



Northern Ireland
Assembly

Research and Information Service Research Paper

Paper 25/15

30 January 2015

NIAR 64-15

RaISe

European Commission

Work Programme 2015

NIAR – 64/15

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.

BACKGROUND

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

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)

- A New Policy on Migration
- A Stronger Global Actor
- A Union of Democratic Change²

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.

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

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)

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
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

⁷ EM 5080/15 paragraph 6

⁸ EM 5080/15 paragraph 9

⁹ EM 5080/15 paragraph 10

¹⁰ EM 5080/15 paragraph 15

¹¹ EM 5080/15 paragraph 14

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.
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

¹² EM 5080/15 paragraph 51

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]</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	DCAL	Study	Study to assess the extent to which co- and self-regulation aspects in promoting effective implementation of the	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

^[1] http://ec.europa.eu/priorities/digital-single-market/index_en.htm

effective implementation of the Audiovisual Media Services Directive for 2015			<p>Audiovisual Media Services Directive can reduce regulatory complexity.</p> <p>Results expected for 2015.</p>	<p>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

				<p>evaluation and authorisation of GM food and feed within the EU and as such applies to the following 3 types of specific product:</p> <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. <ul style="list-style-type: none"> • 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>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> <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</p>
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				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?
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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>
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 ➤ reference number as a link

				<p>between the meat and the animal;</p> <ul style="list-style-type: none"> ➤ approve the number of slaughterhouses <ul style="list-style-type: none"> • Voluntary • 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, • 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. 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>
<p>3. Specific measures for agriculture in the outermost regions of the Union (POSEI) – specific measure for agriculture in favour of the</p>	<p>Possibly DARD</p>	<p>Evaluation</p>	<p>Evaluation of the impact of specific measures for agriculture in the outermost regions of the EU (POSEI) and of specific measures that favour small Agean</p>	<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</p>

<p>smaller Aegean islands</p>			<p>islands</p>	<p>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>
<p>27. Fishing Authorisation Regulation</p>	<p>DARD</p>	<p>Legislative initiative - recast</p>	<p>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>	<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</p>

				<p>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>
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	<p>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:</p> <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>
30. Common Fisheries Policy	DARD	Evaluation	Evaluation of the impacts of Fisheries Control	Regulation EC No 1224/2009 forms the legislative basis for Community system for control, inspection and enforcement

			<p>Regulation EC No 1224/2009</p>	<p>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 <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>
<p>39. Wild animals in zoos</p>	<p>DARD/DOE/DO J (PSNI)</p>	<p>Evaluation</p>	<p>Evaluation of Directive 1999/22/EC relating to the keeping of wild animals in zoos.</p>	<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

				<p>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,</p> <ul style="list-style-type: none"> • 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, • 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 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</p>
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				<p>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>
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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> <ul style="list-style-type: none"> (a) setting up the European Fund for Strategic Investments (EFSI) (b) promoting cooperation with National Promotional Banks (c) improving access to finance for Small to Medium-sized Enterprises (SMEs) 	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	The proposal is to create a European framework for the recovery and resolution of systemically relevant financial	The CFP may wish to consider how the legislation would impact on financial institutions in Northern Ireland –

			<p>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>	<p>like the Presbyterian Mutual Society and Credit Unions - and whether such legislation could have prevented their collapse.</p>
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	<p>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.</p>	<p>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.</p>

European Commission Work Programme – REFIT Actions with implications for DFP

Title	Relevant NI Department	Type of Initiative	Description of scope of objectives	Explanation / Impact on Northern Ireland
19. Excise Duty	DFP	Evaluation	<p>Evaluation of Council Directive 2008-118/EC concerning the general arrangements for excise duty, for:</p> <p>(a) energy products and electricity</p> <p>(b) alcohol and alcoholic</p>	<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.</p>

			<p>beverages (c) manufactured tobacco</p> <p>The assessment covers the legal arrangements for cross-border movements of these goods released for consumption between traders and distance selling companies.</p>	
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 (b) radio and television broadcasting services (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</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

			the actual effects of 8 years of use of International Financial Reporting Standards (IFRS) ¹⁴ in the European Union (EU), with respect to the initial objectives of the International Standards Board (IASB) Regulations.	both public and private sector accounts.
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

