post workers temporarily from one Member State to provide services in another). The Government will be consulting on the UK's implementation of this Directive in 2015.

31. **Capital Markets Union** - includes an action plan for improving the financing of the economy through more efficient market-based financing instruments including work towards a framework for high quality securitisation. The Government broadly supports the initiative, which should help growth and job creation in the EU. We broadly agree with the workstreams prioritised for action in the near term: securitisation markets, SME credit information, private placement markets, and a review of the Prospectus Directive to reduce administrative burdens on SMEs. The Government will continue its efforts to influence this important work as it develops, to ensure the creation of a well-regulated and integrated Capital Markets Union comprising all 28 Member States, which maximises the benefits of capital markets and non-bank financing for the real economy.

32. **Framework for resolution of financial institutions other than banks** - refers to the proposal to create a European framework for the recovery and resolution of systemically relevant financial institutions such as Central Counterparties (CCPs). The Government welcomes work in this area, having already produced and implemented a domestic framework for CCP recovery, and having agreed to the Financial Stability Board's principles and key attributes on financial market infrastructures. Given that a domestic regime in part exists already in the UK, the Government does not envisage, at this stage, that any new regulation coming from this initiative should be overly burdensome. Within any future legislative framework in this area,

the Government will look to ensure that fiscal responsibility and supervisory responsibility remain aligned and that central bank independence is protected.

33. **Aviation Package** - will include a Communication identifying challenges and measures for improving the competitiveness of the EU aviation sector, including the revision of the European Aviation Safety Agency Regulation.

The Government welcomes this proposal as it provides the opportunity to consolidate and improve existing aviation safety regulations. The Package will seek to modernise the existing aviation safety regulatory framework to reflect emerging technologies, changing business models and regulatory best practice.

34. **Deepening Economic and Monetary Union Package** - will follow-up on the review of the most recent economic governance measures ('six-pack' and 'two-pack'), provide incentives for structural reforms and address the external representation of Economic and Monetary Union. The Government notes the proposal and looks forward to further information from the Commission on the content. It will be important to be clear that the measures apply to Eurozone members only. The Government has been clear that while a stable euro is in the UK's interest, it will not be part of closer integration and it will protect the interests of those outside the single currency, especially in relation to the Single Market. Our red line remains that we should not be forced to participate or fund new Eurozone-specific measures.

35. **Proposal for a Directive with a view to providing for spontaneous (i.e. compulsory and non-discretionary) exchange of information in respect of crossborder rulings** - is aimed at ensuring that Member States receive copies of tax rulings (taxpayer-specific agreements reached between companies and tax authorities) that could have an impact on their own tax base. The Government welcomes this proposal, noting that EU Member States have already made non-binding commitments to exchange this information through the Code of Conduct Group. Work on exchanging information on tax rulings is also being undertaken as part of the G20/OECD Base Erosion and Profit Shifting (BEPS) project. The Directive is likely to give Member States' commitments a legal underpinning, which would enable their effective enforcement.

36. **Action Plan on efforts to improve fairness and tax transparency, and measures to combat tax fraud and evasion** - aims to stabilise corporate tax bases in the EU for a fair taxation environment. It will include measures in order to move to a system in which the country where profits are generated is also the country of taxation, including in the digital economy, which is consistent with the objectives of the BEPS (Base Erosion & Profit Shifting) project. The Government fully supports this proposal. Whilst the Government does not support the proposals on a Common Consolidated Corporate Tax Base and a Financial Transactions Tax, it welcomes continuing work on these proposals so that Member States who wish to proceed can do so. Work will also be undertaken to strengthen rules against money laundering. There will be additional work in relation to VAT, including measures to close the tax gap.

37. **Trade and Investment Strategy for Jobs and Growth** - includes a comprehensive review of the EU's trade policy strategy and in particular its contribution to jobs, growth and investment. The review will cover all aspects of trade policy, including bilateral and multilateral negotiations as well as autonomous measures. It will include policy orientations in all these areas for the next five years. The Government welcomes this proposal and looks forward to influencing its development in order to: address complex issues including investor protection and policy space for public services; consider the strategic priority territories and sectors that promote UK trade and the modernisation of the trade defence mechanism. The Government will work proactively to ensure that the review does not encroach on Member State competences, especially in the area of immigration, or compromise the UK's JHA opt-in.

38. **Proposals to complete EU accession to the ECHR** - intended to enable signature, conclusion and implementation of accession, in the light of expected guidance from the Court. The Court ruled on 18 December that the draft accession agreement was incompatible with the

EU Treaties. The Court's Opinion is complex, and it will take time for the EU institutions and Member States to think through its implications for this proposal. The Government's view is that accession by the EU to the ECHR must not transfer any powers to the EU nor should it impact on the UK's rights or obligations under the ECHR. Accession in principle aligns with the Government's commitments on civil liberties, in bringing the actions of the European Union directly within the jurisdiction of the European Court of Human Rights.

