

Committee for the Office of First Minister and deputy First Minister

Assembly Committees – Priorities for European Scrutiny in 2013

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

**Ordered by The Committee for the Office of First Minister and
deputy First Minister to be printed 24 April 2013**

Report: NIA 108/11-15 Committee for the Office of First Minister and deputy First Minister

Membership and Powers

Powers

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

The Committee has the power to;

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

Membership

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

The membership of the Committee is as follows:

Mr. Mike Nesbitt (Chairperson)
 Mr. Chris Lyttle (Deputy Chairperson)
 Mr. Leslie Cree¹
 Mr. Colum Eastwood
 Miss Megan Fearon²
 Mrs. Brenda Hale³
 Mr. Alex Maskey
 Ms. Bronwyn McGahan⁴
 Mr. Stephen Moutray⁵
 Mr. George Robinson
 Mr Jimmy Spratt⁶

1 With effect from 11 march 2013 Mr Leslie Cree replaced Mr Robin Swann
 2 With effect from 10 September 2012 Ms Megan Fearon replaced Mr Francie Molloy
 3 With effect from 01 October 2012 Mrs Brenda Hale replaced Mr Trevor Clarke
 4 With effect from 10 September 2012 Ms Bronwyn McGahan replaced Ms Caitriona Ruane
 5 With effect from 01 October 2012 Mr Stephen Moutray replaced Mr William Humphrey
 6 With effect from 15 April 2013 Mr Jimmy Spratt replaced Mr Paul Givan

Table of Contents

Report	1
Appendix 1	
Minutes of Proceedings	7
Appendix 2	
Statutory Committee responses	
1. Committee for Agriculture and Rural Development	14
2. Committee for Culture, Arts and Leisure	15
3. Committee for Education	19
4. Committee for Employment and Learning	20
5. Committee for Enterprise, Trade and Investment	28
6. Committee for the Environment	35
7. Committee for Finance and Personnel	45
8. Committee for Justice	47
9. Committee for the Office of the First Minister and deputy First Minister	53
10. Committee for Regional Development	55
11. Committee for Social Development	56
Appendix 3	
MEP responses	
1. Martina Anderson	62
2. Diane Dodds	64
3. Jim Nicholson	72
Appendix 4	
RaISe Research Paper - European Commission Work Programme 2013	81

Assembly Committees – Priorities for European Scrutiny in 2013

1. This Report has its origins in one of the action points in the Inquiry into the Consideration of European Issues carried out by the Committee for the Office of the First Minister and deputy First Minister (the Committee) and published in February 2011:

Action 8

... Research and Library Services will screen the annual European Legislative and Work Programme and produce a prioritised menu of scrutiny topics relevant to each statutory committee....

2. This action had largely been progressed on an individual committee basis with RaISe. The Assembly's European Project Manager developed a proposal, based on the approach adopted in the Scottish Parliament, for a pilot project in which RaISe would carry out a single exercise to review the Commission's Work Programme for 2013 for measures relevant to the work of all statutory committees.
3. The Chairpersons' Liaison Group was briefed on the proposal in October 2012 and Chairpersons were content.
4. At its meeting on 24 October 2012, the Committee approved the proposed criteria to be used by RaISe in preparing its analysis of the Commission's Work Programme and for prioritising items which statutory committees may wish to scrutinise. Following this, at its meeting on 12 December 2012, the Committee considered the RaISe analysis and formally agreed to forward the relevant section to each statutory committee and seek each committee's views on its European priorities for the year ahead.
5. The Committee also agreed to write to Northern Ireland's MEPs and to the Department to seek their views on the European Commission's Work Programme for 2013.
6. Appendix 1 to the Report contains the responses received by the Committee.
7. Appendix 2 contains the responses received by the Committee from MEPs.
8. Appendix 3 contains the RaISe analysis of the European Commission's Work Programme for 2013.
9. Some of the priorities identified by committees are listed in bullet point format below but reference should be made to the relevant committee response at Appendix 1 for more information on the priorities and proposed committee actions.
10. At the end of 2013 the Committee plans to ask statutory committees to contribute to a follow up Report on Committees European Activity in 2013 with a view to a take note debate on both Reports.
11. Committee for the Office of the First Minister and deputy First Minister
 - EU Framework for National Roma Integration Strategies.
 - EU enlargement – in the context of the Executive's priority to "Share our experience of conflict resolution to assist others".
 - Subsidiarity – developing effective systems for monitoring and scrutiny.
 - Evaluation of PEACE III and implications for PEACE IV.
 - Review of the role of the Committee's EU advisory panel.
 - Development and dissemination of expertise in drawing down competitive EU funding.

- Scrutiny of the implementation of Executive's European Priorities for 2013/14 and the work of the Barosso Taskforce and Taskforce Working Group.
12. Committee for Agriculture and Rural Development
- Reform of Common Agriculture Policy.
 - The Common Fisheries Policy.
 - Implementation of EU Regulation – no “gold plating”.
 - Scrutiny of the process and systems around Single Farm Payments.
 - DARD's response to infraction proceedings.
 - DARD's approach to other EU funding.
13. Committee for Culture, Arts and Leisure
- The Creative European Programme 2014-2020.
 - Intellectual Property Rights Strategy.
 - Online Distribution of Audio-visual Works in the EU (Green Paper).
 - Draft Bill on music piracy and copyright protection.
 - Term of Music Copyright Directive 2011/77/EU.
 - Promoting Cultural and Creative Sectors for Growth and Jobs in the EU (European Commission Communication).
 - Work Plan for Sport: Developing the European Dimension.
 - Sport Sub-Programme.
 - Horizon 2020.
14. Committee for Employment and Learning
- Proposals for reinforcing partnering in research and innovation in Horizon 2020.
 - Modernisation of Public Employment Services.
 - Social Investment for Growth and Cohesion.
 - Review of the Technology Transfer Block Exemption Regulations.
 - State Aid modernisation – General Block Exemption Regulations.
 - Internationalisation of Higher Education.
 - State Aid modernisation in key sectors.
 - European Platform to fight undeclared work.
15. Committee for Enterprise, Trade and Investment
- The Annual Growth Survey.
 - State Aid modernisation: General Block Exemption Regulation.
 - State Aid modernisation in key sectors.
 - Review of the Technology Transfer Block Exemption Regulation.
 - Energy technologies and innovation in a future European Energy Policy and new climate and energy framework for the period to 2030.
 - Reforming the internal market for industrial products.
 - Fighting misappropriation of trade secrets.
 - Reducing the cost of broadband infrastructure.

- Action Plan on Wireless Communications for a Connected Europe.
 - Environmental climate and energy assessment framework to enable safe and secure unconventional hydrocarbon extraction.
16. Committee for the Environment
- EU's Strategy on Adaptation to Climate Change.
 - The new Climate and Energy Framework for the period up to 2030.
 - Review of the Thematic Strategy on Air Pollution and associated legislation.
 - Review of Waste Policy and legislation.
 - Environmental Climate and Energy assessment Framework to Enable Safe and Secure Unconventional Hydrocarbon Extraction.
 - Post 2015 Development Agenda and the follow-up to Rio+20 including Development of Sustainable Development Goals.
17. Committee for Finance and Personnel
- Common Strategic Framework regulations and funds.
 - Initiative on E-invoicing in the field of public procurement.
 - Communication on guidelines for standards-based public procurement of ICT systems.
18. Committee for Justice
- Special Safeguards in Criminal Proceedings for Suspected or Accused Persons who are Vulnerable.
 - Service in the Member States of Judicial and Extra Judicial Documents in Civil and Commercial Matters.
 - Framework for Administrative Measures for the Freezing of Funds, Financial Assets and Economic Gains of Persons and Entities Suspected of Terrorist Activities inside the EU.
 - Fighting Money Laundering.
 - Fighting Cigarette Smuggling.
 - Initiatives on Firearms: Reducing Gun Crime in Europe.
 - EU Directive on Human Trafficking.
 - EU Directive on standards relating to the rights, support and protection of victims of crime.
 - Primary legislation to permit the mutual recognition of judgements and probation decisions.
 - The UK's 2014 Opt-out decision.
19. Committee for Regional Development
- Trans-European Transport Network (TEN-T).
 - Connecting Europe Facility (CEF).
20. Committee for Social Development
- The Bank Account Legislative Package.
 - The European Platform to Fight Undeclared Work.
 - Effective Institutions for occupational retirement pensions.
21. The Committee for Education and the Committee for Health, Social Services and Public Safety reported that there were no measures relevant to their work identified in the RaISe analysis of the Commission's Work Programme.



Northern Ireland
Assembly

Appendix 1

Minutes of Proceedings

Wednesday 24 October 2012

Room 30, Parliament Buildings

Present: Mr Mike Nesbitt (Chairperson)
Mr Chris Lyttle (Deputy Chairperson)
Mr Colum Eastwood
Mr Paul Givan
Mr John McCallister
Ms Bronwyn McGahan
Mr George Robinson

Apologies: Miss Megan Fearon
Mrs Brenda Hale
Mr Alex Maskey
Mr Stephen Moutray

In Attendance: Mr Alyn Hicks (Assembly Clerk)
Mr Keith McBride (Assistant Assembly Clerk)
Mr Stephen Magee (Clerical Supervisor)
Mrs Marion Johnson (Clerical Officer)
Mr Tim Moore (Senior Researcher) Item 6 only

2.07pm The meeting opened in public session.

6. EU Pilot Project

A Senior Researcher from the Assembly's Research and Information Service briefed the Committee on draft criteria for the proposed EU Pilot Project to support statutory committee engagement in European issues.

3.00pm Mr Eastwood left the meeting.

Agreed: The Committee agreed that it was content with the criteria for proposed EU Pilot Project.

4.26pm The Chairperson adjourned the meeting.

[EXTRACT]

Wednesday 12 December 2012

Room 30, Parliament Buildings

Present: Mr Mike Nesbitt (Chairperson)
Mr Colum Eastwood
Mr Paul Givan
Mr Alex Maskey
Mr John McCallister
Ms Bronwyn McGahan
Mr Stephen Moutray
Mr George Robinson

Apologies: Miss Megan Fearon
Mr Chris Lyttle

In Attendance: Mr Alyn Hicks (Assembly Clerk)
Mr Keith McBride (Assistant Assembly Clerk)
Mr Stephen Magee (Clerical Supervisor)
Mrs Marion Johnson (Clerical Officer)

5. European Commission Work Programme Pilot Project

The Committee considered the Assembly's Research and Information Service's Report on the European Commission's Work Programme for 2013.

Agreed: The Committee agreed to write to all statutory committees enclosing the relevant sections of the report and requesting that committees respond providing details of their priorities in relation to European issues and proposed actions.

3.17 p.m The Temporary Chairperson adjourned the meeting.