¹⁴ <http://www.ifrs.org/About-us/Pages/What-are-IFRS.aspx>

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. ¹⁵	<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.¹⁶</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.¹⁷</p>
6. Communication on the Road to Paris-	DoE/DETI	Non-legislative	A new international climate change agreement	This is a non-legislative communication. However, it gives an

¹⁵ EC, *New Initiatives 2015* http://ec.europa.eu/atwork/key-documents/index_en.htm

¹⁶ 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>

¹⁷ The consultation is available at: http://ec.europa.eu/clima/news/articles/news_2014121901_en.htm

<p>multilateral response to climate change</p>			<p>between UN countries is to be developed and adopted at the Paris Climate Conference at the end of 2015 – and implemented from 2020.¹⁸</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 2014.¹⁹</p>	<p>indication of future GHG reduction targets, renewable energy and energy efficiency targets for post 2020.</p> <p>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 2025.²⁰</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.²¹</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</p>
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¹⁸ http://ec.europa.eu/clima/policies/international/negotiations/future/index_en.htm

¹⁹ The European Council conclusions can be accessed here http://ec.europa.eu/clima/policies/2030/documentation_en.htm

²⁰ 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

²¹ DOE, Adaptation Programme http://www.doeni.gov.uk/index/protect_the_environment/climate_change/climate_change_adaptation_programme.htm

				plans or programmes.
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)²².</p> <p>A consultation was conducted in 2007 by the Dept. - however nothing has progressed beyond</p>

²² See RaSe paper Genetically Modified organism –background and latest EU developments (2010) p.11/12
<http://www.niassembly.gov.uk/globalassets/documents/raise/publications/2010/agriculture-rural-development/10310.pdf>

				<p>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>
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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
<p>11. Geological storage of carbon dioxide</p> <p>12. Reduction of CO2 emissions from light duty vehicles</p> <p>13. Fuel Quality</p> <p>31. Environmental Liability</p>	DoE	Evaluation	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	<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</p>

<p>32. Drinking Water</p> <p>35. Environmental Noise</p> <p>36. European Pollutant Release and Transfer Register</p> <p>37. Volatile organic compound emissions Stage I</p> <p>38. Volatile organic compound emissions Stage II</p> <p>39. Wild animals in zoos</p> <p>75. Combined transport</p>			<p>results are expected in 2015, while others will be started this year.²³</p> <p>The Commission states that it welcomes input from all member states and level of government with regards to the REFIT Programme.²⁴</p>	<p>(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 2009²⁵</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.²⁶</p> <p>Wildlife animals in zoos under the Zoo licensing Regulations (Northern Ireland) 2003²⁷</p> <p>DOE is the competent authority in relation to combined transport with regards to monitoring compliance through operator licensing²⁸</p> <p>The outcomes of these evaluations are not yet known, however, should they bring any changes to</p>
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²³ For more details refer to *Refit Actions* http://ec.europa.eu/atwork/key-documents/index_en.htm

²⁴ For more information see EC website http://ec.europa.eu/smart-regulation/refit/index_en.htm

²⁵ For more information see DOE website

http://www.doeni.gov.uk/index/protect_the_environment/local_environmental_issues/environmental_liability.htm

²⁶ For more details see DOE website

http://www.doeni.gov.uk/index/protect_the_environment/local_environmental_issues/noise.htm

²⁷ For more details see DOE website http://www.doeni.gov.uk/nia/biodiversity/wildlife_management_and_licensing/wildlife.htm

²⁸ For more information see DOE website http://www.doeni.gov.uk/index/road_users/tru.htm

				<p>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.²⁹</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).³⁰</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	Type of	Description of	Explanation / Impact on
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²⁹ 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

³⁰ For more information- see DOE website *The Natura 2000 Network*
http://www.doeni.gov.uk/niea/protected_areas_home/natura_2000.htm

	Department	Initiative	scope of objectives	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%³¹ 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</p>

³¹ NISRA, Labour Market Statistics January 2015

				<p>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.
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.³²</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.³³</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.³⁴</p> <p>A consultation on Europe 2020 was carried out in May 2014 (closing in October</p>

³² European Commission, Europe 2020, Europe 2020 in a nutshell, http://ec.europa.eu/europe2020/europe-2020-in-a-nutshell/index_en.htm

³³ Ibid

³⁴ Ibid

				<p>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>
8. Labour Mobility Package	DEL	Legislative/ Non-legislative	<p>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>	<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