39. **European Agenda on Security** - the Commission's Communication will propose a European Agenda on Security for the period 2015-2020 by reviewing ongoing actions and identifying new actions taking into account emerging threats. The Government would welcome emphasis on key priorities from the Strategic Guidelines for Justice and Home Affairs which were agreed at the June 2014 European Council, in particular tackling human trafficking and modern slavery, preventing terrorism and addressing radicalisation, and enhanced information sharing. The Government will resist calls for 'burden sharing' as a solution to the migratory pressures faced by Member States, or for the EU Fundamental Rights Agency to have an expanded role.
40. **European Agenda on Migration** - aims to develop a new approach to legal migration to make the EU an attractive destination for talents and skills, as well as to improve the management of migration by intensifying cooperation with third countries, fostering burden sharing and solidarity and fighting against irregular migration and smuggling. The agenda includes the review of the Blue Card Directive, the EU-wide work permit for highly skilled workers. The Government believes that the regulation of labour migration from outside the EU should be a matter for Member States to determine on the basis of national assessments of economic need, and the UK has not opted into the existing Directive. Similarly, the Government believes individual decisions on granting asylum or resettling refugees are solely a matter for Member States. We have broadly welcomed the new agenda on illegal migration although we have concerns, in particular about proposals regarding enhanced resettlement of refugees to the EU and 'burden sharing' on asylum between Member States. The Government believes that the EU must maintain the previously agreed policy regarding the primary responsibility of individual Member States, with solidarity being provided by way of practical cooperation in support of that responsibility. Compulsory burden sharing or resettlement measures will remain a Government red line. We will also continue to remind the Commission of the need for effective EU action to tackle the abuse of free movement by illegal migrants from outside the EU, for example through sham marriages.
41. **Communication on European Neighbourhood Policy** - the joint High Representative-Commission Communication will present the results of the European Neighbourhood Policy (ENP) review with a view to new policy orientations following a consultation launched together with the annual ENP package. The Government supports this Communication as it will provide an analysis of progress in partner countries.
42. **Communication on the post 2015 Sustainable Development Goals** - aims at establishing an EU common position on the Global Partnership to deliver the Sustainable Development Goals. It will cover both financial and non-financial implementation, domestic/international and public/private financing, different types of partnerships as well as monitoring, accountability arrangements and review. The Government welcomes this Communication. We recognise that an offer on means of implementation and financing for development will be crucial for agreeing a deal on a post-2015 development framework.
43. **Proposal for an inter-institutional agreement on better law-making** - to update and strengthen the common understanding with the European Parliament and the Council in relation to better regulation. The Government is keen to ensure that the inter-institutional agreement (IIA) meets our objectives for strengthening the position of the Council and enhancing the role of national parliaments. The Government will also push for the IIA to support regulatory reform, by strengthening those provisions from the 2003 Better Law-making IIA which relate to Impact Assessments (IAs) and regulatory policy-making processes,

and by advancing our EU Better Regulation priorities on issues such as competitiveness analysis in impact assessments, impartial IA scrutiny and use of targets.

44. **Proposal for an inter-institutional agreement on a mandatory Transparency Register** - is the proposal for an inter-institutional agreement with the European Parliament and the Council to enhance openness and accountability by making the transparency register mandatory for all interest representatives seeking to influence policy making in any of the three institutions. The Government welcomes the Commission's focus on transparency and is broadly supportive of the proposal for a mandatory Transparency Register. The Government will continue to engage with the Commission and other Member States to explore the impacts of this proposal in line with transparency measures and initiatives already in place, including the voluntary Transparency Register.
45. **Review of the GMO decision-making process** - will look at how the rules could be changed to ensure the majority view of Member States is taken into account. The current EU decision-making process in the area of GM does not function properly. The Review is expected to explore possible ways forward and the Government would like to see a science-based, pragmatic and proportionate regulatory regime that allows safe market access for safe GM products. The Government will work to influence the Commission to prevent this proposal potentially running counter to investment in growth by imposing further barriers to GM development.

Proposals for withdrawal or modification

46. The Government welcomes the volume and variety of withdrawals presented in this Work Programme. This represents a step-change compared to previous years: the Commission's own figures suggest that over the past five years, they have proposed to withdraw an average of 30 measures per year. This CWP, although also comprising a number of obsolete measures, contains 80 withdrawals.
47. The key withdrawals, as outlined in Annex II of the Work Programme, which are particularly welcomed by the Government include:
- **Regulation for the registration of carriers of radioactive materials** (no.19) - the Government deemed as unnecessary as it duplicated existing practices;
 - **Clean Air Package** (no.37) - the Government will continue to work with the Commission, the European Parliament and other Member States to discuss the modifications of the proposal and ensure that ceilings for 2030 in the NEC Directive are set at a level which injects the right level of ambition based upon evidence;
 - **Circular Economy package** (no.38) - the Government welcomes the plan to withdraw the current proposal and replace it with a more ambitious proposal by the end of 2015. We believe the package should focus more on resource efficiency and moving materials up the waste hierarchy and will examine the proposal to ensure that its provisions are technically feasible and based on clear evidence to avoid disproportionate burdens on businesses;
 - Regulating the **prices of medicinal products** for human use (no.49) - the Government objected to this proposal which would have resulted in unnecessarily burdensome reporting requirements;
 - **Satellite Data** (no.53) - the Government has long had concerns about the robustness of the Commission's Impact Assessment (IA), and will be keen for any future proposals in this area to be based on sound and clear evidence. The measure is listed for withdrawal if no agreement is reached within six months;
 - **Pregnant Workers Directive** (no.58) - the Government assessed that as it currently stands the EP's amendments to this proposal could cost UK businesses up to £2.5bn p.a. We will continue to engage with the Commission early, to ensure that any replacement initiative is

in line with UK interests. The measure is listed for withdrawal if there is no agreement in the next six months;