[EXTRACT]

Wednesday 24 April 2013

Room 30, Parliament Buildings

Present: Mr Mike Nesbitt (Chairperson)
Mr Chris Lyttle (Deputy Chairperson)
Mr Leslie Cree
Mr Colum Eastwood
Miss Megan Fearon
Mr Alex Maskey
Ms Bronwyn McGahan
Mr George Robinson
Mr Jimmy Spratt

Apologies: Mrs Brenda Hale
Mr Stephen Moutray

In Attendance: Mr Alyn Hicks (Assembly Clerk)
Mr Christopher McNickle (Assistant Assembly Clerk)
Mr Keith McBride (Assistant Assembly Clerk)
Mr Stephen Magee (Clerical Supervisor)
Mrs Marion Johnson (Clerical Officer)

9. **Committee EU Priorities for 2013 – Draft Report**

The Committee considered the draft Report on Committees' EU Priorities for 2013.

Agreed: The Committee agreed paragraphs 1-10 of the report.

Agreed: The Committee agreed paragraphs 11-13 of the report.

Agreed: The Committee agreed paragraphs 14-17 of the report.

Agreed: The Committee agreed paragraphs 18-21 of the report.

Agreed: The Committee agreed the Table of Contents of the report.

Agreed: The Committee agreed an amendment to Appendix 1 and to include Appendix 1, as amended, in the Report.

Agreed: The Committee agreed to include Appendix 2 in the Report.

Agreed: The Committee agreed to include Appendix 3 in the Report.

Agreed: The Committee agreed that the Report be printed.

4.18 pm The Chairperson adjourned the meeting

[EXTRACT]



Northern Ireland
Assembly

Appendix 2

Statutory Committee Responses

List of Statutory Committee responses

1.	Committee for Agriculture and Rural Development	14
2.	Committee for Culture, Arts and Leisure	15
3.	Committee for Education	19
4.	Committee for Employment and Learning	20
5.	Committee for Enterprise, Trade and Investment	28
6.	Committee for the Environment	35
7.	Committee for Finance and Personnel	45
8.	Committee for Justice	47
9.	Committee for the Office of the First Minister and deputy First Minister	53
10.	Committee for Regional Development	55
11.	Committee for Social Development	56

Committee for Agriculture and Rural Development

European Commission Work Programme 2013 – Committee Priorities

Committee: Committee for Agriculture and Rural Development

Background

The Committee considered the papers from the Committee for OFMDFM and received an oral briefing from Raise. The Committee noted that it currently undertakes considerable work around EU issues and subjects including (i) CAP Reform - producing a position paper, liaison with other appropriate committees in the devolved regions, Westminster and the Dail and a seminar on Greening the CAP (ii) CFP including recently commissioning detailed and in-depth research and evidence sessions with key stakeholders and DARD on CFP issues (iii) scrutiny of implementation of EU regulation in NI to ensure no gold plating and equality of implementation with other Member States (Laying Hens, Welfare of Pigs, Dairy Package etc.) (iv) detailed Committee review into Single Farm Payment and financial penalties / disallowance (v) DARD response to potential EU Infraction procedures such as the SAC and Horse Mussel at Strangford Lough (vi) scrutiny of the DARD position and procedures around other EU funding such as Rural Development Programme or the Veterinary Fund for Bovine TB. The Committee has also taken a great interest in and actions around concerns it had with the EC package of proposals on roadworthiness tests for motor vehicles and their trailers, roadside inspection and vehicle registration. It has major concerns on the negative impact this would have on farmers. It raised the issue, as did many others, with Ulster Farmers Union, with DARD and with the three Northern Ireland MEPs.

As a result of the papers and the briefing, the Committee agreed that it would ask DARD for a written brief on its policy and position on the subjects mentioned in the papers. It also agreed to pass the information to the three MEPs for their comment and input.

However, the Committee is clear that its EU Priorities, based on the maximum potential impact for Northern Ireland would be CAP Reform, CFP, continuous scrutiny of the process and systems around Single Farm Payments including financial penalties and the new NIRD.

Agreed Priorities for 2013 from the European Commission Work Programme

Scrutiny of DARD position, policy and influence within the devolved regions, Whitehall and Westminster and with the EU Commission regarding the subjects mentioned in the paper.

Summary of Proposal

Written brief from DARD

Request comment from the three Northern Ireland MEPs

Other EU activity planned for 2013

Note – please see comments from Committee for Agriculture and Rural Development on page one

Other comments

Committee for Culture, Arts and Leisure



Northern Ireland
Assembly

Committee for Culture, Arts and Leisure

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

Our Ref: C83/13

11th February 2013

Dear *Mike*,

Committee EU Priorities

At its meeting on 7th February 2013 the Committee for Culture, Arts and Leisure agreed that I should write to you to highlight the Committee's EU priorities for the remainder of this year.

As you are aware, there were no CAL-related issues coming out of the EU Commission Work Programme for 2013. However, at its 7th February meeting the Committee received a briefing on CAL-related EU work. It is largely from this briefing and the Committee's recent Creative Industries Inquiry that Members have identified the issues that they wish to prioritise.

Attached is the pro-forma which you forwarded which has now been completed to reflect these CAL Committee priorities.

Yours sincerely,

Michelle McIlveen

Ms Michelle McIlveen MLA
Chairperson
Committee for Culture, Arts and Leisure

Enc.

European Commission Work Programme 2013 – Committee Priorities

Committee: Committee for Culture, Arts and Leisure

Background

The CAL Committee considered the correspondence from the OFMDFM Committee with respect to its EU priorities at its meeting on 10th January 2013. Members agreed that the Committee would respond to the OFMDFM Committee following the receipt of RaISe papers on CAL-related EU issues that the Committee may wish to pursue. At this meeting the Committee also noted that there were no specific CAL-related items coming from the EU Commission's 2013 Work Programme.

Agreed Priorities for 2013 from the European Commission Work Programme

As noted above, there were no CAL-related items identified in the 2013 CWP; however, the Committee's EU-related activities are set out below.

Other EU activity planned for 2013

The CAL Committee has received briefing from RaISe regarding the issues outlined below which Members anticipate following as part of their EU workstream.

Creative Europe programme 2014–2020:

The proposal for a regulation to establish this programme is currently undergoing its first reading in the European Parliament, and opinions have been issued by the Committee of the Regions and the Economic and Social Committee. The next stage will be for the proposal to go to the Council, and into its second reading. The current proposal can now be pinned down as the Multiannual Financial Framework (MFF) is agreed.

Opinion can be conveyed via liaison with both the European Parliament, through MEPs and the Culture and Education Committee, as well as UK ministers.

The Committee will consider contacting DCAL for information on how it has engaged with proposals for the Creative Europe programme to date, and how it plans to encourage use of the programme by the relevant sectors in Northern Ireland.

Intellectual Property Rights Strategy:

A number of measures are in the process of being acted upon now, including the creation of a unitary patent protection system, better protection of brands through a modernised trademark system, facilitating EU access to copyright-protected works (particularly online), and more effective cooperation in the EU against counterfeiting and piracy.

The measures will continue up until the end of 2014.

The Committee looked at the issue of IPR during its Creative Industries Inquiry and Members are keen to maintain a watching brief on this strategy as it develops.

The measures contained within the strategy will be of particular interest to the screen and music industries in Northern Ireland and the Committee will be urging DCAL and the relevant agencies to communicate any forthcoming changes to the Creative Industries sector. It is anticipated that there will be particular interest in measures on simplifying management of copyright, and the online distribution of audiovisual works, as per the item below.

Green Paper on the Online Distribution of Audiovisual Works in the EU:

This paper focuses on the cross-border availability of audiovisual works across the EU, and in particular on the copyright licensing framework. It discussed a number of regulatory approaches to licensing and the remuneration of authors and performers for the online use of their works. A public consultation was launched in late 2011 and has now closed.

Follow-up actions are expected to target ways of stimulating the European audiovisual sector, particularly in areas such as video-on-demand and cross-border broadcast services.

No measures have yet been announced, but are expected throughout 2013/14. The Committee will maintain a watching brief with respect to this issue.

Draft bill on music piracy and copyright protection:

This bill was presented in July 2012, intending to combat music piracy and strengthen copyright protection. The intention is to force companies that manage music rights to pay artists their royalties more speedily. Again, this is an issue that was raised during the Committee's Inquiry into the Creative Industries and Members will look at gauging the views of music practitioners in Northern Ireland and seek an update from DCAL and the Arts Council of Northern Ireland on how any legislative changes will affect the music and wider creative industries here. Depending on its findings, the Committee may seek to communicate its views to the relevant committees in the Houses of Parliament.

Term of Music Copyright Directive 2011/77/EU:

The EU has changed the law on music copyright protection so that it will now last 70 years rather than 50 years. A draft regulation to implement Directive 2011/77/EU, bringing this change into effect in UK law, has now been formed and is currently being consulted on by the UK Intellectual Property Office, closing on 4 March 2013.

The EU's involvement with this issue is now completed, but the Committee has the option of responding to the UK Intellectual Property Office consultation in terms of how the change is carried into UK law and Members may wish to do this.

European Commission Communication on Promoting Cultural and Creative Sectors for Growth and Jobs in the EU:

This communication proposes a wide range of measures, the timetable for which is still not clear. As the Committee has recently undertaken an Inquiry into the Creative Industries, Members are very interested in this Communication. This is still a relatively new development, but the Committee is likely to maintain a watching brief on this item, for example, with regard to a potential loan guarantee fund for the fashion industry, and continuing attempts to improve the EU regulatory framework for the cultural and creative sectors. Members are already keen to get information on how these potential loan guarantee funds would work and how localised their administration will be. Further green papers or draft legislation may emerge from this communication in due course.

Current work plan for sport: Developing the European Dimension in Sport:

The various expert groups have continued to work on the work plan for sport, especially regarding issues such as education and training for elite sporting athletes, sport statistics, corruption and match-fixing.

The Committee is likely to maintain a watching brief on any studies and initiatives which may emerge from the work plan; in particular the possibility of funding through a new Sport Sub-Programme (see below) will be watched closely.

The Committee is likely to communicate with DCAL regarding its engagement, either directly or through DCMS, with the annual EU Sports Forum, at which various elements of the work plan for sport are discussed.

Sport Sub-Programme:

Further details of this proposal are expected in the coming months. It is understood that at present there are no major differences between the Commission's proposal and opinions in

the European Parliament. Grassroots sport is expected to be the main beneficiary, as well as a European Day or Week of Sport.

The Committee is likely to maintain a watching brief regarding the announcement of a Sport Sub-Programme, and liaise with DCAL and relevant sporting bodies regarding their use and interpretation of any emerging programme. The introduction of such a programme may involve the passing of a regulation, which in itself may provide opportunities for engagement and comment via the European Parliament's Culture and Education Committee, MEPs, and DCMS.

Horizon 2020:

It should become clear soon how well the proposals for Horizon 2020 funding have emerged within the context of the overall EU budget for 2014–2020. It is expected that the relevant legislative acts will be passed by the end of 2013, with the new framework commencing from the beginning of 2014.

The Committee is very interested in this programme and Members believe that there is considerable potential for the Creative Industries to make use of Horizon 2020. Members will scrutinise DCAL on its role in encouraging such sectors to seek funds from the framework. Following the Committee's inquiry into the Creative Industries, it is likely that Members will wish to engage with stakeholders to gauge the degree of take-up of Horizon 2020 funds in due course.

