



Northern Ireland  
Assembly

## Research and Information Service Briefing Paper

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Paper 102/13

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NIAR 165-2013

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# EU Legislative Proposals & Non-Legislative Proposals Q2 2013

## Research and Information Service

### Table 1: European Commission Legislative Proposals 2013 Q2

NIAR 165-2013

Title	Estimated date of Adoption	Current stage of progress	Type of Initiative	Description	Perceived Relevance to Northern Ireland	Current Prioritisation	Indicative date of when Committee can become involved	Any Identified Subsidiarity Issues?	NI Executive Priority/Objective (2012/13 priorities)
Decision on Public Employment Services (PES) and the functioning of the European labour market.	September 2013	No information has been found regarding the proposal including a search of Prelex and the Register of Commission Documents which suggests that work is still underway.	Package of reforms, so may involve multiple regulations. Ordinary Legislative Procedure (COD)	PES are the authorities that connect jobseekers with employers. This decision is intended to set up a formal European network of PES and articulate its mandate on the development and implementation of a European Labour Mobility Action Plan for modernisation and strengthening of PES to make all transitions on labour markets pay. As stated in Com (2012) 0727 PES will be called upon to play a greater role in exploiting all the job opportunities which can be created by intra-EU labour mobility and securing the employment prospects of EU citizens, especially the youth. This will make the European labour market more efficient, by reducing the risk of greater mismatches, and will help address future labour and skills shortages.	It is stated in the CWP that this decision will "Help improve the performance of public employment services and networking between national employment agencies". This could encourage labour market mobility across the EU, creating employment opportunities for NI residents. In February 2013 the UK Government welcomed the proposal but cautioned against blank targets and measurements. In correspondence dated March 2013 DEL stated that it will "need to make decisions about the funding and delivery of EURES transnational and the EURES Cross Border Partnership activities". It also stated that: <i>the Employment Service is actively engaged with the Department for Work and Pensions (UK) and the Department of Social Protection (ROI) in considering options for the future delivery of EURES.</i>	Low - Medium (although this may change following the publication of further road maps detailing other strands of the initiative).	DEL sent a representative to attend a EURES-ESF conference to discuss EURES reform. Members may wish to ask the Department for an update regarding this conference and any implications for Northern Ireland.	No identified issues at this stage. However this may be subject to change.	<b>Competitiveness and Employment:</b> Increase the skills profile of the working population; prepare for and influence EU Decision making processes in respect of the 2014-2020 structural funds programmes, the Trans-European Networks and the Connecting Europe Facility.
European platform to fight undeclared work.	3rd Quarter 2013	Initial research carried out in 2010 by Regioplan (A Research body) for the European Commission. A search of the Register of Commission Documents and the DGEMPL website found no additional information.	COD	Initiative intended to establish a European platform between labour inspectorates and other enforcement bodies. It aims for a more coherent approach by covering all the key areas influenced by undeclared work and supporting a more effective fight against undeclared work by way of improving cooperation, sharing best practice and identifying common principles.	Cracking down on undeclared work could have a number of impacts, including in dealing with benefit fraud and potentially increasing tax revenues. It may also help in areas such as illegal immigration.	Low to medium (this may be subject to change as a result of the lack of detail currently available on the proposal).	This appears to be at an early stage of development so the Committee may wish to ask the Department if it is aware of any actions taken by the EU Commission in regards to it.	No identified issues at this stage. However this may be subject to change.	<b>Competitiveness and Employment:</b> Increase the skills profile of the working population; prepare for and influence EU Decision making processes in respect of the 2014-2020 structural funds programmes, the Trans-European Networks and the Connecting Europe Facility.
Proposal for a revision of exclusions concerning seafaring workers contained in a number of Directives (such as TUPE, Posting of Workers and Collective Redundancies).	2nd Quarter 2013	8 Directives are potentially affected by these amendments. There are both ongoing and forthcoming public consultations on the need to revise the Directives.	COD	The proposal aims to provide seafaring workers with the same or equivalent level of employment rights as on-shore workers. The amendments will aim to ensure an equivalent level of protection to that benefited by on-shore workers, while taking into account the particular circumstances and the economic environment of the seafaring sector.	Northern Ireland has a relatively small seafaring sector (in comparison to on-shore based activities). However, any changes within this sector could have a large impact on such a small NI industry such as the increased costs of regulation. In March 2013 the Department stated that it was aware of the proposal but understood that the it had not yet been developed.	Low to medium (However, this may change as the consultations are carried out and identify the potential impact).	The estimated adoption date is relatively soon, however in correspondence received from DEL it is stated that 'Action at EU level is necessary in order to propose amendments to pre-existing EU legislation'.	No road map has been produced on the proposal. However, in a roadmap for a similar piece of legislation it states that 'Action at EU level is necessary in order to propose amendments to pre-existing EU legislation'.	Not Applicable
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**Table 2: European Commission Non-Legislative Proposals 2013 Q2**