- **Common European Sales Law** (no.60) - the Government is checking with the Commission on what modifications will be proposed to 'unleash the potential of e-commerce'. But given the potential of the Digital Single Market, the Government is keen to work with the Commission and other Member States to identify changes to the regulatory framework that make it fit for the digital economy, addressing the real difficulties encountered in operating online;
- **Statute of European Foundation** (no.61) - the Government welcomes this withdrawal of a proposal which the UK strongly opposed;
- Establishment of a fund for the **compensation of oil pollution damage** (no.65) - the Government welcomes this withdrawal as we assess the proposal to be fundamentally unsound. The UK has successfully pressed for a regime whereby contributions come from Parties all around the world;
- **Aviation security charges** (no.68) - the Government opposed this measure as we believe Member States must retain the right to determine how aviation security measures should be financed, in particular to enable us to maintain national flexibility to put in place swiftly aviation security measures that are appropriate to the threat faced.

Proposals for REFIT

48. The Government welcomes the new Commission's commitment to continue the Regulatory Fitness (REFIT) programme. We have always regarded REFIT as an important step towards reducing the burden of European regulation on business and eliminating barriers to growth.

However, the Government believes that this should be just the beginning of an ambitious programme to reduce costs and to build a more competitive EU.
49. Annex III of the Work Programme sets out plans for a total of 79 actions for 2015 and 2016. This year's initiatives includes 44 evaluations, 11 repeals and 9 fitness checks. The Government welcomes the wide range of evaluation activity planned across the Commission. Over the coming months, the Government will encourage the Commission to translate its REFIT commitments into action, delivering substantive reductions in unnecessary regulatory burdens, especially for small businesses. We will continue to press the Commission to bring forward further repeals and withdrawals that make a tangible difference to reducing unnecessary burdens on business.
50. A number of proposals will require further clarification before the Government can fully assess the impact of the proposed actions on the UK. These include in the area of transport:
 - Simplifying Regulation on **access to the occupation of road transport operator** and Regulation on **common rules for access to the international road haulage market** (no.74) - the Government welcomes this proposal but will continue to influence its development by encouraging the Commission to provide common interpretation of definitions surrounding multiple collection and delivery operations and to clarify the requirements of documentation to be available for inspection on the vehicle;
 - **Port reception facilities** (no.76) - the Government has identified certain risks in this proposal for evaluation of the Directive. The UK negotiated hard to get the Directive (in particular, its provisions concerning charging and the rules for delivery of waste) in its current form. Accordingly, if the evaluation were to conclude that the Directive needed to be revised then the Government would need to invest substantial effort in ensuring that the Directive continues to be in a form which is acceptable to the UK;
 - **Promotion of clean and energy efficient road transport vehicles** (no.78) - the Government needs to assess further the benefits for the UK from the evaluation of this Directive. The Government transposed the minimum requirements of the Directive in 2011 which aimed

to stimulate a market for clean and energy efficient road vehicles by requiring that energy consumption and environmental impacts be taken into account for the public procurement of road vehicles. There is uncertainty about the extent to which purchase behaviour has been changed in UK, though the best estimate of costs (£111m) indicates that they are outweighed by the benefits (£533m).

Subsidiarity

51. 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.

Legal and Procedural Issues

52. Legal Basis: Not applicable. The document relates to future proposals and initiatives.
53. Voting Procedures: Not applicable.
54. Impact on UK Law: Not applicable.
55. Application to Gibraltar: We will ensure the Gibraltar Government is informed about any developments on the CWP and that their views are conveyed.
56. Fundamental Rights Analysis: We will consider particular concerns in relation to each dossier when it is published, and comment on rights issues in the specific Explanatory Memorandum.

Application to the European Economic Area

57. Not applicable.

Regulatory Impact Assessment

58. Not applicable. Impact assessments will be carried out as applicable on individual proposals as they arise.

Financial Implications

59. Officials across Departments are analysing in more detail the financial and regulatory implications of the CWP. However, the full implications of the new initiatives will only become clearer when the Commission presents specific proposals. Where proposals have new cost implications, the Government will, working with other Member States, insist that the Commission explains and justifies its position. This will be covered by the individual EMs for each proposal. Working with like minded Member States, we will press for costs to be met from within existing budget resources, respecting the agreed budget ceilings of the 2014-2020 Multiannual Financial Framework.

Timetable

60. The Commission Work Programme was presented by Commissioner Hahn to the General Affairs Council and to the European Parliament by Vice President Timmermans on 16 December. The Work Programme was published and adopted on the same day. Individual proposals will be brought forward in due course.