General Comments:

The Committee will be seeking regular updates from both RalSe and the Department with respect to EU issues and Members expect to be in more regular contact with the relevant Barroso Task Force Desk Officer. While the Committee currently has no plan for a visit to Brussels, research is being undertaken around a number of possible EU-related visits. The Committee's recent Creative Industries Inquiry has a strong EU element to it and the Committee's current Investigation into Gaps in Child Protection and Safeguarding across the CAL remit also has an EU dimension.

Committee for Education

Committee for Education

Room 241
Parliament Buildings
Tel: +44 (0)28 9052 21821
Fax: +44 (0)28 9052 1371

To: Alyn Hicks
Clerk to the Committee for the Office of the First Minister and deputy First Minister

From: Peter McCallion
Clerk to the Committee for Education

Date: 14 January 2013

Subject: European Commission Work Programme – Pilot Project

Dear Alyn,

European Commission Work Programme – Pilot Project

The Committee noted your correspondence dated 13 December 2013 regarding the European Commission Work Programme – Pilot Project at its meeting on 9 January 2013.

As the Commission's Work Programme does not include measures relevant to the Education Committee, a null response is made to your request for information.

Yours sincerely

Regards

Peter McCallion
Committee Clerk

Committee for Employment and Learning

Committee for Employment and Learning

Room 346
Parliament Buildings
Tel: +44 (0)28 9052 1653
Fax: +44 (0)28 9052 1433

To: Alyn Hicks,
Clerk to the Committee for the Office of the First Minister and Deputy First Minister

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

Date: 20 February 2013

Subject: **European Commission Work Programme Pilot Project**

1. In response to your correspondence of 13 December 2012, in which you provided a Research and Information Service Research Paper on the European Commission Work Programme 2013, and requested that the Committee for Employment and Learning identifies, from the issues outlined in the paper, its priorities and steps that it intends to take to engage on these issues.
2. The Committee for Employment and Learning has considered the relevant aspects of the work programme and has provided the following response.

Background

3. On 14 November 2012, as part of its engagement with the European Commission Annual Legislative Work Programme, the Committee for Employment and Learning was briefed by the Northern Ireland Assembly Research and Information Service on the Commission's Annual Legislative Work Programmes for 2012 and 2013.
4. The briefing was followed by a question and answer session and the Committee requested further details including a research paper on the differences in how unemployment figures are formulated across Europe.
5. Also during the briefing the Committee agreed to provide a copy of the research paper to the Department and given that a number of the issues were also of interest to the Committee for Enterprise, Trade and Investment and the Committee for Regional Development, the Committee agreed to write to these Committees providing them with a copy of the communication from the Commission on the 2013 Work Programme.
6. Also during the meeting on the 14 November, the Committee was briefed by Mr Gordon Brown, Barroso Taskforce Working Group Competiveness and Employment Thematic Group Desk Officer on European Issues (via video-link from Brussels) and Mr Colin Jack, Director of Strategy, European and Employment Relations Division.

7. During the briefing the Department agreed to provide further information requested by the Committee including:
- A copy of the Thematic Officer's paper to the Department's Thematic Group when it is finalised.
 - An outline of the Department's strategy for developing relationships with other Member States and what progress has been made to date.
 - A paper regarding what plans the Department has for youth initiatives as outlined in the Commission's Work Programme 2013.
 - Information on how the Department intends to action the ideas and suggestions received from the Thematic Officer in Brussels.
8. The Committee has considered the responses it has received on these matters and has agreed on its priorities and the steps that it intends to take to engage on these issues. The Priorities are attached at annex A.

Cathie White

Committee Clerk

Annex A:

European Commission Work Programme Pilot Project – Committee for Employment and Learning Priorities

EU Work Programme Issues	Detail	Relevance	Committee Actions
<p>Priority 1: Proposals for reinforcing Partnering in Research and Innovation under Horizon 2020</p>	<p>Leveraging and pooling efforts on key industrial sectors and in global development assistance through the renewal and creation of Public-Private Partnerships (PPPs). Includes PPP for joint implementation of national research programmes, to underpin industrial competitiveness by supporting R&D performing SMEs, cutting edge meteorology and ICT based products, and services for the elderly. Another will fight against poverty-related diseases in Sub-Saharan Africa.</p>	<p>The Committee recognises the importance of these Proposals for European Funding and particularly the need for Northern Ireland Enterprises, and in particular its universities and colleges to up-skill on how to build European partnerships to draw down funding from the new Horizon 2020 programme. Implications for a number of organisations in Northern Ireland, including Universities, SMEs, companies and research organisations. However, it should be noted that a Roadmap has only been produced regarding fighting disease in areas such as Sub-Saharan Africa and as such it is not possible at this point to detail the full proposals impact.</p>	<p>The Committee has requested a joint briefing by the UU, QUB and University College Dublin on its funding partnerships. On 4 to 7 March 2013 the Committee will visit the CERN Institute in Geneva to look at funding opportunities for Northern Ireland enterprises. The Committee will be joined by representatives from the Northern Ireland Assembly Business Trust, the Universities and Colleges as well as the Institute of Physics to look at opportunities. As part of the trip the Committee and the representatives of the bodies will make study visits to the University of Geneva to look at aspects of how it is engaging with partners to apply for funding and to look at the possibility of establishing links with the University. The Committee has brought the Research and Information Service paper highlighting the EU work priorities to the attention of the Department and the Committee for Enterprise, Trade and Investment and Committee for Regional Development.</p>

EU Work Programme Issues	Detail	Relevance	Committee Actions
<p>Priority 2 Modernisation of Public Employment Services</p>	<p>This package will cover all elements of the reform of EURES including the delivery of a European Employment Guarantee and the setup of a formal European network of Public Employment Services (PES), to help develop and implement a European Labour Mobility Action Plan for modernisation and strengthening of PES to help transitions on labour markets.</p>	<p>The Committee has an interest in the job mobility website portal as part of its Inquiry into CEIAG in Northern Ireland and specifically when it considers how information on possible jobs and careers is disseminated. This could encourage labour market mobility across the EU, creating employment opportunities for NI residents.</p>	<p>The Committee will consider the package as part of its Inquiry including whether it should be highlighted in the report and if it has a bearing on the report recommendations.</p> <p>The Committee has brought the Research and Information Service paper highlighting the EU work priorities to the attention of the Department and the Committee for Enterprise, Trade and Investment and Committee for Regional Development.</p>
<p>Priority 3 Social Investment for Growth and Cohesion – Including implementing the ESF 2014-2020</p>	<p>Providing guidance on increasing efficiency, effectiveness and adequacy of social protection systems; improving activating and enabling policies; social inclusion and adequate livelihoods.</p> <p>The Communication will contribute to implementing the Europe 2020 strategy/European Semester, support the design of social investment in the National Reform Programmes and assist Member States in making best use of EU funds, ESF in particular.</p>	<p>The Committee has a core interest in the ESF given the DEL administration of the Fund.</p> <p>ESF is an important fund for Northern Ireland and as such any changes to it could have implications here.</p>	<p>The Committee will request that the Brussels Thematic Officer provides an overview of this Communication during his quarterly briefings with the Committee.</p>

EU Work Programme Issues	Detail	Relevance	Committee Actions
<p>Priority 4 Review of the Technology Transfer Block Exemption Regulations and its Guidelines</p>	<p>Technology transfer agreements concern the licensing of technology. Such agreements will usually improve economic efficiency and be pro-competitive as they can reduce duplication of research and development, strengthen the incentive for the initial research and development, spur incremental innovation, facilitate diffusion and generate product market competition. The objective of the Review is to improve framework conditions for licensing of technology for production thereby stimulating innovation and growth while ensuring effective competition.</p>	<p>This is of interest to the Committee due to its impact on Universities.</p> <p>Whilst there is no roadmap for this proposal, based on the limited information available it could have an impact on spin-off companies developed by NI's universities to commercialise their research. This could also impact on NI businesses.</p> <p>However, it is hard to state to what extent as a result of limited information</p>	<p>The Committee will keep itself updated on this issue and ask universities if they are aware of the regulations and what the possible impact will be.</p>

EU Work Programme Issues	Detail	Relevance	Committee Actions
<p>Priority 5: State Aid Modernisation: General Block Exemption Regulations</p>	<p>Since 2008 the General block exemption has enabled the granting of regional aid without the need to meet the notification requirement when the aid is directed towards R&D, the environment, employment and training, and aid that complies with the map approved by the Commission for each Member State.</p> <p>The intention of this is to reduce the administrative burden on Member States. It also has implications for SMEs as the current exemption exempts aid under certain conditions aid in favour of small and medium-sized enterprises.</p>	<p>This is of interest to the Committee as it may have an impact on the Universities regarding research and development funding.</p> <p>The Committee's interest stems from the current exemptions given to employment and training.</p>	<p>The Committee will keep itself updated on this issue and ask universities if they are aware of the regulations and what the possible impact will be.</p>

EU Work Programme Issues	Detail	Relevance	Committee Actions
<p>Priority 6: Internationalisation of Higher Education Low - the communication will only impact on third level institutions. However, the extent of this impact will depend on the recommendations of the Communication</p>	<p>Europeans need to be prepared for an increasingly global, open and competitive labour market. European universities are subject to growing global competition to attract talent and exchange knowledge. The Communication will review the different policies and programmes that can support them in furthering their internationalisation efforts</p>	<p>This is of interest to the Committee as it may have an impact on the Universities. The income generated by international students is becoming increasingly more important as a source of revenue for Universities and plays a role in other areas such as research and development. This is an important sector for NI, with the Department encouraging the universities in their collaboration across international borders.</p>	<p>The Committee keeps updated on this issue and ask universities if they are aware of the regulations and what the possible impact will be. The Communication is at an early stage of development.</p>
<p>Priority 7: State Aid Modernisation in Key Sectors Medium (subject to change as more information becomes available)</p>	<p>Reviews of the compatibility criteria included in the following guidelines for aid to Research & Development & Innovation; for aid to risk capital, for regional aid, for environmental aid, for industrial Rescue and Restructuring aid, and for aid to airports and airlines. These revisions aim at supporting the EU's strategy for economic growth, at giving a better focus to the Commission's enforcement work and at taking Commission decisions quicker.</p>	<p>This is of interest to the Committee as it may have an impact on the Universities regarding research and development funding. State Aid has been an important part of Northern Ireland's economic development for a number of years. The review of aid for R&D&I may be of special note to the Committee.</p>	<p>The Committee will consider the review when it is complete. As with other aspects of the 2013 CWP there is a limited amount of information currently available on this topic. However, due to the importance of state aid to Northern Ireland. The Committee will ask the Department for its assessment of the impact of such a review.</p>

EU Work Programme Issues	Detail	Relevance	Committee Actions
<p>Priority 8: European Platform to fight undeclared work.</p> <p>Low to medium (this may be subject to change as a result of the lack of detail currently available on the proposal).</p>	<p>This draft decision established a European platform between labour inspectorates and other enforcement bodies. It aims for a more coherent approach by covering all the key areas influenced by undeclared work and supporting a more effective fight against undeclared work by way of improving cooperation, sharing best practice and identifying common principles.</p>	<p>This is of general interest to the Committee as it sits with the UK Government.</p> <p>Cracking down on undeclared work could have a number of impacts, including in dealing with benefit fraud and potentially increasing tax revenues. It may also help in areas such as illegal immigration.</p>	<p>This appears to be at an early stage of development so the Committee may wish to ask the Department if it is aware of any actions taken by the EU Commission in regards it.</p>

Committee for Enterprise, Trade and Investment

Request to DETI From the Committee

At its meeting on 17th January 2013 the ETI Committee noted a research paper on the EU Commission Work Programme for 2013 prepared by the Assembly Research Section. Members asked for a progress report on the priorities identified for DETI.