**NIAR 165-2013**

Title	Estimated date of Adoption	Current stage of progress	Type of Initiative	Description	Perceived Relevance to Northern Ireland	Prioritisation	Indicative date of when Committee can become involved/potential actions	Any Identified Subsidiarity Issues?	NI Executive Priority/Objective (2012/13 priorities)
Guidelines on national regional aid for the period 2014-2020	5 June 2013	Consultation closed on the 11 March 2013.	Guidelines	The Regional Aid Guidelines (RAG) provide a legal framework through which public authorities in EU Member States can give investment assistance to firms. The current regional aid guidelines expire on 21/12/2013. Elements to take into consideration for preparing the guidelines for the period 2014-2020 include socioeconomic conditions in Member States, national policies aimed at providing financial support to businesses, the Europe 2020 strategy, the review of EU Cohesion Policy and Commission general policy regarding State Aid control. The proposal will seek to simplify and to improve the efficiency of control procedures for regional State aid.	Northern Ireland, as a peripheral region, relies heavily on EU state aid, including the European Social Fund which is administered by DEL. Any changes to the guidelines are certainly of note to the Committee and could have an impact on NI policy and economic development strategy.	Medium - High	The Guidelines are expected to be adopted in June. The Committee may wish to ask the Department what information it has received on the new guidelines and any inputs it has had on their development. The Committee may also wish to ask the Department if it is aware of any potential impact on ESF funding and administration in NI.	None Identified	<b>Competitiveness and Employment:</b> Increase the skills profile of the working population; prepare for and influence EU Decision making processes in respect of the 2014-2020 structural funds programmes, the Trans-European Networks and the Connecting Europe Facility.
Commission Communication on European Higher Education in the world (previously "Internationalisation of Higher Education")	June 2013	No information has been found regarding the proposal including a search of Prelex and the Register of Commission Documents which suggests that work is still underway.	Communication	A growing number of higher education institutions enrol students from non-eu countries, exchange students, staff and knowledge and engage in international academic and research cooperation. The Commission will issue a Communication dealing with the internationalisation strategy of the EU higher education sector. In an increasingly interdependent world, a strategic way of addressing global challenges for the EU is through HE partnerships which can generate research and teaching capacity and empower universities as agents of knowledge transfer.	The income generated by international students is becoming increasingly more important as a source of revenue for Universities and plays a role in other areas such as research and development. This is an important sector for NI, with the Department encouraging the universities in their collaboration across international borders.	Low - the communication will only impact on third level institutions. However, the extent of this impact will depend on the recommendations of the Communication.	The Communication appears to be still in development. RalSe will keep a watching brief and provide updates to CEL if required.	The House of Lords European Committee newsletter identifies that this Communication may require close scrutiny in regards subsidiarity.	<b>Competitiveness and Employment:</b> Increase the skills profile of the working population.
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Communication on regulated professions.	4th Quarter 2013	No information has been found regarding the proposal including a search of Prelex and the Register of Commission Documents which suggests that work is still underway.	Communication	Communication to take stock of recent developments in MS in the area of regulated professions and to devise a methodology for facilitating the mutual evaluation exercise foreseen in the proposal modernising the Professional Qualifications Directive. Focuses on entry restrictions. Experts in Member States will be consulted through the national coordinators for the recognition of qualifications. On the basis of the reforms undertaken at national level, the communication will present a methodology for a justification of the need and proportionality of regulated professions.	