The Rt Hon David Lidington MP
Minister for Europe
Foreign and Commonwealth Office



Northern Ireland
Assembly

Appendix 4

Stakeholder Responses

European Economic and Social Committee – Jane Morrice

The European Commission's 2015 work programme sets out 23 separate initiatives in 10 priority areas. Leaving aside the detail, my advice is for the Northern Ireland authorities to focus on what NI does best, where it can add most value and what it can get in return. In this context, the priority areas would be: Trade, Energy, Peace and Reconciliation.

Finance from the £250 billion EC President Juncker's 'strategic investment package' will be vital in this context as will funding from both INTERREG and the PEACE programme.

Trade

The EU/US Trade negotiations could be an important opportunity for Northern Ireland in particular. Our value added over and above other EU regions includes:

- the English language,
- a foot on both sides of the Irish Sea as stepping stones for the US into an open and expanding single European market of 500 million
- a reduction in corporation tax as an added incentive for US investment
- An American empathy with British and Irish culture and roots

At the political leadership level, the OFMDFM should take advantage of these unique selling points and seek to play a pivotal role in the EU/US negotiation. No other region in the EU has these overlapping advantages of direct understanding and experience of both parties to the negotiation. One weakness could be the perception that political ties are not as obvious with the EU as with the US. This could make it more difficult for continental Europeans, particularly the French, to trust the British/Irish position in the negotiations. A good example is the French fear of a takeover of the Cannes film tradition by Hollywood - an issue which, along with GM crops, is likely to scupper part of the negotiations.

To properly prepare for playing a role, the OFMDFM should set up a TTIP Task Force to monitor negotiations, provide early warning for departments (agriculture, culture, trade, etc.) and to advise on the appropriate times to encourage political involvement. The fact that the opening of the EU/US negotiations was announced at the G8 in Fermanagh should not be seen as irrelevant.

Energy

The skills and expertise available in the aeronautical and marine engineering industry in Harland and Wolf and Shorts/Bombardier should be exploited to a greater extent for use in the renewable energy industry. A joint proposal for Belfast Harbour Estate to become a 'Hub' for the manufacture of wind/wave energy technology, using the R&D facilities of Queens and Ulster Universities, would be an ideal project for support from the new 'Juncker' strategic investment package.

The development of creative/innovative renewable energy systems should be further encouraged such as the example of the French company currently developing mini wind turbines to be placed in city centre locations which look like trees with foliage. The potential of the agriculture industry in the area of biomass and renewable energy in general should also be exploited to a fuller extent with greater investment into R&D in this area, also using the facilities of the Universities and Agriculture colleges. It may also be a possibility that cross-border off-shore wind/wave projects could benefit from INTERREG.

Peace and Reconciliation - A European Focus

The recent terrorist attacks in Continental Europe have sharpened the focus EU-wide on the need to step up work on peace-building and conflict resolution. The Northern Ireland experience has been heralded internationally as an example of how intractable issues can be resolved for the common good. EU support for the Northern Ireland Peace process through the EU Peace programme is regularly highlighted as a unique example of the valuable work the EU can do in this area. This is why the siting of a European Centre of Excellence for Peace and Reconciliation in Belfast would be a major step forward for Northern Ireland.

The focus of such a Centre should be exclusively European, rather than local, and tell the story of the EU role as a bulwark against war, from World War I to the present day, and as a Nobel Prize winner with examples from throughout the world of how the EU supports peace and reconciliation. In this way, the Centre can be used as a location for groups from conflict zones throughout the world to find space for debate and mediation and learn lessons (both negative and positive) from the Northern Ireland example.

Given the heightened awareness of such issues to be tackled in the aftermath of Paris and Copenhagen, the time is right for Northern Ireland to reintroduce its bid for PEACE funding for this important European project. The sensitive questions surrounding the siting of such a Centre can be allayed by proposing a two-site location in the Crumlin Road Jail/Courthouse and the Maze/Long Kesh site. Also, by ensuring the focus is Euro-centric rather than local, the Centre will gain international as well as European credibility.

Closer Cooperation with EU Stakeholders

Cooperation with all those working in the area of EU Affairs should be further enhanced following the example of the excellent work being carried out by bodies such as the Northern Ireland European Regional Forum, the NI Executive Office in Brussels, the European Commission Office in Northern Ireland as well as the Members of the European Parliament, the Committee of the Regions and the European Economic and Social Committee. The valuable work of the Task Force on Northern Ireland should continue to be developed under the new Commission President and regional affairs Commissioner.

Students should be encouraged to apply for traineeships in the EC, secondments to EC Institutions should be increased and job opportunities in the EC institutions should be advertised more widely.

Submission from Jane Morrice - Member European Economic and Social Committee (EESC)

Member of the European Parliament – Martina Anderson

Dear Stephen,

First of all thank you for the opportunity to contribute to the discussion on COFMDFM EU Priorities. Let me say how important I think it is to have engagement with the EU given the level of decisions being taken at EU level that affects all of our lives. Such engagement with the EU should be both constructive and critical engagement and we should ensure that voices from the north of Ireland are heard in Europe.