				<p>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;</p> <ul style="list-style-type: none"> • 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>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:³⁵</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	DEL	Non-legislative	A comprehensive review of the EU's	EU trade policy sets the direction for trade and

³⁵ Northern Ireland Executive, European Priorities 2014-15, <http://www.ofmdfmi.gov.uk/european-priorities-2014-2015.pdf>

<p>strategy for Jobs and Growth</p>			<p>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>	<p>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> <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>
<p>18. European Agenda on Migration</p>	<p>DEL</p>	<p>Legislative/ Non-legislative</p>	<p>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>	<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 undertakings or 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:³⁶</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 • Some stakeholders identified issues in regards possible inconsistencies in definitions used within the

³⁶ 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>

				<p style="text-align: right;">Directives.</p> <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. 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 • 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.
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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	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. 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). Results expected for 2015.	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. 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. 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. 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).

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	DSD/DEL	Legislative/ Non-	The package aims at supporting labour	This European Commission initiative aims at supporting

Package		legislative	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.	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 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) 883/2004 ³⁷ and Regulation (EC) 987/2009 ³⁸ . These Regulations coordinate the cross-border aspects of the different social security systems of the EU Member States, plus Iceland, Norway, Liechtenstein and Switzerland. ³⁹ The Labour Mobility Package initiative has carried over from the 2014 Commission Work Programme (CWP) 2014. ⁴⁰ 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”. ⁴¹
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³⁷ 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>

³⁸ 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>

³⁹ 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

⁴⁰ European Commission *Commission Work Programme 2014* Annex II http://ec.europa.eu/atwork/pdf/cwp_2014_annex_en.pdf

⁴¹ 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)

				<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.⁴² 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. However, in their initial response to the 2015 CWP the UK Government took a neutral position on the initiative, stating that it:⁴³</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. This initiative has also been identified as being of interest to the Committee for Employment and Learning.</p>
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European Commission Work Programme – REFIT Actions with implications for DSD

http://ec.europa.eu/smart-regulation/impact/planned_ia/docs/2013_empl_003_coordination_social_security_systems_en.pdf

⁴² 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)

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 2015. Submitted by the Foreign and Commonwealth Office on 14 January 2015. http://europeanmemoranda.cabinetoffice.gov.uk/files/2015/01/EM_5080-15.doc

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	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.	This REFIT initiative concerns the evaluation of legislation regarding equal treatment in social security covering Council Directive 79/7/EEC ⁴⁴ on the progressive implementation of the principle of equal treatment for men and women in matters of social security. 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. ⁴⁵ 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.

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	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	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 states ⁴⁸ :
18. European Agenda on Migration				

⁴⁴ 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>

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>

			<p>review of the Posting of Workers Directive⁴⁶ and an enhanced EURES⁴⁷.</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'⁴⁹. The strategy does not have any specific actions with regard to the integration of migrant workers, but refers to a new Racial Equality Strategy which⁵⁰:</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</p>
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⁴⁸ 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>.

⁴⁶ 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=LShsJCvp1TL1tm46GTyYRZ2103ySWb56sp8SsQ53MLMzRsqYLPqL-1794656578?uri=CELEX:31996L0071.

⁴⁷ EURES, The European Job Mobility Portal: <https://ec.europa.eu/eures/page/homepage>.

⁴⁹ 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>.

⁵⁰ *Ibid.*, p.18.

				<p>published for consultation in June 2014 and closed in October 2014⁵¹. 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 enlargement⁵²: 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 countries⁵³ and two potential candidate countries⁵⁴.</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 Ireland⁵⁵.</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.	This is a continuation of the Initiative No 16 from the Work Programme last year ⁵⁶ . 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

⁵¹ 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>.

⁵² European Neighbourhood Policy, Europa website: <http://ec.europa.eu/enlargement/>.

⁵³ These are Albania, the Former Yugoslav Republic of Macedonia, Turkey, Serbia and Montenegro.

⁵⁴ These are Kosovo and Bosnia and Hercegovina.

⁵⁵ 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.

⁵⁶ 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.

				<p>Council of Europe and the EU to enable accession⁵⁷. The main areas of incompatibility are stated as follows⁵⁸:</p> <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>
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⁵⁷ 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).

⁵⁸ '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>.