The Communication addresses barriers to mobility of professions across Europe (such as variance in the level of qualification needed to practice in a specific country). This may have some impact in Northern Ireland, but the scope of this is not yet known.	Low - Medium (may be subject to change).	The Communication appears to be still in development. RaiSe will keep a watching brief and provide updates to CEL if required.	The Roadmap document does not identify any Subsidiarity issues.	<b>Competitiveness and Employment:</b> Increase the skills profile of the working population.
Commission Observations to Member States proposals of partnership agreements for the European Structural and Investment Funds (ESIF) for the period 2014-2020	September 2013	No information has been found regarding the proposal including a search of Prelex and the Register of Commission Documents which suggests that work is still underway.	Staff Working Document	The ESIF compose the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund, all under the umbrella title of the Common Strategic Framework. The SWD will contain observations to MS proposals of partnership agreements. In the Partnership Agreement each Member State will set out their strategy and rationale for how the Funds are to be deployed to complement the EU 2020 strategy and domestic initiatives for sustainable jobs and growth.	Information on the partnership agreements is limited. The Committee may wish to ask the Department for any information it has on the development of the Partnership Agreements here in NI, including how they will operate, the links being created between the various fund administrative bodies and how they will meet NI, UK and EU targets.	High (may be subject to change as information becomes available).	The Communication appears to be still in development.	No identified issues at this stage. However this may be subject to change.	<b>Competitiveness and Employment:</b> Increase the skills profile of the working population; prepare for and influence EU Decision making processes in respect of the 2014-2020 structural funds programmes, the Trans-European Networks and the Connecting Europe Facility.
Communication on the Common Strategic Framework (CSF) Funds and EU economic governance	October 2013	No information has been found regarding the proposal including a search of Prelex and the Register of Commission Documents which suggests that work is still underway.	Communication	The Communication will analyse how the CSF funds will contribute to EU economic governance and their role in fostering growth and the importance of a sound macroeconomic framework for the efficient use of the funds. It will examine the links of CSF Funds with the economic governance procedures and explain how macroeconomic conditionality will be implemented in 2014-2020. The HoL European select Committee found that: <i>The Common Strategic Framework would translate the targets and objectives of Europe 2020 into investment priorities. It would identify linkages with programmes for research, innovation and lifelong learning.</i>	The CSF Funds include the European Social Fund which is administered in NI by DEL and plays an important role in skills development and employability funding. As such any changes to the fund could have an impact in Northern Ireland.	High	The Communication appears to be still in development. RaiSe will keep a watching brief and provide updates to CEL.	No identified issues at this stage. However this may be subject to change.	<b>Competitiveness and Employment:</b> Increase the skills profile of the working population; prepare for and influence EU Decision making processes in respect of the 2014-2020 structural funds programmes, the Trans-European Networks and the Connecting Europe Facility.
<b>Title</b>	<b>Estimated date of Adoption</b>	<b>Current stage of progress</b>	<b>Type of Initiative</b>	<b>Description</b>	<b>Perceived Relevance to Northern Ireland</b>	<b>Prioritisation</b>	<b>Indicative date of when Committee can become involved/potential actions</b>	<b>Any Identified Subsidiarity Issues?</b>	<b>NI Executive Priority/Objective (2012/13 priorities)</b>