Standing up for Ireland, north and south, is what I have committed to do since I first took on the role as MEP for the 6 county constituency. Since the 2014 EU election my capacity to do so has increased dramatically as I am now leading a truly all-Ireland team of Sinn Féin MEPs representing all constituencies on the Island of Ireland. Many of the issues of greatest concern involving the EU are those shared north and south and in this regard OFMDFM should maximise the opportunities in working with their counterparts in Dublin.

EU funding is vitally important in the context of jobs, growth and investment. This is evident from funds received from Structural and Investment funds such as CAP, EFF, ERDF, ESF, PEACE and INTERREG. It is a priority, now more than ever given the economic situation we find ourselves in and further reductions by the British government to the block grant, to ensure EU funding is made as accessible and affective as possible and directed where it is needed the most.

OFMDFM also need to continue efforts to ensure we maximise efforts in drawing down funding from competitive EU funding programmes. In addition to PEACE and INTERREG which are cross border funds, competitive funding in most instances require funding partners, so in order to increase drawdown we need to be maximising opportunities through greater engagement with counterparts south of the border. In funding terms, projects from the north need not leave the island of Ireland before finding a funding partner to begin with.

Furthermore the European Fund for Strategic Investment (EFSI), which is still being finalised by the Commission, may be a source of investment although Sinn Féin have a number of reservations with EFSI including the possibility the plan could benefit more developed regions as there is no geographical allocations. There is also the concern with using public funds to bear the risk for private investment. Projects in the north of Ireland accessing EFSI should involve support for SMEs, microenterprises and social enterprises.

Ending roaming charges is another issue which should be prioritised. I voted with the EP in 2014 for an end to roaming charges however the Council proposals since then propose to delay and limit it in the interest of large telecommunications companies. In the interest of people and SMEs, particularly along the border area we need OFMDFM to engage and be vocal in favour of ending these unfair charges.

The Commission a Work Programme for 2015 has prioritised “Forward-looking Climate Change Policy” and I believe that the north also needs to be forward looking in this regard. We should be looking for possibilities that exist in terms of sustainable green energy and refuse to pursue unsustainable energy strategies that include harmful practices such as Fracking.

One of the major issues in the EU at the moment is the negotiation of the Transatlantic Trade and Investment Package (TTIP). OFMDFM need to be vocal on this. The threat to democracy posed by the Industry State Dispute Settlement (ISDS) mechanism, the threat to the high social and environment standards we enjoy and the threat to our public health system cannot be ignored.

The issue of fundamental Rights is one close to my heart and of particular relevance to our own post conflict society. As a member of the EP Committee on Civil Liberties, Justice and Home Affairs I am particularly engaged on this issue in my role as MEP. OFMDFM should be supportive of EU efforts to promote Human Rights -such as EU accession to the ECHR-but also recognise the need for a specific Bill of Rights for the north of Ireland, provided for in the Good Friday Agreement, in order to provide adequate protections for people in a region coming out of conflict. An All-Ireland Charter of Fundamental Rights is also required.

Finally, perhaps the most pertinent priority of the OFMDFM in relation to EU issues is the need to initiate a public debate on the importance of EU membership for the north of Ireland, and the consequences for us should the British Government lose a referendum on EU membership. In reality, British interests in many situations concerning the EU are not those of the north of Ireland. We need to ensure the North's voice is heard. It is important we engage with all levels of society in the north in such a debate, however given the adverse affect withdrawal from the EU would have on both sides of the Irish border, this debate should include public representatives and all levels of society throughout the Island of Ireland.

Is mise le meas,

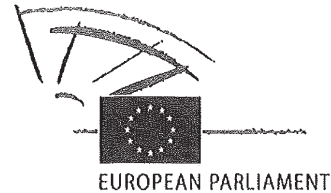
Martina Anderson

Member of the European Parliament – Diane Dodds

Diane Dodds

DUP Member of European Parliament

Garvey Studios, Longstone Street, Lisburn, Co Antrim, Northern Ireland, BT28 1TP
Tel: 028 9266 7733 Email: diane.dodds@europarl.europa.eu



Mr Mike Nesbitt MLA
Chair
Committee for the Office of the First Minister
and deputy First Minister
Room 285
Parliament Buildings
Ballymiscaw
BT4 3XX

Our Ref: DD/EU1968

3 March 2015

Dear Chair

Thank you for your letter dated 22 January requesting an overview of my position on provision included within European Commission Work Programme for 2015.

Please find attached a short briefing note fulfilling this request, which I trust will help the Committee as it seeks to publish its European Priorities for this calendar year.

I would like to thank the Committee for its continued engagement with me on these matters.

Best wishes,

Yours faithfully,

DIANE DODDS MEP

www.europarl.europa.eu
B-1047 Bruxelles / Brussel
Tel: 0032 2 28 45770
F-Strasbourg
Tel: 033 3 88 1 75770

The information contained in this letter is confidential and is for the use of the intended addressee only. If you are in receipt of this letter and are not the intended addressee please contact the sender as soon as possible. You may not copy, disseminate or otherwise act on its contents. Information enclosed may be copyright, do not reproduce it in any form without consulting the sender. The views of the author do not necessarily reflect those of the organisation.