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: 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; 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 Mobilising €315bn in additional investment over the period 2015-2017 through the establishment of the European Fund for Strategic Investments.⁵⁹</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>. 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</i></p>

⁵⁹ <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2014:903:FIN>

				<p><i>from the wealthier north in an effort to boost solidarity.</i>⁶⁰</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>’⁶¹</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.⁶²</p>
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</p>

⁶⁰ <http://www.euractiv.com/sections/eu-priorities-2020/junckers-eu315bn-investment-plan-unveiled-fifteenfold-leverage-and>

⁶¹ *Ibid*

⁶² http://www.detini.gov.uk/idbr_publication_edition_17_-_july_2014.pdf?rev=0

				<p>fewer people in or at risk of poverty and social exclusion. Of these targets two are of particular interest to (ETI Committee – the R&D and renewable energy targets. 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> <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 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.⁶³</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 2015.⁶⁴</p>
4. Digital Single Market (DSM) Package	DETI	Legislative/ Non-legislative	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	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

⁶³ http://ec.europa.eu/europe2020/pdf/europe2020stocktaking_en.pdf

⁶⁴ http://ec.europa.eu/europe2020/public-consultation/index_en.htm

			<p>for a vibrant digital economy and society. The package will include, among other legislative proposals, the modernisation of copyright.</p>	<p>impact areas such as online trade, roaming charges and copyright. Key objectives in this area include:</p> <ul style="list-style-type: none"> Rapidly concluding negotiations on common EU data protection rules; Giving more ambition to the ongoing reform of telecoms rules; Modifying copyright rules to reflect new technologies; Simplifying consumer rules for online purchases; Making it easier for innovators to start their own company; <p>and,</p> <ul style="list-style-type: none"> Boosting digital skills and learning.⁶⁵ <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. The package of measures anticipated as part of the DSM is expected to include new rules on copyright, data protection and telecommunications.⁶⁶ 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).⁶⁷</p>
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	The Strategic Framework for the Energy Union will take the form a Communication, which will set out an Action Plan for the Energy Union. The Action plan is expected to

⁶⁵ http://ec.europa.eu/priorities/digital-single-market/index_en.htm

⁶⁶ http://www.euractiv.com/files/euractiv_special_report_-_digital_single_market.pdf

⁶⁷ *Ibid*

			<p>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>	<p>lay down the following pillars for the Energy Union: Security of Supply; Competitiveness and completion of the internal energy market; Moderation of demand and energy saving; Decarbonisation of energy mix; and Energy technologies.⁶⁸ It will include a revision of the EU Emissions Trading System as part of the legislative framework post-2020. The Commission Communication is expected to be presented on the 25 February 2015. European Parliament resolution is anticipated for the third quarter 2015. 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>
7. Internal Market Strategy for Goods and Services	DETI	Legislative/ Non-legislative	<p>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,</p>	<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.⁶⁹ The strategy is due to be presented in 2015, although no date has yet been determined. Northern Ireland is an SME</p>

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⁶⁹ 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)

			regulated professions, advanced manufacturing and combined services/goods provision. A particular focus will be on SMEs.	<p>dominated economy (98.8% of businesses have 50 employees or fewer).⁷⁰ 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 • 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 2020.⁷¹</p> <p>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.</p>
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 <i>'develop and integrate capital markets as a source of financing for innovative projects and long-term investment'</i>.⁷²</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.⁷³</p> <p>It will take the form of a series of instruments designed to develop alternative sources of financing and facilitate their</p>

⁷⁰ http://www.detini.gov.uk/idbr_publication_edition_17_-_july_2014.pdf?rev=0

⁷¹ <http://www.northernireland.gov.uk/ni-economic-strategy-revised-130312.pdf>

⁷² <http://www.ipe.com/news/regulation/european-commission-to-fast-track-capital-markets-union-reform/10005732.fullarticle>

⁷³ *Ibid*

				<p>flow across borders. 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.⁷⁴ The project is expected to span 2015 to 2019, with an action plan expected by mid-2015.⁷⁵ This will be of interest to the ETI Committee from the perspective of business access to finance and economic growth.</p>
15. Trade and Investment Strategy for Jobs and Growth	DETI	Non-legislative	<p>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>	<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.⁷⁶ 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. There is as yet no indication of when this strategy will be published.</p>

⁷⁴ <http://enews.ebf-fbe.eu/2014/12/capital-markets-union-what-is-at-stake/>

⁷⁵ *Ibid*

⁷⁶ 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)