Adoption of the partnership agreements for the European Structural and Investment Funds for the period 2014-2020	November 2013	No information has been found regarding the proposal including a search of Prelex and the Register of Commission Documents which suggests that work is still underway.		The expected date of adoption of the Partnership Agreements discussed above. These documents will shape the priorities in Member States for public investment for the next seven years.	As with the previous two Communications this proposal could have a long term impact on Northern Ireland. As such the Committee may wish to ask the Department for information on what is happening in regards the CSF and the ESIF.	High	The Communication appears to be still in development. RaISE will keep a watching brief and provide updates to CEL.	No identified issues at this stage. However this may be subject to change.	<b>Competitiveness and Employment:</b> Increase the skills profile of the working population; prepare for and influence EU Decision making processes in respect of the 2014-2020 structural funds programmes, the Trans-European Networks and the Connecting Europe Facility.
Commission Implementing Decision establishing the EURES charter	October 2013	No information has been found regarding the proposal including a search of Prelex and the Register of Commission Documents which suggests that work is still underway.	Commission Implementing Decision	Follow-up to the EURES decision C(2012) 8548 of 26/11/2012 which reestablished the EURES network. As part of this initial decision it was necessary for the Commission to establish the EURES governing charter (as established in Article 10 of C (2012) 8548). The Charter will replace the current EURES charter and guidelines. It will define the accreditation system to be used in the appointment of EURES partners, as well as details on operational issues and cross-border co-operation.	The establishment of the EURES charter will not have any direct impact on Northern Ireland, although it may have some implications for those seeking employment across the EU.	Low	The Communication appears to be still in development. RaISE will keep a watching brief and provide updates to CEL if required.	No identified issues at this stage. However this may be subject to change.	<b>Competitiveness and Employment:</b> Increase the skills profile of the working population; Prepare for and influence EU Decision making processes in respect of the 2014-2020 structural funds programmes, the Trans-European Networks and the Connecting Europe Facility.
Commission Regulation on the coordination of social security systems	4th Quarter 2013	Roadmap published March 2013.	Commission Regulation	The coordination of social security systems aims at facilitating the free movement of citizens in the European Union (EU). This coordination is founded on the cooperation of national social security administrations. The provisions of this Regulation apply to all the traditional branches of social security including unemployment benefits, invalidity benefits and sickness. This is a routine proposal which aims to update the Annexes of the establishing Regulations (EC) No883/2004 and (EC) No 987/2009.	The initiative should contribute to promoting and facilitating the free movement of persons within the EU by updating the rules on the coordination of social security schemes within the European Union, and thus make citizens' rights effective.	Low (may be subject to change).	The Communication appears to be still in development. RaISE will keep a watching brief and provide updates to CEL if required. The Committee may wish to ask the Department to confirm if the update will have any implications to the Northern Ireland Social Security System.	No identified issues at this stage. However this may be subject to change.	<b>Competitiveness and Employment:</b> Support people, particularly young people, under the ESF and other relevant programmes into employment.
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2013 Employment and Social Developments in Europe (ESDE)	4th Quarter 2013	No information has been found regarding the proposal including a search of Prelex and the Register of Commission Documents which suggests that work is still underway.	Review/Report	The ESDE identifies and analyses key salient issues linked to the implementation of the Europe 2020 strategy. As an Annual Report it predominantly focuses on the more structural issues of employment and social policy making and should be seen as a complement to the quarterly European and Social Situations Reports.	This is a review document and may be of note in terms of future policy making for the Department. It may also assist the Committee in its scrutiny of DEL in its development and implementation of policy as a benchmark document.	Low	Due to be published in 4th Quarter 2013. As this is an Annual Report the Committee may wish to ask the Department if it has had any involvement in its development and, if relevant, how its findings will be used in meeting Northern Ireland's Europe 2020 targets.	No identified issues at this stage. However this may be subject to change.	<b>Competitiveness and Employment:</b> Increase the skills profile of the working population.
Community framework for State Aid for Research and Development and Innovation.	December 2013	Consultation completed on 24 February 2012, Issues paper produced on 12 December 2012	Review	Framework is directed at MSs and aims to facilitate their use of State aid for research, development and innovation. The current RDI Framework expires by the end of 2013. The objective of the revision is to examine whether the current framework should be maintained or modified. It will in particular be examined whether modifications are appropriate in order to ensure that the State Aid rules or RDI fully contribute to the objectives of the Europe 2020 strategy.	State aid made available to Universities (as defined in the Regulation as Research Organisations) is included within this review. As such, any modifications proposed to the framework may impact in NI.	Low to medium (as it is not yet known what the proposed modifications are, or even if any will be suggested, this prioritisation may be prone to change.)	The review is currently ongoing. The Committee may wish to ask the Department if it has been contacted as part of the review, and if so what its response was.	No identified issues at this stage. However this may be subject to change.	<b>Innovation and Technology:</b> Promote increased participation in EU Research, Development and Innovation Programmes by companies, universities, research base and elsewhere in the public sector.