Briefing Note by Diane Dodds MEP

European Commission Work Programme 2015

Structure

To aid structure and reflection, this briefing will structure comments on the 2015 European Commission Work Programme around the 10 priority areas established to serve 23 new initiatives.

Priority Area 1 - A New Boost for Jobs, Growth and Investment

The European Commission lists three initiatives under this priority axis - setting up a European Fund for Strategic Investments (EFSI), promoting integration and employability, and a mid-term review of the Europe 2020 strategy.

- We in the DUP support the need to give young people who are not in employment, education or training a true stake in society. However, we believe that it is the primary responsibility of national governments to bring forward proposals to make this a reality. The Youth Employment Initiative has had limited benefits for Northern Ireland, and we as a region were ineligible for Youth Guarantee given the specific unemployment threshold.
- We support a focus on vocational skills training/exchanges incorporating private sector employers in particular. In any investment plan, value for money must be of paramount importance.

Priority Area 2 - A Connected Digital Single Market

In this policy area, the Commission intends to bring forward a Connected Digital Single Market Package, which would include better protection of intellectual property and copyright.

- The DUP will welcome legislation that aids young or experienced entrepreneurs in our thriving creative industries to fulfil their growth potential. This includes giving them the confidence and capacity to explore EU markets in a productive and protected manner.
- We note with disappointment the decision by the Council of Ministers to delay the abolition of roaming charge across the EU to 2018. This is not conducive to encouraging businesses and entrepreneurs to expand abroad or access services across the rest of the EU in a way that is productive.

Priority Area 3 - A Resilient Energy Union

Proposals in this area include a Strategic Framework for the Energy Union.

- The DUP agrees that we as legislators should support the move toward a low-carbon economy with a particular emphasis on renewable energy products and networks. However, up until now EU target have been unrealistic and have placed undue burdens upon businesses in terms, for instance, of emissions thresholds. We would oppose further deepening of these burdens.

- On the other hand, we have supported several cross-border renewable energy storage projects that stand to make a difference to consumers across Northern Ireland through the drawdown of EU funding. Investing in research and innovation in this area stands to have the most transformative impact, particularly in rural areas, where provision has been limited. We believe the EU does have a role to play in terms of furthering these networks to the benefit of households in Northern Ireland.

Priority Area 4 - A Deeper and Fairer Internal Market

Proposals in this area include an internal market strategy for goods and services, a labour mobility package and an aviation package.

- The DUP welcomes the emphasis placed on mutual recognition of goods and services. We have worked consistently with local sectors which have found difficulty in transferring qualifications across the border, which limits their capacity to compete for business. We strive to see a strengthening of such recognition for SMEs.
- We note the desire to put an Aviation Package in place to improve competitiveness. We believe this must have an emphasis on connecting peripheral airports, including our local airports, to the wider EU network. We want to place on emphasis on supporting the growth of regional routes, and portraying Northern Ireland as a gateway to North American destinations.

Priority Area 5 - A Deeper and Fairer Economic and Monetary Union

The Commission seeks to support further economic integration and tax harmonisation.

- The DUP will oppose any further move toward harmonisation of economic practices or tax law. This should be for national authorities to regulate and control, and has been key to why the UK economy has seen growth in contrast to the eurozone context.
- We welcome the focus on deterring tax evasion, however feel that our own investigating authorities should retain complete sovereignty over such matters.

Priority Area 6 - A Reasonable and Balanced Free Trade Agreement with the US

- We in the DUP support the premise of the potential EU-US TTIP; that of removing barriers to bilateral trade and investment between the two jurisdictions to spark growth and job creation.
- However, we would place on record firmly that an agreement that undermines vital sectors or services, including agriculture or the National Health Service would be unacceptable. There is an appropriate balance to be sought, but opportunities should not be missed.

Priority Area 7 - Justice and Fundamental Rights Based on Mutual Trust

This area promotes accession by the EU to the European Convention of Human Rights, which is overseen by the European Court of Human Rights.

- The DUP believes many of the rulings by the Court have decimated national sovereignty on issues of genuine concern to the people of the UK, including prisoner voting and whole life sentences. We believe the UK Courts are best equipped to serve the rights of the people of Northern Ireland. We are, however, committed defenders of fundamental rights across the globe, including freedoms of speech, religion, expression and conscience. Our record shows this.
- The DUP believes the UK should have full control over national security and national defence. Any common security policy should not call for a commitment of resource. A strategy aimed at overcoming obstacles initiated by free movement, including radicalisation by extremist, may be welcomed.

Priority Area 8 - Towards a New Policy on Migration

This proposal focuses on a new agenda on migration in the EU.

- The DUP recognises that widespread immigration is one of the greatest determining factors with those who have voiced concern with the UK's relationship with Europe. We would oppose any legislation that further entrenches immigrant numbers or which renders national border controls useless.
- We do, however, accept that many immigrants make valuable contributions to life here. We would welcome an improved emphasis on correlating immigration to identified skill gaps, and to fighting illegal immigration. Generally, however, we endorse giving greater powers back to the UK Government to regulate this issue.
- Regardless of policy of immigration, something does need to be done to better secure the safety of people from deprived third countries who simply set off in search of a better life.