Departmental Response

The majority of priorities identified for DETI overlap with our contribution to the Barroso Taskforce Working Group (BTWG), to the extent that the Department's BTWG targets appear in full within the text of the document. The Department recently provided the Committee with a progress report on these (copy attached at Annex A).

An update on the other main DETI responsibilities identified within the research paper is provided below.

[Note that the paragraph numbering replicates that used in the DETI section of the paper prepared by the Assembly Research Section.]

1 The Annual Growth Survey

This survey will include a review, progress report and forward look with strategic policy guidance for all Member States. While it is of interest to DETI, there is no regional dimension to the exercise, so likely to be of limited value in guiding regional /NI policy.

9 State aid Modernisation: General Block Exemption Regulation

The General Block Exemption Regulation (GBER) currently exempts 26 different types of State aid from the full notification requirement. It is an important regulation as it provides a relatively quick and easy way of providing State aid cover for programmes and projects that fall within its scope. It is utilised to for a number of schemes in Northern Ireland and is expected to continue to play an important role in the future. The current GBER expires on 31 December 2013 and will be replaced by a new exemption regulation that will cover the 2014 – 2020 period. The Commission has not yet started formal consultations on the new regulation, as this consultation will be driven by the outcomes of consultations on the other State aid rules (including the post 2013 Regional Aid Guidelines). Early indications are that the new regulation will cover the 26 types of State aid in the current GBER and its scope will be widened to also cover innovation, heritage and culture, certain broadband projects, natural disasters, forestry and non Annex 1 products as well as aid to residents of remote regions for transport. This widening of scope is welcomed and DETI is liaising closely with the Department of Business Innovation and Skills, which has the lead on all State aid matters.

10 State Aid Modernisation in Key Sectors

As noted in the research paper, the European Commission is engaging in an extensive State aid modernisation exercise. This involves reviewing a number of guidelines, regulations and other communications that together are known as the State aid rules. DETI is the primary point of contact for the Department of Business Innovation and Skills, which has the lead responsibility in the UK for all matters relating to the State aid rules and its role is to ensure Northern Ireland priorities and policies are fully reflected in the UK's position. Whilst most of the European Commission's proposals are acceptable to the UK and Northern Ireland, the committee will recall that DETI continues to have significant concerns over the European Commission's proposals for Regional aid. The committee has requested a separate update on the position on Regional aid and this update is provisionally scheduled for the ETI committee meeting on 28 February 2013.

11 Review of the Technology Transfer Block Exemption Regulation and its Guidelines

DETI is aware of the European Commission's proposal to review the Technology Transfer Block Exemption Regulation and its guidelines. As the research paper highlights there is currently no roadmap for this proposal, but it could have an impact on spin-off companies developed by NI's universities to commercialise their research. Under the Treaty on the Functioning of the European Union there is a general prohibition on technology transfer agreements between companies, which the European Commission sees as having the potential to distort trade between Member States. This is because such agreements could create a monopoly / oligopoly / market power situation. However, the European Commission also accepts in certain circumstances such technology transfer agreements are beneficial to the single market and should therefore be 'exempted' from the general prohibition. This block exemption regulation sets out the conditions under which an exemption from the prohibition can be allowed and the objective of the review is to improve these conditions thereby stimulating innovation and growth while ensuring effective competition. As with State aid matters, the Department of Business Innovation and Skills (DBIS) will take the UK lead on this issue and DETI is expected to be the primary point of contact when DBIS consults with the Devolved Administrations to develop the UK's position.

12 Energy Technologies and Innovation in a Future European Energy Policy (Non-legislative)

DETI recently provided an update to the ETI Committee on progress in its work on development of a vision for energy to 2050, as follows:

The assignment currently underway is for the development of a long-term vision, to 2050, for energy in Northern Ireland. The final report will include recommendations as to the next steps that need to be taken to prepare and plan for the long term challenges of 2050. DETI officials wrote to the Committee Clerk on 10 December 2012 to advise that the work was underway. DETI estimates that the report should be publicly available in late spring.

Therefore work is already underway to establish a longer-term perspective on energy in the region.

To Note: DETI is planning to extend the natural gas network to the West and additional areas of the NW of Northern Ireland, and to East Down. The project(s) will connect some 45,000 energy consumers, thus replacing more polluting oil.

13 Reforming the Internal Market for Industrial Products

DETI has lead responsibility on Better Regulation for the NI administration and we maintain a watching brief on EU developments. However, each NI Department has responsibility for implementing the better regulation principles when developing policies and legislation which potentially have an impact on business.

14 Review of the Standardisation ACQUIS

See answer to 13 above.

21 Fighting Misappropriation of Trade Secrets

Invest NI experience is that the misappropriation of trade secrets is not a significant challenge facing Northern Ireland companies and does not appear to impact significantly on companies setting up licensing agreements. Loss of commercial secrets and customer databases is often a much more significant challenge.

It could indeed be argued that a more restrictive approach on the protection of trade secrets could be counterproductive for small Northern Ireland companies who often rely on trade knowledge if not secrets from previous employers to establish new enterprises.

23 Reducing the Cost of Broadband Infrastructure

In progressing the NI Broadband Improvement Project DETI conducted a public consultation. Over 700 responses were received and are continuing to be analysed. This will assist in accurately identifying the area of intervention. The outcome of this analysis will shortly be published on the Department's website. Work is also nearing completion on finalising the tender documentation that will allow suppliers to bid for this work in the next few months. In line with reducing costs one of the conditions of this procurement will be to provide access to infrastructure deployed on a wholesale basis.

24 Action Plan on Wireless Communications for a Connected Europe

Providers are consolidating their services and preparing for the introduction of 4G services. The switch off on analogue TV last year created space for more mobile traffic and an auction has commenced for this space across the UK. Northern Ireland has secured a regional target of 95% coverage here when licences are awarded. The UK Government is also developing a procurement to improve 2G service across the whole of the UK.

As a result of this activity it should see mobile infrastructure and services across NI dramatically improve. However there are still likely to be some gaps. DETI intend to review the situation later this year when the position will be clearer to assess the where any intervention needs to be targeted.

DETI continues to engage with EU policy officials to better understand how the Connecting Europe Facility might be utilised. Discussion also continues through the Barroso Taskforce.

38 New Climate & Energy Framework for the Period 2030

See answer to 12 above

41 Environmental Climate and Energy Assessment Framework to Enable Safe and Secure Unconventional Hydrocarbon Extraction

GSNI will keep abreast of developments regarding this initiative and review research emerging from the framework.

Reply prepared by: DETI European Support Unit

5 February 2013

Annex A

Request to DETI from the Committee

At its meeting on 10 January 2013 the ETI Committee received a response from the Department in relation to Barroso Taskforce Working Group.

Members noted that the briefing included targets which are activity based rather than outcome focused and therefore want the Department to provide the following additional information on:

- (i) the process and actions to date for each of the targets identified, and
- (ii) what percentage of the additional 20% EU funding has been drawn down.

Departmental Response

- (i) Overall progress against 2012-2013 targets, including process and action

22 of the 23 DETI targets are on track: 17 with Green RAG status, 5 with Amber/Green RAG status and 1 with Red RAG Status.

Details of the process and actions to date relating to each target is provided below.

Innovation & Technology: DETI Only Targets, 2012/13

Target Number	Title of Target	Lead Dept	Rag Rating	Process & Action
IT1.1	Play an active role in the Enterprise Europe Network, participating in at least two network events by November 2012.	DETI	GREEN	Achieved. (3 events attended.)
IT1.2	Participate in the European Regions Research and Innovation Network, hosting at least two Brussels-based events to increase the visibility of regional research capability by end 2012.	DETI	GREEN	Achieved. (3 events held.)
IT1.3	Provide advice, guidance and, where necessary, financial support to encourage greater participation in the final FP7 call in July 2012, with an increase in participation by the closing dates in 2013.	DETI	GREEN	On track. (Extensive programme of activities delivered and ongoing.)
IT1.4	Host at least 15 workshops or events to promote collaborative R&D opportunities by April 2013.	DETI	GREEN	On track. (14 events held to date.)
IT1.5	Actively prepare for Horizon 2020 during 2012-13, playing an active role in the UK's negotiations and participating in at least two working groups.	DETI	GREEN	Achieved. (Participating in 3 BIS working groups.)
IT1.6	Appoint a Horizon 2020 Manager by the end of December 2012.	DETI	GREEN	Achieved.
IT1.7	Secure €50m of FP7 funding by 31 March 2013	DETI	GREEN	On track. (DETI now anticipate €60m by December 2013.)

Target Number	Title of Target	Lead Dept	Rag Rating	Process & Action
IT1.8	Introduce an enhanced Higher Education EU Framework Support Fund by end September 2012.	DETI/ DEL	GREEN	The Fund has now been established and letters of allocation issued on 13 November 2012
IT2.1	Facilitate a meeting between relevant Commission Officials and DETI Telecoms/Energy policy leads, and develop an action plan for future engagement by March 2013.	DETI	AMBER/ GREEN	On track. DETI engaged with Commission officials during a visit to Brussels in Sept'12 and this engagement is continuing through the NI Bureau. We are exploring what opportunities there may be for the future funding of telecoms and energy projects through the Connecting Europe Facility. The outcome of this will help determine any future engagement with the Cion and the need for any action plan.
IT3.1	Launch a £50m Growth Loan Fund and a £5m Small Business Loan Fund by end March 2013.	DETI	GREEN	On track. (Growth Fund live; SB Loan Fund being finalised.)
IT10.1	Present emerging thinking on a smart specialisation strategy for a peer review exercise organised by DG Regional Policy in June 2012.	DETI	GREEN	Achieved
IT10.2	Produce a draft smart specialisation strategy for Executive agreement by end 2012.	DETI	AMBER/ GREEN	Smart Specialisation strategy has been subsumed into Innovation Strategy which will be tabled for Executive agreement in 2013

Competitiveness & Employment – DETI Only Targets, 2012/13

CE1.1	Support up to 8 investments in the range 250k to £450k through the European Regional Development Fund part-financed co-investment fund.	DETI	GREEN	On track.
CE1.2	Provide Input to the ongoing EU and UK negotiations on the future Financial Engineering articles in the 2014-20 Structural Funds 'Common Provisions regulation' and the Programme for the Competitiveness of Enterprises and SMEs 2014-20 (COSME) regulations by 31 March 2013, to ensure the regions requirements are reflected.	DETI	GREEN	On track.