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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.	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. ⁷⁷ 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. 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.
45. Company Law	DETI	Legislative: Codification	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). The purpose of	This initiative will see the codification of seven Company Law Directives, namely: Directive 82/891 – concerning the division of public limited companies; ⁷⁸ Directive 2005/56 – concerning the cross border mergers of limited liability companies; ⁷⁹ Directive 2009/101 –

⁷⁷ <http://ec.europa.eu/digital-agenda/en/audiovisual-media-services-directive-avmsd>

⁷⁸ <http://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX:31982L0891>

⁷⁹ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2005:310:0001:0009:en:PDF>

			codifying several company law directives into a single instrument is to increase transparency and readability.	concerning protecting the interests of members and third parties, and requiring companies to disclose certain documents; ⁸⁰ Directive 2009/102 – concerning company law on single-member private limited companies; ⁸¹ Directive 2011/35 – concerning the merger of public limited companies; ⁸² Directive 2012/17 – concerning the interaction of central, commercial and company registers; ⁸³ and 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. ⁸⁴ 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.
46. Petroleum/ Oil Refining Sector	DETI	Fitness check	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	This initiative will see a fitness check on a range of regulation governing the petroleum and oil refining sector: Renewables Energy Directive; The Energy Taxation Directive; The EU Emissions Trading System; The Fuel 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

⁸⁰ http://europa.eu/legislation_summaries/internal_market/businesses/company_law/mi0076_en.htm

⁸¹ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:258:0020:0025:EN:PDF>

⁸² <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32011L0035>

⁸³ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:156:0001:0009:en:PDF>

⁸⁴ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:315:0074:0097:EN:PDF>

			Quality Directive. Results expected for 2015.	The Air Quality Directive. 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. Results of the fitness check are expected in 2015.
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.	This initiative will see a cost assessment of relevant EU legislation on the European chemicals industry. Northern Ireland is home to 60 VAT or PAYE registered companies working in the production of chemicals and chemical products (March 2014). ⁸⁵ The sector employs 1,870 people on a full and part time basis (September 2014). ⁸⁶ 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. Results of this assessment are expected in 2015.
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.	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). ⁸⁷ The industry employs 220 people on a full and part time basis (September 2014). ⁸⁸ 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

⁸⁵ http://www.detini.gov.uk/1_vat_and_paye_tables_2014_v2.xls?rev=0

⁸⁶ http://www.detini.gov.uk/20143_table_5.12_amended.xlsx

⁸⁷ http://www.detini.gov.uk/1_vat_and_paye_tables_2014_v2.xls?rev=0

⁸⁸ http://www.detini.gov.uk/20143_table_5.12_amended.xlsx

				Committee. This assessment will commence in 2015.
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.	This initiative is another cost assessment of European legislation on industry. In this case the focus is on the glass and ceramics industry. 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 recognised brand in Belleek Pottery (who also own Galway Crystal). Any change to the industry's cost base, profit margins or international competitiveness will be potentially of interest to the Committee. This assessment will commence in 2015.
58. Construction Industry	DETI	Fitness check	Fitness Check of the most relevant EU legislation impacting on this sector in the area of internal market and energy efficiency. To be started in 2015.	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. 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. ⁸⁹ 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. ⁹⁰ The sector employs 29,860 people (4% of total

⁸⁹ <http://www.publictenders.net/node/2839193>

⁹⁰ http://www.detini.gov.uk/1_vat_and_paye_tables_2014_v2.xls?rev=0

				employment) (September 2014). ⁹¹ Any changes which impact the industry's competitiveness and sustainability will likely be of interest to the Committee.
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.	This initiative will see the codification, recast and repeal of trade legislation amended by Regulation (EU) 37/2014 ⁹² and Regulation (EU) 38/2014 ⁹³ both of which relate to common commercial policy. 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. The purpose of the initiative is to bring trade legislation in line with the Treaty on the Functioning of the European Union. 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.
Various	DETI	Evaluations		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: 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

⁹¹ http://www.detini.gov.uk/20143_table_5.4.xlsx

⁹² http://trade.ec.europa.eu/doclib/docs/2014/january/tradoc_152063_amend-procedures.en.L18-2014.pdf

⁹³ <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32014R0038>

				<p>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> <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.</p>
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				<p>Results of the evaluation are expected in 2016.</p> <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> <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,</p>
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				<p>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>
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