Priority Area 9 - A Strong Global Actor

This priority area emphasises the need for an EU Common Position on delivering sustainable development goals.

- We in the DUP believe that the UK, through the national Government, operates an effective and sympathetic development aid policy. We would be wary of committing further resources to central EU authorities to administer this role.
- With the trend of radicalisation that we now see abroad, it is even more important that the EU development policy is credible and not subject to misuse of funds by terrorists or those who masquerade behind them. Fundamental freedoms of speech, press and religion should be prerequisites to signing aid agreements with third countries.

Priority Area 10 - A Union of Democratic Change

The final area of the Commission's Work Programme focuses on the aim of a Transparency Register to account for lobbyists and interest groups.

- The DUP believes events of recent years necessitate an effective level of transparency in politics. This should not, however, negatively impact the confidence or capacity of interest groups to engage political representatives.

Member of the European Parliament – Jim Nicholson



Member of the European Parliament

Mr Mike Nesbitt MLA,
Chair, OFMDFM Committee
Room 285,
Parliament Buildings,
Ballymiscaw,
Stormont, BT4 3XX.
committee.ofmdfm@niassembly.gov.uk

02nd March 2015

Dear Mike,

Re: European Commission's Work Programme 2015

Thank you for your recent letter seeking my views on the European Commission's Work Programme for 2015 and priorities for the year ahead. The European Commission's 2015 Work Programme, the first of Jean-Claude Juncker's Commission, is formed around three broad themes; new initiatives, cutting red tape and withdrawing or modifying pending legislation from previous Commissions.

The 2015 Programme contains 23 new initiatives, considerably fewer than is normally the case. This suggests at least that the calls for reform appear to have been listened to by the European Commission. The European Commission has developed a reputation for over-legislating and 'mission creep' seeking to increase its influence in additional areas of competence and these are key areas where reform is needed. The headline initiative is the Investment Plan which aims to release some €315 billion in public and private investments over the next three years. It is important that we gain as much benefit from this and the other initiatives in the Work Programme as is possible and in relation to the Investment Plan I gather Northern Ireland departments have made proposals regarding a number of potential projects. Other initiatives include a Digital Single Market Package and a move towards an EU Energy Union, with the latter having become a particularly pertinent issue given the challenge to energy security posed by the current situation in Ukraine.

Efforts to reduce the burden and cost of red tape are to be welcomed, as is the fact that First Vice-President Frans Timmermans' remit focuses on a so-called better regulation agenda – in my view this is long overdue and must be delivered upon. In relation to agriculture for example Commissioner Hogan has called on Member States, regions, MEPs and stakeholders to come forward with suggestions as to how the Common Agricultural Policy (CAP) can be simplified. DARD and Defra must proactively engage with this on-going exercise, which will be followed with interest as it progresses in the months ahead. We must make the most of this opportunity to cut

European Office, Strandtown Hall, 2-4 Belmont Road, Belfast, BT4 2AN
Tel: 028 9047 4634 Fax: 028 9065 2149 Web: www.jim-nicholson.eu



Member of the European Parliament

bureaucracy for our farmers and the entire agri-food industry and more broadly of course for businesses and stakeholders in other policy areas.

In terms of the final heading, what has been referred to as 'clearing the decks' to remove or amend issues which have not been progressing due to a lack of agreement, should again in theory at least mean that resources can be refocused on issues where results can perhaps be delivered. Examples include; the withdrawal of proposals on the circular economy, a six month deadline to find agreement on reform of the organic sector and a pending decision on whether or not to take a merger of the School Milk Scheme and the School Fruit and Vegetable Scheme off the table.

Something which touches upon all policy areas is the need for the Commission to make decisions based on evidence. This is why I continue to be very concerned by the Commission's inability to provide clarity on how scientific advice will be provided without a Chief Scientific Advisor. President Juncker made a commitment to retain this post which he subsequently reneged upon – a huge mistake in my opinion which gives the impression that the EU does not take science seriously. I will continue to press for clarity on this issue.

President Juncker and his team of Commissioners have made some positive announcements and pledges since taking up office especially in terms of cutting red tape and reviewing what should be done at the Member State level as opposed to at the EU level i.e. the principle of subsidiarity. The Juncker Commission will however ultimately be judged on its ability to deliver, this can of course be impacted upon by a range of extenuating circumstances which have the ability to shift priorities.

In terms of the work of the Committees my role as an Agriculture Coordinator for the ECR Group on the Committee on Agriculture and Rural Development plus substitute membership of both the Committee on the Environment, Public Health and Food Safety and Committee on Regional Development means I am currently directly involved with a number of reports.

Turning first to Agriculture you will no doubt be aware that the dairy sector has experienced extreme price volatility in recent months which has meant a lot of pain for local farmers. The dairy sector is an important part of the Northern Ireland economy and is heavily exposed to fluctuations in world markets due to its reliance on exports - over 80% of what we produce is destined for export. Furthermore the milk quota system will be abolished at the end of March this year which makes the Own Initiative report I am drafting on the dairy market particularly timely. The draft version of the report has just been completed and will be discussed by MEPs in Committee later this month.