CE3.1	Provide input, through the Department for Business, Innovation and Skills (BIS) and other relevant bodies, in 2012/13 to ensure that our position is fully reflected in the UK's interactions with the Commission on revised State Aid rules for 2013–20.	DETI	GREEN	On track.
CE3.2	Participate, as part of the UK delegation, in the European Commission's autumn 2012 workshop on the proposed revisions of the State Aid rules for Regional Aid.	DETI	AMBER/ GREEN	EC has postponed workshop to Q1 2013
CE3.3	During 2012/13, actively seek opportunities for our Ministers, MEPs and departmental officials to lobby the European Commission in relation to the treatment of the region in the post-2013 Regional Aid rules.	DETI	GREEN	On track. (Two Ministerial meetings to-date).
CE4.1	Allocate £58m of European Regional Development Fund monies in 2012/13 to support indigenous companies and Foreign Direct Investment through a range of business support programmes.	DETI	GREEN	On track
CE5.1	Carry out a scoping study by 30 September 2012 to identify the range of EU Tourism sector support opportunities available and develop an action plan by 31 March 2013.	DETI	AMBER/ GREEN	Scoping study complete. NITB assessing which possible support opportunities are viable and should be followed up.

CE5.2	Achieve a 10% increase in EU visitors to Northern Ireland in the 2012 calendar year (above 2011 levels).	DETI	Red	<p>Estimates for January to September 2012 indicate a 20% decrease in EU visitors when compared with the same period in 2011. Although these figures are provisional estimates and will be revised (once concerns over the robustness of data on overseas visitors entering Northern Ireland via the Republic of Ireland are resolved at the end of the year), it is clear this 2012 target will not be achieved.</p> <p>It should be recognised however that global economic conditions, in particular the ongoing economic problems within the Eurozone, have presented (and continue to present) a challenging environment for travel generally. Even Britain, despite the Olympics, is showing little tourism growth this year.</p>
CE11.1	Carry out an assessment of potential Energy and Telecoms infrastructure funding opportunities under the Connecting Europe Facility by 31 March 2013.	DETI	GREEN	On track
CE11.2	Continue the development in 2012-13, in consultation with key regional stakeholders, the Department for Finance and Personnel and the European Commission; of a draft Investment for Growth and Jobs Programme for 2014-2020.	DETI	GREEN	On track.

Climate Change: DETI Only Targets, 2012/13

CC8.1	By March 2013, explore the potential to support energy infrastructure opportunities by way of the Connecting Europe Facility.	DETI	AMBER /GREEN	Minor concerns. (Work is ongoing but no opportunities identified).
-------	---	------	--------------	--

Committee for the Environment

Environment Committee Office

Room 245
Parliament Buildings
Ballymiscaw
Belfast
BT4 3XX

Tel: 90 521347

Fax: 90 521795

E-mail: alex.mcgarel@niassembly.gov.uk

Mike Nesbitt MLA

Chairperson

Committee for the Office of First Minister and deputy First Minister

15 February 2013

EU Legislation

At its meeting on 17 January 2013, the Committee for the Environment received a briefing from the Assembly Research and Information Service on the aspects of the European Commission's 2013 work programme that relate to the remit of the Department of the Environment. Following the briefing members requested clarification and further information from the Department on a number of issues.

The Committee has used this information to inform its agreed priorities for the 2013 Work Programme and these have been provided in the attached template. This was agreed by the Committee on 14 February 2013.

In addition, the Committee has a number of ongoing European-related priorities and these have also been included on the template. Several of these were brought to the attention of the Committee by the Assembly's EU scrutiny coordinator. More recently however, and as a result of concerns raised by the Committee about the importance of early engagement with European policy proposals, the Department of the Environment has agreed to forward information about any EC proposals that its officials have raised concerns about with their Westminster counterparts.

These issues are difficult to anticipate but are very time-bound and must be addressed immediately they arise. They are therefore hard to capture on a forward work programme but, in the Committee's opinion, are of critical importance if Northern Ireland is to have any influence over European policy. It will therefore continue this monitoring process largely in parallel with any longer term priorities on this template. The Committee hopes this approach will be supported by the OFMdFM Committee particularly with regard to issues of subsidiarity.

Yours sincerely

Anna Lo MBE MLA



Chairperson

Committee for the Environment

European Commission Work Programme 2013 – Committee Priorities

Committee: Committee for Environment

Background

The Committee considered Mr Nesbitt's letter about the European Commission (EC) Work Programme pilot project on 7 January 2013 and agreed to an oral briefing from RAISE on the EC priorities which are relevant to the Department of the Environment's remit on 17 January 2013.

RAISE identified six relevant priority issues for the Environment Committee in its analysis of the EC's work programme:

1. EU's Strategy on Adaptation to Climate Change
2. New Climate & Energy Framework for the Period up to 2030
3. Review of the Thematic Strategy on Air Pollution and Associated Legislation
4. Review of Waste Policy and Legislation
5. Environmental Climate and Energy Assessment Framework to Enable Safe and Secure Unconventional Hydrocarbon Extraction
6. Preparing an EU Position on the Post-2015 Development Agenda and Preparing an EU Position on the Follow-up to Rio+20 Including the Development of Sustainable Development Goals

The Committee sought clarification on a number of issues relating to these from the Department and its response has informed the Committee's prioritisation.

In addition, the Committee is monitoring a number of current EC policy proposals that have the potential to have a significant impact in Northern Ireland. The Committee believes that if these proposals are dealt with solely at UK level there may, on occasion, be local circumstances overlooked and is endeavouring to ensure that concerns about the impact of EC policy proposals are identified at an early enough stage to be addressed. Current issues of concern to the Committee have also been listed in this reply.

A number of other issues of concern to the Committee relating to the EC's ongoing work have also been listed.

Agreed Priorities for 2013 from the European Commission Work Programme

1. EU's Strategy on Adaptation to Climate Change

To contribute effectively to a more climate-resilient Europe by enhancing the preparedness and capacity to respond to the adverse impacts of climate change of the EU, its Member States and Regions. The general aim of the EU Adaptation Strategy is to make Europe more climate resilient and to do so at lowest possible cost. Four specific objectives have been identified:

1. Knowledge: the Strategy should outline paths to further the understanding of adaptation, improve and widen the knowledge base where knowledge gaps have been identified and enhance dissemination of adaptation related information;
2. Facilitation and cooperation: the Strategy should support and facilitate exchange between Member States, regions, cities and all other relevant stakeholders;

3. Mainstreaming: the Strategy should develop initiatives for a more consistent and comprehensive integration of climate change adaptation considerations into policies at EU level;
4. Public and private action on adaptation: the strategy should make use of available instruments at EU level to capture the respective potential of the public and private sectors in strengthening adaptive capacity and climate impact preparedness and responses in the EU.

An Impact Assessment is being conducted and it is hoped that the Strategy will be adopted by March 2013.

Under the UK Climate Change Act 2008 the DOE must lay programmes before the Assembly setting out Northern Ireland departments' objectives, proposals and policies to meet objectives and timescales. It is expected that a Northern Ireland Adaptation programme will be laid before the Assembly in early 2013. While an EU strategy is at its early stages, any long term strategy for Northern Ireland should take this into consideration.

The Department has advised the Committee that work is progressing on the development of the first Northern Ireland Adaptation Programme. The Department's Climate Change Unit is currently working with all the government departments to ensure that the Programme will assess the risks and opportunities identified in the Northern Ireland Climate Change Risk Assessment. The Programme will therefore establish a set of priority actions for climate change adaptation which will be undertaken by government Department in Northern Ireland over the next 5 years.

It is anticipated that the Northern Ireland Adaptation Programme will be presented to the Assembly mid to late summer. This is in parallel with the timetables for the production of the UK National Adaptation Programme and the Scottish Adaptation Programmes.

Proposed Committee Action

Over the coming year the Committee will be kept informed of the progress and content of the Northern Ireland Climate Change Adaptation Programme and will endeavour to ensure that it will deliver a climate change-resilient Northern Ireland. The Committee will want to determine that the strategy identifies actions, and the costs of those actions, that are commensurate with local risks, are achievable and contribute proportionately to the objectives of the UK National and EU Climate Change Adaptation Strategies.

In the longer term the Committee will seek to monitor delivery of the priority actions identified in the five year Adaptation strategy.

2. New Climate & Energy Framework for the Period up to 2030

The three specific objectives identified by the EC are:

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

Current policies will not allow the EU to meet its objectives of 80-95% carbon emissions reduction by 2050. It is believed that this is largely due to the significant policy gap between 2020 and 2050. The Framework is the next intermediary step in the binding 2030 renewables, CO₂ and energy efficiency targets to fill this gap.

The Minister of the Environment has proposed the introduction of a Northern Ireland Climate Change Bill that includes challenging targets for greenhouse gas reduction. Proposals are to go to the Executive for agreement before they go public for consultation. Targets in relation to the Framework will need to be considered.

The current Northern Ireland Strategic Energy Framework (SEF) states targets for up to 2020, and associated Sustainable Energy Action Plans up to 2015, therefore longer targets are needed to keep in line with a new Framework.

Policy proposals for a Northern Ireland Energy Bill are currently out for public consultation which makes reference to the SEF (up to 2020); therefore Northern Ireland will eventually need to give consideration to any longer term targets set under the Framework for up to 2030.

The Department has advised it is the intention to consult on policy proposals for a draft Climate Change Bill for Northern Ireland in early March 2013. Taking account of the outcome of the public consultation and the feedback received will help inform the content of the proposed legislation. In accordance with best practice a second consultation would then be issued on the detail of a proposed Bill, with the intention of presenting a draft Bill to the Assembly in the 2014/15 legislative programme.

The Department indicates that consultees will be asked for their views on possible economy-wide rather than sector-specific emission reduction targets and whether or not these should be included in primary or secondary legislation.

However, the Department stresses that the Minister's proposals for a Northern Ireland Climate Change Bill are not directly reliant on a new EU Climate and the sectoral specificity and Energy Framework.

Proposed Committee Action

The Committee acknowledges that whilst the Department for the Environment has responsibility for climate change policy, the remit for energy lies with the Department for Enterprise, Trade and Investment and it is this Department that brought forward the Strategic Energy Framework and is consulting on a Northern Ireland Energy Bill. Similarly, the Office of the First Minister and deputy First Minister has responsibility for the delivery of the Sustainable Development Action Plan. Consequently targets that are in place up to 2030 have been determined outside the Department for the Environment.

The Environment Committee intends to play an integral part in the development of climate change policy throughout the Department's consultation phase and in conducting the committee stage of a Northern Ireland Climate Change Act. During this time the Committee may decide to gather more information on the inclusion of targets for emission reduction in the legislation.

The Committee will want to ensure that the legislation is best suited to Northern Ireland's needs and contributes proportionately to overarching UK, EU and global obligations. However, as the Department has indicated that the Northern Ireland Climate Change Bill is not directly reliant on the EC's development of a Climate and Energy Framework, it is unlikely that the Committee's action will focus on this EC priority other than to ensure compatibility.