Proposal for Council Recommendations on a Quality Framework for Traineeships.	December 2013	Staff Working Document produced April 2012; 2nd Phase Consultation with social partners published Dec 2012.	Recommendations	The main objectives of the proposal initiative are: 1. to increase the quality of traineeships; and 2. to increase the quantity of good high quality traineeships, including cross-border ones.	Whilst only Recommendations, any outcome from the report could have future implications on the development of traineeships in Europe and Northern Ireland.	Medium (may be subject to change).	The consultation is currently being considered by the EU Commission, however, it may suspend its work if the social partners decide to negotiate on the Framework themselves.	No identified issues at this stage. However this may be subject to change.	<b>Competitiveness and Employment:</b> Increase the skills profile of the working population.
Commission Staff Working Paper: The Evaluation and Reporting Strategy for the Horizon 2020 Framework Programme.	June 2013	No information has been found regarding the proposal including a search of Prelex and the Register of Commission Documents which suggests that work is still underway.	Working Paper	Document intended to provide additional guidance on the way programme evaluation and reporting will be implemented under the Horizon 2020 Framework Programme. This includes additional information on the overall evaluation planning for the different activity lines and on the use of indicators to monitor the progress of Horizon 2020 towards its main objectives.	Horizon 2020 is a major flagship programme of the EU for 2014-2020. Whilst the Working Paper is yet to be published it could have implications for organisations that participate in Horizon 2020.	Medium-High	This is a Working Paper and its publication date is relatively close as such any Committee involvement would be limited. The Committee may wish to ask the Department if it has had any input into the development of the document.	No identified issues at this stage. However this may be subject to change.	<b>Innovation and Technology:</b> Promote increased participation in EU Research, Development and Innovation Programmes by companies, universities, research base and elsewhere in the public sector.
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Report from the Commission on the evaluation of the implementation of the recommendation of the establishment of the European Qualifications Framework for Lifelong Learning	July 2013	No information has been found regarding the proposal including a search of Prelex and the Register of Commission Documents which suggests that work is still underway.	Report	Report is intended to assess and evaluate the action taken in response to the Recommendation on the establishment of the EQF for Lifelong Learning. The European Qualifications Framework (EQF) acts as a translation device to make national qualifications more readable across Europe, promoting workers' and learners' mobility between countries and facilitating their lifelong learning.	This is a report on actions previously taken on the establishment of a qualifications framework. Its impact on the NI education system will be largely dependent on the reports conclusions.	Low	The Report is currently being developed - as per the CWP the assessment and evaluation of the Recommendation is to include consultations with Member States and stakeholders. The Committee may wish to ask the Department for Employment and Learning if it has been contacted regarding this Report and if so what comments it made.	No identified issues at this stage. However this may be subject to change.	<b>Competitiveness and Employment:</b> Increase the skills profile of the working population.
Commission staff working document - Education and Training Monitor 2013	October 2013	No information has been found regarding the proposal including a search of Prelex and the Register of Commission Documents which suggests that work is still underway.	SWD	New monitoring document. Will provide quantitative information and comparative analysis that will back up the country-specific assessment during the European Semester and the drafting of country-specific recommendations in education and training. Will help inform work under the ET 2020 strategy such as peer-learning, the identification of good practice or the stakeholder debate. It is intended to foster evidence-based policy making.	This is an analytical tool designed to underpin the ongoing reform of Education and Training as part of the Europe 2020 strategy. The Monitor may be of use to the Committee as a bench mark measure for the activities taken by the Department in promoting education and training in NI.	Low - Medium (may be subject to change).	The Communication appears to be still in development. RalSe will keep a watching brief and provide updates to CEL if required.	No identified issues at this stage. However this may be subject to change.	<b>Competitiveness and Employment:</b> Increase the skills profile of the working population.
Progress in the development of quality assurance systems in higher education	October 2013	No information has been found regarding the proposal including a search of Prelex and the Register of Commission Documents which suggests that work is still underway.	Report	The Commission is required to present reports every three years on progress in the development of Quality Assurance systems in MS and on cooperation activities at EU level. The report is designed to monitor the implementation of the recommendations from the 2009 report "Progress in quality assurance in higher education", new activities and broader developments since then.	This is a review of progress in implementing a reports recommendations. The report may have some impact on the HEI sector in Northern Ireland but this will be dependant on the reviews findings.	Low	The Communication appears to be still in development. RalSe will keep a watching brief and provide updates to CEL if required.	No identified issues at this stage. However this may be subject to change.	<b>Competitiveness and Employment:</b> Increase the skills profile of the working population.
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