Another very topical issue which I am directly involved in is TTIP, the Transatlantic Trade and Investment Partnership, the name given to the potential trade deal

European Office, Strandtown Hall, 2-4 Belmont Road, Belfast, BT4 2AN
Tel: 028 9047 4634 Fax: 028 9065 2149 Web: www.jjim-nicholson.eu



Member of the European Parliament

between the EU and US. If concluded TTIP would be the largest free trade agreement in history. INTA is the lead Committee however given the scale and scope of the negotiations agriculture is a significant aspect of the talks. I am Co-Rapporteur for the Agriculture Committee's opinion alongside Paolo De Castro MEP, Agriculture Coordinator for the Parliament's S&D group. As you will know US farmers produce food with a lighter regulatory burden compared to EU farmers who produce top quality food to the highest welfare, traceability and environmental standards. As with any trade deal there are potential risks and opportunities, in terms of agriculture opportunities have been identified for the EU's dairy sector. Analysis also indicates that the local suckler herd is particularly vulnerable. The livelihoods of local farmers must not be put at risk as a result of cheaper imports – to be clear we do not want a levelling downwards of standards. I recently met with the European Union's Trade Commissioner Cecilia Malmström to discuss progress to date and during our meeting I sought assurances from the Commissioner that the National Health Service will not be opened up to multinational corporations. The pace of negotiations is increasing this year and I welcome that the Commissioner agreed to meet again at a later date for a further update. This is a level of cooperation and commitment to transparency I hope will be maintained throughout the process. The important thing to note is that these negotiations are still on-going and I will closely monitor them to help ensure that the final document represents a fair and balanced deal. In terms of the other Agriculture Committee files I am working on I am also Shadow Rapporteur on reports relating to; the school fruit, vegetables and milk scheme plus local product labelling.

Turning attention to my work in the Environment Committee I continue my work as Rapporteur on the Novel Foods file, in addition I am Shadow Rapporteur on opinions regarding; medicated feed, organic production and labelling of organic products plus two files regarding cloning where work is just beginning. Finally, I am also Shadow Rapporteur on an opinion regarding the European network of employment services in the European Parliament's Committee on Regional Development.

In addition to the work I have outlined regarding files I am directly connected with there are a range of other issues in Committees which I also take an active interest in. The implementation of the reformed CAP and CFP plus the impact of the Russian ban on EU food are crucially important for the agri-food industry this year. Improving the success rate of local businesses, organisations and researchers in obtaining competitive funding such as Horizon 2020 is another area which I continue to work to address and I know this is an area of interest to the OFMdFM Committee.

The successful roll out of all the 2014-2020 EU Programmes including; the ESF, PEACE IV and INTERREG is a key issue this year particularly as Commission approval for a number of Programmes is delayed. The success of any Programme depends heavily on how the Regulations are interpreted locally and ultimately implemented on the ground. In recent weeks for example I have been working closely with groups in the Voluntary and Community sector plus Robin Swann MLA,

European Office, Strandtown Hall, 2-4 Belmont Road, Belfast, BT4 2AN
Tel: 028 9047 4634 Fax: 028 9065 2149 Web: www.jim-nicholson.eu



Member of the European Parliament

Chair of the DEL Committee, to highlight and address problems with DEL's management of the ESF application process.

The work of improving how Northern Ireland engages at the EU level; influencing decisions at an early stage, accessing funds and participating in collaborative networks and research projects must continue. Continually improving how Departments and others coordinate this engagement and horizon scan will help us on many levels, including helping to improve how we implement Programmes and Directives locally and work towards a rebalanced economy. I was pleased that in response to one of my questions during the Commissioner hearings the new Regional Policy Commissioner, Corina Crețu, made a commitment to continue to support Northern Ireland in the future. This gives us a unique opportunity to build upon what has been achieved as a result of the Northern Ireland Taskforce and introduce improvements as identified by your Committee and others. We must make the most of this commitment to Northern Ireland in the future.

I hope you find this brief overview useful as you and your Committee colleagues prepare your report on European Priorities for 2015.

Yours sincerely,

JIM NICHOLSON

Ulster Unionist MEP for Northern Ireland

European Office, Strandtown Hall, 2-4 Belmont Road, Belfast, BT4 2AN
Tel: 028 9047 4634 Fax: 028 9065 2149 Web: www.jim-nicholson.eu



Published by Authority of the Northern Ireland Assembly,
Belfast: The Stationery Office

and available from:

Online

www.tsoshop.co.uk

Mail, Telephone, Fax & E-mail

TSO

PO Box 29, Norwich, NR3 1GN

Telephone orders/General enquiries: 0870 600 5522

Fax orders: 0870 600 5533

E-mail: customer.services@tso.co.uk

Textphone 0870 240 3701

TSO@Blackwell and other Accredited Agents

£18.00

Printed in Northern Ireland by The Stationery Office Limited
© Copyright Northern Ireland Assembly Commission 2015

ISBN 978-0-339-60571-8



9 780339 605718