3. Review of the Thematic Strategy on Air Pollution and Associated Legislation

This initiative will assess the implementation and achievements of current air pollution and air quality policies and will include legislative proposals to revise the National Emissions Ceiling Directive and other air quality legislation as appropriate in order to deliver enhanced protection from the impacts of air pollution for human health and the natural environment whilst contributing to Europe 2020. In 2011, the Commission discussed the progress of the EU's air policy and as a result it was agreed that a comprehensive review of air policy would be conducted by 2013.

Much of Northern Ireland's air quality legislation has its roots within the Air Quality Directives, for example:

- Directive 2008/50/EC on Ambient Air Quality

- Cleaner Air for Europe (the Air Quality Directive)
- Directive 2004/107/EC (the Fourth Daughter Directive)

These are incorporated into Northern Ireland's national law by the Air Quality Standards Regulations (Northern Ireland), of which the most recent revision was in 2010, and the Air Quality strategy for England, Scotland, Wales and Northern Ireland, first published in 1997 and updated in 2007, which establishes a strong framework for tackling air pollution.

The Air Quality Standards Regulations transpose the EU limit values and non-mandatory target values for ambient concentrations of pollutants. They set out the duties of Northern Ireland's Departments in relation to achieving these values, and the responsibility of Departments to inform the public about air quality in the region, particularly with regard to warning the public when information and alert thresholds are exceeded.

According to Northern Ireland Air (DOE) results from 2010 show that Northern Ireland is well within the EU limit and target values for most pollutants apart from nitrogen dioxide at a number of sites.

If the EU Directives are reviewed, then national policies relating to Northern Ireland will more than likely need to meet a new regime.

The Department advised the Committee that exceedences of the limit value for nitrogen dioxide, NO₂, were observed for roads in the Northern Ireland zone and in the Greater Belfast Urban Area for 2010. The main source of NO₂ is vehicle emissions. NO₂ levels have been higher than was originally anticipated because of the underperformance of the Euro VI vehicle standard.

In line with the agreed process the Department, through DEFRA, applied to the Commission for an extension of the compliance deadline to 2015. This application involved the submission of Action Plans to the Commission, which set out measures to reduce NO₂ levels. 15 of the 24 applications submitted by DEFRA, including those for the Belfast and Northern Ireland zones, were rejected by the Commission. An additional 16 Action Plans prepared for areas in the UK where NO₂ values would not be met even by 2015, were not considered in this decision. The UK is one of ten member states, for which plans have been rejected, with decisions still pending for France and Germany.

The Action Plan for the Greater Belfast Urban Area (Westlink / M1 corridor) was rejected on the basis that in the Commission's view the measures contained in the Action Plan did not appear to be sufficient to address the compliance gap. The Department is working closely with Belfast City Council and DRD Roads Service in the formulation of a further Action Plan for the Greater Belfast Area.

The Action Plan for the Northern Ireland Zone was initially rejected by the Commission because it felt that the measures outlined in the Action Plan could be accelerated so that compliance could be achieved by 2014. The Action Plan was subsequently amended to include more detail as to why it was not possible to accelerate measures; the main reason being that the measures referred to are long term and strategic in nature (Regional Transportation Strategy, Regional Development Strategy etc.). The Department believes it now likely that the Commission will accept the revised Action Plan and that an extension of the compliance deadline will be granted for the Northern Ireland Zone.

The Department is anticipating the Commission's review of air pollution policies, which set health / ecosystem effects based targets to be achieved by 2020, to conclude later in 2013 and an update to the 2005 Thematic Strategy on Air Pollution published in the autumn. It suggests this may be accompanied by legislative and non-legislative proposals.

The Department also advises that the Commission published a consultation on policy options in December 2012 and in light of the non-compliance issues with the NO₂ limit values

being faced across the EU it appears that the Commission intends to prioritise proposals for revision of the National Emissions Ceilings Directive and source control legislation. References are made to small/medium combustions plants, manure spreading, non-road mobile machinery and transport. Non-legislative options may include finance options for urban clean air and innovation.

Proposed Committee Action

The Committee will monitor the Department's Action Plans closely and seek regular updates on the National Emissions Ceilings Directive and source control legislation. The Committee will encourage the Department to continue to work closely with local authorities, particularly Belfast City Council, to ensure that the revised Action Plan is challenging but achievable at local level.

The Committee may also consider obtaining more information about source control legislation in advance of any changes being made by the Commission to the National Emissions Ceilings Directive with a view to ensuring that any changes introduced that affect Northern Ireland are necessary, proportionate and achievable.

4. Review of Waste Policy and Legislation

This initiative will review key targets in EU waste legislation (in line with the review clauses in the Waste Framework Directive, the Landfill Directive and the Packaging Directive) and carry out an ex-post evaluation of waste stream directives, including ways to enhance coherence between them. Currently the Waste Regulations (Northern Ireland) 2011 have fully transposed the requirements of the revised Waste Framework Directive (2008/98/EC) (WFD) in Northern Ireland. However, the Department of the Environment has recently held open consultations on a number of areas including the possibility of introducing a requirement for Site Waste Management Plans, Restrictions on Wastes to Landfill, a Recycling Policy (setting a 60% Municipal Recycling rate target), an Addendum to the Northern Ireland Waste Management Strategy and a proposed Duty of Care Code of Practice for Northern Ireland.

While the Northern Ireland Waste Management Strategy 2006-2020 provides a long term vision and framework for waste management and sets the targets for all types of waste reduction, no specific targets were identified for municipal waste. In response to feedback from sub-regional Waste Groups and stakeholders requesting more guidance on the infrastructure required to comply with EU Waste Directives the DOE developed 'Northern Ireland Best Practicable Environmental Option (BPEO) Guidance' in 2005, which suggests targets not identified in the Strategy. However, the Strategy is currently under review.

The Landfill Allowances Scheme Regulations (2004) Northern Ireland (NILAS) came into force on April 2005. The scheme permits free transfer of allowances within Northern Ireland but does not permit trading of allowances. The NILAS scheme is also currently under review.

Other proposals include the development of a Waste Prevention Programme in line with requirements under the WFD to be in place by December 2013. The WFD requires the Commission to review its implementation by 2014, which includes an assessment of Member States' waste prevention programmes.

The outcome of reviews at national and EU level is expected to shape future waste regulation in Northern Ireland however, consideration will need to be given to the review of EU legislation taking place, the timing of it and how it will fit in with the review process at the Northern Ireland level.

The Department has advised that the consultation on the revised Waste Management Strategy ended on 18 January and it is anticipated that a revised Strategy will be finalised before the end of April 2013.

The Department maintains that the Waste Management Strategy 2006-20 does include some targets relating to municipal waste, e.g. household waste recycling targets and targets relating to the reduction of biodegradable municipal waste to landfill. NILAS was reviewed in 2009 and a policy position statement issued by the Department in January 2010. A further review is planned after legislation has been put in place in respect of a 60% Local Authority Collected Municipal Waste recycling target and a restriction on the landfilling of food waste.

One area on which the Committee has been keen to see the Department provide greater clarity is the definition of end of waste. During its inquiry into the management of used tyres the Committee was told that unlike other parts of the UK and the Republic of Ireland, several waste streams were being stilted due to the absence of clear end of waste definitions. The Department's response to the Committee's request for an update on progress informed the Committee that the Commission is now preparing a set of end-of-waste criteria for priority waste streams to comply with the EU End of Waste Regulations and that the Department has published 7 quality protocols. It also indicates that the Northern Ireland Environment Agency will give a view on whether a product meets the end of waste or by product criteria through a submission.

In response to the Committee's queries about developing markets for waste in Northern Ireland the Department advises that:

1. the WRAP NI delivery programme provides a technical advisory service, research and assistance to waste and reprocessor sector businesses
2. Rethink Waste communications are promoting recycling to increase quantities and types of recyclates and increase quality that will assist markets to develop
3. Rethink Waste Funds have funded Councils and other organisations to assist in developing markets such as preparing for reuse schemes in the Third Sector
4. The North South Market Development Steering Group has produced a recycled plastics study and is about to publish a bulky waste study, both of which provide the information for organisations to make more confident business decisions in relation to reuse and recycling

Proposed Committee Action

The Committee was made aware of the lack of municipal targets for non-household waste during discussions for the Programme for Government and made a recommendation for their inclusion to be considered. It will continue to monitor this issue closely.

The Committee has requested a synopsis of responses to the consultation on the Revised Waste Management Strategy and will consider the proposals when this is made available.

The Committee is aware that some councils may be concerned about the proposed introduction of a 60% recycling target and the Committee will engage with them to gather more information about the implications including an indication of the costs that might be involved to meet a target of this level.

The Committee welcomes any progress that has been made in defining end of waste to allow waste streams to be turned into acceptable products or fuels. It will monitor closely the introduction of the EC criteria and to what extent this is compatible with existing Northern Ireland and GB criteria.

5. Environmental Climate and Energy Assessment Framework to Enable Safe and Secure Unconventional Hydrocarbon Extraction

Against the background of existing EU legislation this initiative will examine options to ensure that opportunities to diversify energy supplies and improve competitiveness, including by production of unconventional gas, can be taken up. The framework would target a level

playing field across the EU, clarity and predictability for both market operators and citizens including for exploration projects, full consideration of greenhouse gas emissions and management of climate and environmental risks in line with public expectations.

This may impact Northern Ireland due to the recent consideration of shale gas exploration. Responsibilities and consideration in relation to planning such an environmental impact assessment, community/public involvement, any public inquiry etc. rest with the DOE.

However, close liaison will be required with DETI in terms of exploration and extraction consents. DOE has responsibility for groundwater, air and a range of other environmental issues. However, the Geological Survey Northern Ireland assesses the seismic activity and present physical, chemical and ecological conditions, all of which are required to inform the Environmental Impact Assessment by DOE.

NIEA represents Northern Ireland at the European level on the EU Ad Hoc Working Group on Unconventional Fossil Fuels and on an interest group of the Network of Heads of European Environmental Protection Agencies.

The Department has advised the Committee that in May 2012 the DOE Minister agreed with the DETI Minister that the Shale Gas Regulators Forum should be formalised in recognition of the need for collaboration between Government Departments and bodies, in particular DETI and DOE.

The Shale Gas Forum is working to:

1. Review relevant legislation, regulations, engineering and environmental standards; proposing legislative or administrative solutions to deal with any gaps identified
2. Assess the requirement for government to carry out baseline studies prior to the start of any drilling programmes and establish methods of best practice for ensuring the transparency and independence of baseline studies
3. Provide DOE Planning Service with coordinated input into the determination of the scope and specifications of the Environmental Impact Statement
4. Clarify the scope of monitoring and enforcement required in the Hydraulic Fracturing process, both in terms of identifying the Department/Agency responsible for monitoring and enforcement and timelines.

Proposed Committee Action

The Committee is aware of the significant public interest in this issue because of the potential for hydraulic fracturing in Northern Ireland. It will consider the Minutes and half-yearly statements produced by the Shale Gas Forum and will be seeking to assurance that the Department has the necessary expertise and resources to undertake any assessment and issuing of licenses. It may also decide looking at practices and experiences elsewhere as more information becomes available.

6. Preparing an EU Position on the Post-2015 Development Agenda and Preparing an EU Position on the Follow-up to Rio+20 Including the Development of Sustainable Development Goals

This will set out the EU follow-up to the Rio+20 Strategy for the Millennium Development Goals, including sustainable development goals. The current Sustainable Development Strategy and Implementation Plan (developed by OFMDFM) are for the period 2011-2014. These EU positions may influence the development of a strategy/policy beyond 2015 by considering the areas still needing addressed under Rio 2020.

DOE Planning Policy Statements are produced giving consideration to sustainable development and the Northern Ireland Strategy. Currently there is a general duty on

local authorities under the Miscellaneous Provisions Act (2006) to achieve sustainable development in carrying out all their functions, however, with RPA proposed for 2015, giving more powers and duties to local councils, commitments to sustainable development and climate change will need to be ensured. This is to be considered under the review of councils, 'Best Value Duty' and also in relation to sustainable communities under Community Planning responsibilities.

In response to the Committee's request for more information about how DOE monitors the performance of councils in relation to the sustainable development duty, the Department replies that this is the responsibility of OFMDFM

Proposed Committee Action

The Committee will pursue this issue with OFMDFM.

Other EU activity planned for 2013

Ongoing work to be continued through 2013

- The Committee has previously been involved with the following and will retain a watching brief:
 - CAP reform
 - Life + funding
 - Implementation of the Wild Birds Directive in Northern Ireland
 - Implementation of the Habitats Directive in Northern Ireland
- Scheduled updates from RaSe

None planned at this stage

- Scheduled updates on EU matters from the Barroso Task Force desk officers or departmental officials

The Committee recently received an oral briefing from Desk Officer Keith Brown.

- Sessions with the Minister on EU matters

The Committee has agreed to a routine briefing from the Minister just prior to recess breaks. These will include updates on EU matters.

- Visits to Brussels/other EU visits or engagement

The Committee has indicated that it would like to undertake a visit to Brussels and is considering participating in Sustainable Energy Week in June 2013.

- Inclusion of EU dimension in other inquiries/reviews etc.

The Committee produced an interim report on its inquiry into the management of used tyres and will reconsider its recommendations when the Department completes and issues its survey on used tyres. Many of the controls governing the management of used tyres, their recycling and ultimate disposal, are underpinned by EU legislation and are affected by amendments to them:

- Landfill Directive (1999/31/EC)
- End-of-Life Vehicle Directive (2000/53/EC)
- Incineration of Waste Directive (2000/76/EC)
- COM (2003) 572 Towards a thematic strategy on the sustainable use of natural resources with a focus on material recycling
- COM (2005) 666 Taking sustainable use of resources forward

- COM (2005) 670 Thematic strategy on the sustainable use of natural resources (Annex IA)
 - Waste Framework Directive 2008/98/EC, Articles 6(1) and (2) (End of Waste Criteria)
 - Regulation (EC) 1013/2006 Revisions on the shipments of waste
 - REACH Regulation (EC) 1907/2006 and Directive 2006/121/EC adapting 67/548 EEC to REACH (Regulation for Registration, Evaluation, Authorisation and Restriction of Chemicals)
- Own initiative engagement

The Committee has identified potential issues for Northern Ireland with the following EU proposals and is endeavouring to influence the following policy proposals issue by the EC:

- Roadworthiness
 - Indirect Land Use Change
 - Environmental Impact Assessments
 - Clean Power for Transport
- Press follow up etc.

None planned at this stage

Other comments

Committee for Finance and Personnel

European Commission Work Programme 2013 – Committee Priorities

Committee: Committee for Finance and Personnel

Background

To inform this response, the Committee received a briefing from Assembly Research and obtained DFP's view on the priority areas in terms of EU issues, including those arising from the European Commission Work Programme 2013. More generally, this response is also informed by regular Committee scrutiny of EU related issues, including in terms of DFP's remit in relation to EU funds.

Agreed Priorities for 2013 from the European Commission Work Programme

1. Common Strategic Framework Regulations and Funds

This Framework is the overall project in which a number of various funding programmes extend. The new Regulations will govern how Structural Funds are spent over the period 2014-2020.

The Committee receives regular briefings from DFP and the Special EU Programmes Body (SEUPB) on the development of EU funds post 2014. At the most recent being on 16 January 2013 members were updated on the outcome of the consultation process in relation to the future EU funding programmes. As a result of this briefing the Committee has sought additional information on the role of DFP in relation to the strategic use of EU funding and on NI access to the EU funding programmes other than the main funds such as PEACE, INTERREG, CAP etc.

The Committee will continue to closely monitor developments in these areas and in particular in light of the recently agreed EU Budget, including how any reduction in funding will impact on the future PEACE and INTERREG funding programmes, and will wish to examine what improvements can be made to these programmes moving forward.

2. Initiative on E-invoicing in the field of Public Procurement

The use of E-invoicing in the public sector would help to reduce the operating costs of enterprises and the procurement costs of public authorities by fostering the automation of procedures related to invoicing.

Although DFP initially advised that this was an accounting issue and that Departmental officials would have no input into this initiative, the Committee pressed the Department to justify its response. The Committee was advised that, in terms of Account NI, full e-invoicing capability will be embedded as a requirement in the next generation of the accounts payable system. The Committee was also advised that it is not currently CPD's policy to encourage e-invoicing as a number of suppliers are not e-enabled and the current accounting system does not have full e-invoicing capability. CPD is currently procuring a replacement system for 'eSourcingNI' and, the Committee is advised that, the possibility of implementing fully e-enabled end to end "Procure to Pay" functionality can be considered when both systems have been replaced. CPD will consider whether it should be a policy requirement that suppliers issue invoices electronically at that time. The Committee has received an assurance that, in the meantime, electronic options will be encouraged where possible. However, the Committee will clearly require to monitor progress on this issue.

3. Communication on Guidelines for Standards-based public procurement of ICT systems

This communication's objective is to identify how and ensure that public authorities make best use of the full range of relevant standards when procuring hardware, software and IT services.

The Committee has raised this issue with the Department and investigations are on-going. DFP officials have informed the Committee that several of the recommendations are already in place and have been taken into account in developing the requirement for the replacement of e-SourcingNI. However, while some recommended practices are already established, or in development, further work will be required to establish the full implications of the guidelines.

The Committee will continue to seek assurances from the Department that it is fully engaged on this issue.

Other EU activity planned for 2013

The Committee will continue to actively pursue various EU issues relevant to the DFP remit, including in terms of the DFP role as sponsor Department for the SEUPB which is, in turn, the managing authority for the PEACE and INTERREG programmes. In terms of the latter, the Committee continues to press for the application process for INTERREG funding to be streamlined and for assurances that underspend will be avoided in all programmes. As alluded to above, the Committee will also look ahead to the future funding programmes with a view to being assured that they are effective and targeted appropriately.

Aside from EU funding issues, the Committee will continue to scrutinise the various areas of policy and legislation within the DFP remit which are influenced by European Directives and legislation, such as Building Regulations, Civil Law and Public Procurement, including prompt payment by government bodies and by main contractors involved in delivering public contracts.

The Committee has also committed to receiving regular updates from Assembly Research on European initiatives as they occur.

Other comments

The Committee will continue to seek assurances from the Department that it is fully engaged on a European level on all relevant issues.

Committee for Justice

European Commission Work Programme 2013 – Committee Priorities

Committee: Committee for Justice

Background

The Lisbon Treaty (ratified by all 27 Member States of the European Union in December 2009) established the principle of increased legal co-operation based upon ‘mutual recognition’. This is predicated upon Member States acknowledging that the decisions adopted by other legal systems in other Member States are valid and applicable.

The Treaty also enables the European Union to develop and propose legislation related to Justice and Home Affairs (i.e. civil and criminal justice, and security matters). Once a measure is adopted Member States will be bound by it and will be required to implement it nationally. The aim is to enhance mutual legal assistance between Member States and, where possible, provide a minimum standard of protection to EU citizens in civil and criminal proceedings.

The UK’s participation as a Member State in European Union measures on Justice and Home Affairs is governed by:

- Protocol 21 to the Treaty on the Functioning of the European Union
- Protocol 19 to the Treaty on European Union

The United Kingdom Government negotiated an opt-in protocol within the Treaty. This enabled the UK Government to decide, within three months of an EU initiative relating to Justice and Home Affairs areas being published, whether to opt-in to the proposal i.e. participate in the adoption and application of the proposed measure, or not.

The UK Government is required to seek and include the views of the Devolved Administrations on opt-in decisions. Justice Ministers in the Devolved Administrations are asked to consider the implications for their region and confirm whether or not they agree with the UK Government’s recommendation regarding opt-in.

The Justice Committee has requested sight of all EU legislative proposals requiring a UK decision to opt-in at the earliest opportunity and, as far as possible, before the Minister of Justice confirms whether he agrees or not with the UK Government’s recommendation, to enable it to submit views/comments.

The Committee for Justice has received an oral briefing from Assembly Research on the priorities in the European Commission Work Programme 2013 which are relevant to the Department of Justice. The Committee also considered information provided by the Department of Justice on the work programme.

The Committee has identified the following as priority issues in the 2013 European Commission work programme:

1. Legislative Proposal - Special Safeguards in Criminal Proceedings for Suspected or Accused Persons who are Vulnerable
2. Legislative Proposal - Service in the Member States of Judicial and Extra Judicial Documents in Civil and Commercial Matters
3. Legislative Proposal - Framework for Administrative Measures for the Freezing of Funds, Financial Assets and Economic Gains of Persons and Entities Suspected of Terrorist Activities inside the EU

4. Legislative Proposal - Fighting Money Laundering
5. Non – Legislative Proposal - Fighting Cigarette Smuggling
6. Non – Legislative Proposal - Initiatives on Firearms: Reducing Gun Crime in Europe

The Committee also intends to keep a ‘watching brief’ on the following two proposals:

1. Legislative Proposal – Establishment of a European Public Prosecutor’s Office (EPPO) to Protect the Financial Interests of the Union.
2. Legislative Proposal – Nuclear insurance and liability.

In addition a number of on-going EU issues that the Committee has been considering and will continue to undertake work on during 2013 have also been listed.

Agreed Priorities for 2013 from the European Commission Work Programme

1. Legislative Proposal - Special Safeguards in Criminal Proceedings for Suspected or Accused Persons who are Vulnerable

This proposed initiative aims to ensure that special attention is shown in criminal procedures throughout the European Union to suspected or accused persons who cannot understand or follow the content or the meaning of the proceedings, owing, for example, to their age, mental or physical condition.

According to the European Commission there appears to be a disparity in protection across Member states with regards to protection for children and other vulnerable suspects and accused persons in criminal proceedings.

In relation to Northern Ireland there is possibly some cross over with measures included in the Justice (NI) Act 2011 such as:

- Provisions to allow examination of vulnerable defendants through an intermediary
- Extension of the conditions for a vulnerable accused live link direction to include those of any age that have a physical disability or physical disorder
- Improved services for mentally disordered offenders by allowing live link connections between courts and psychiatric hospitals.

Planned Committee Action

Over the coming year the Committee will monitor developments in relation to this legislative proposal. Specific information will also be sought from the Department of Justice regarding the likely implications/impact of the proposal for Northern Ireland to enable the Committee to put forward its views prior to the Minister of Justice confirming whether he agrees with the UK Government’s recommendation on whether to opt-in to the proposal.

In the event of the UK Government opting into the proposal the Committee will assess what further measures, including legislative measures, if any, will be required to achieve compliance.

2. Legislative Proposal - Service in the Member States of Judicial and Extra Judicial Documents in Civil and Commercial Matters

This proposed legislative initiative is a revision of Regulation 1393/2007 and will pay special attention to the effectiveness of the transmitting and receiving agencies and focus on the practical application of the execution of a request for forwarding a request for service. In Northern Ireland the transmitting agency is the Master (Queens Bench and Appeals), the Royal Courts of Justice.

The revision could include the establishment of common minimum standards. The main policy objectives are:

- To improve the service of judicial and non-judicial documents between the Member States
- To introduce the possibility of electronic service of documents
- To possibly establish common minimum standards for the service of documents.

The European Commission considers that the proper functioning of the European judicial area entails the need to improve and expedite the transmission of judicial and extrajudicial documents in civil and commercial matters. The expected date of adoption is June 2013.

Planned Committee Action

The Committee will monitor developments in relation to the revision of Regulation 1393/2007 and relevant information will be sought from the Department of Justice to enable an assessment of the likely impact of the proposal, including any cost implications, in Northern Ireland to be made. If appropriate the Committee will submit views to the Minister regarding the opt-in decision. In the event of the UK opting into the proposal the Committee will scrutinise any necessary implementation measures.

3. Legislative Proposal – Framework for Administrative Measures for the Freezing of Funds, Financial Assets and Economic Gains of Persons and Entities Suspected of Terrorist Activities inside the EU

The EU legal framework on the freezing of funds, financial assets and economic gains of persons and entities suspected of terrorist activities only covers terrorists who represent an international, global threat. The European Commission notes that no framework currently exists for the realisation of the objectives of the area of freedom, security and justice. This legislative initiative aims at using the new legal basis of the Lisbon Treaty to set up a coherent and effective legal framework for administrative measures for the freezing of funds, financial assets and economic gains of such persons and entities.

Planned Committee Action

Over the coming year the Committee will monitor developments in relation to this legislative proposal. Specific information will also be sought from the Department of Justice regarding the likely implications/impact of the proposal for Northern Ireland to enable the Committee to put forward its views prior to the Minister of Justice confirming whether he agrees with the UK Government's recommendation on whether to opt-in to the proposal.

In the event of the UK Government opting into the proposal the Committee will assess what further measures, including legislative measures, if any, will be required to achieve compliance.

4. Legislative Proposal – Fighting Money Laundering

The European Commission has highlighted that, as one of the 'Eurocrimes', money laundering is a criminal offence in all EU Member States. The Commission notes however that EU Member States do not have the same definition of money laundering and also apply different sanctions and this hinders cross border investigations and police cooperation. The Commission proposes a legislative initiative to harmonise the offence of money laundering at EU level.

Planned Committee Action

Regular updates will be requested from the Department of Justice, including specific information on the likely implications/benefits for Northern Ireland of this proposal, to enable the Committee to monitor developments and submit its views regarding any opt-in decision.

5. Non-legislative Proposal – Fighting Cigarette Smuggling

It is proposed that this non-legislative initiative will be in the form of a strategy. The aim is a comprehensive response at EU level to illicit trade in cigarettes, taking into account the losses to public revenue and its role as an outlet for organised crime. Better coordinated and more targeted action would include exchange of information, standard setting and international co-operation.

Planned Committee Action

The Committee has received briefings from the Organised Crime Task Force and is aware that the current principal threats in Northern Ireland from organised crime include money laundering, human trafficking, fraud and excise and tax fraud. The 2012 Organised Crime Task Force Annual Report and Threat Assessment indicated that in 2011/12 23.45 million counterfeit and smuggled cigarettes were seized. The Committee will monitor the development of this strategy and seek information from the Department of Justice on actions identified in the strategy and the likely cost of implementation to assess the appropriateness of them for Northern Ireland.

6. Non-legislative Proposal – Initiatives on Firearms: Reducing Gun Crime in Europe

This is a proposed non-legislative initiative in relation to firearms to reduce gun crime in Europe. The European Commission indicated that trafficked firearms are being used by criminal networks and lone criminals and that legally held firearms are also being used illegally. The aim of the Communication will be to present:

- The nature and scale of the problem and current action including external dimension
- New/increased EU actions for example increased role of Europol
- Law enforcement policy orientations in view of the 2015 review of the Firearms Directive 91/477, including possibly a Directive on criminal sanctions based on Article 83(1) TFEU.

Planned Committee Action

The Firearms (Northern Ireland) Order 2004 requires that to possess, purchase or to acquire firearms and ammunition, a person must have a firearms certificate. The legislation sets out minimum sentences for certain offences involving the illegal possession of handguns and prohibited weapons. The Committee will monitor development of this policy through regular up-dates from the Department of Justice to enable it to assess any possible impact on the legislative framework.

7. Legislative Proposal – Establishment of a European Public Prosecutor's Office (EPPO) to Protect the Financial Interests of the Union

The aim of this legislative initiative is to set out the framework and conditions for establishing the European Public Prosecutor's office to focus on the protection of the financial interests of the Union. The European Public Prosecutor's Office shall be responsible for investigation, prosecuting and bringing to judgement, where appropriate in liaison with Europol, the perpetrators and accomplices of offences against the Union's financial interests. It shall exercise the functions of prosecutor in the competent courts of the Member States in relation to such offences. The European Public Prosecutor's Office will require that national authorities carry out investigations under its authority, ensure that they meet deadlines and ensure full cooperation with the EPPO. The expected date of adoption is the second half of 2013.

Planned Committee Action

The UK Government has already indicated that it will not opt into the proposal for the establishment of a European Public Prosecutor's Office. The Committee will therefore keep a 'watching brief' on developments in this area.

8. **Legislative Proposal – Nuclear insurance and liability**

The aim of this proposal is improvement of victim compensation in case of nuclear accident and the creation of an internal market/level playing field for investors.

Planned Committee Action

While this proposal is not directly related to the work of the Department of Justice it has indicated that it has an interest in it in relation to civil liability. The proposal could entail measures relating to improving procedures for compensation for victims of nuclear incidents or accidents or for compensation for environmental damage which could involve changes to court-related legislation. The Committee will therefore keep a 'watching brief' on the development of this proposal.

Other EU activity planned for 2013

1. **Ongoing work to be continued through 2013**

The Committee has been undertaking work on the following EU issues which will continue during 2013:

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

The Committee has undertaken substantial scrutiny work on this matter and will continue to monitor the progress of the Department of Justice to implement this Directive. It will consider the subordinate legislation on support for victims of trafficking in due course and further work will also be undertaken in the context of Lord Morrow's proposed Private Members Bill.

The EU Directive on standards relating to the rights, support and protection of victims of crime (2012/29/EU) which is due to be transposed by November 2015.

The Committee has completed a comprehensive Inquiry into the Criminal Justice Services available to victims and witnesses of crime in Northern Ireland and the recommendations have substantially influenced the development of a new 5 year strategy for victims and witnesses of crime. The Committee will continue to monitor the development and implementation of the new Strategy to ensure that appropriate actions are included to fully implement this Directive.

Primary Legislation required to permit the mutual recognition of judgements and probation decisions to deliver requirements under the Framework Decision: "Mutual Recognition of Probation Measures, Licence Supervision and Alternative Sanctions across Member States of the European Union".

The provisions to accommodate this are likely to be included in the next Justice Bill which will be subject to detailed scrutiny by the Committee.

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

The Committee is monitoring developments on the 2014 Opt-out decision and has considered information on relevant issues from a Northern Ireland perspective. Given that Northern Ireland is the only region within the UK to share a land border with another Member State which, in the UK context, is unique, and there is on-going North South co-operation in a range of policing and justice areas there are distinct issues from a Northern Ireland perspective that need to be considered in relation to the Opt-out decision. The Committee will continue to monitor the position and has requested regular up-dates from the Department of Justice on the representations being made by the Minister of Justice.

2. Scheduled updates from RaiSe

Written and oral research briefings will be scheduled by the Committee as necessary.

3. Scheduled updates on EU matters from the Barraso Task Force desk officers or departmental officials

The Committee receives regular written briefing papers from the Department of Justice on all relevant EU issues. The Committee has received information on the measures being taken by the Department of Justice and criminal justice organisations to access relevant EU Funding streams and intends to schedule an oral briefing on progress in this area in the early autumn. This briefing may include input from one of the desk officers in Brussels.

4. Visits to Brussels/other EU visits

The Committee intends to give consideration to a visit to the European Court of Human Rights and the European Court of Justice sometime in 2013/early 2014.

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

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

Priorities for European Scrutiny - 2013

Background

1. While statutory committees in the Assembly take forward European issues on a subject basis, the Committee for the Office of the First Minister and deputy First Minister has an overarching scrutiny role of OFMDFM's work, and indeed, the Executive's work on cross-cutting European issues.

On-going Priorities

2. The Committee will continue in 2013;
 - To scrutinise the work of OFMDFM in implementing the Executive's EU Priorities for 2013/14 to ensure that Northern Ireland is maximising its potential in Europe and maximising the benefits for the people of Northern Ireland.
 - To receive regular briefings from the Office of the Northern Ireland Executive in Brussels on its work in Europe and the work of the Barroso Taskforce.
 - To engage with Northern Ireland's representatives in the European Parliament and its committees.
 - To engage with the European institutions, and in particular the holder of the Presidency of the Council of the European Union, as the Multi-annual Financial Framework is implemented and the resulting funding streams are delivered.

Commission's Work Programme 2013

3. The RaISe research paper highlighted two issues from the European Commission's Work Programme for 2013 that are the specific responsibility of OFMDFM. These are Integration of the Roma, Elimination of Obstacles to EU Citizens' Rights and EU Enlargement.

Integration of the Roma

4. The Committee noted with interest the EU Framework for National Roma Integration Strategies highlighted in the RaISe analysis of the Commission's Work Programme. The Committee will seek briefings from relevant stakeholders and the Department on the opportunities which this initiative provides:
 - to enhance Roma integration in Northern Ireland; and,
 - to access EU competitive funding in support of enhanced Roma integration - particularly in light of the Executive's stated priority of promoting and facilitating increased participation in competitive European funding streams for Social Cohesion.
5. The Committee will also consider this initiative, and the Elimination of Obstacles to EU Citizens' Rights, in the context of its scrutiny of the Executive's Racial Equality Strategy - OFMDFM envisaged that consultation would begin in Spring 2013.

EU Enlargement

6. The Committee noted the potential synergy between the EU's current enlargement strategy (which includes a number of post-conflict states) and the development of the EU funded

Peace-building and Conflict Resolution Centre (PbCRC) at Maze/Long Kesh – particularly in light of the Executive's 2012-13 priority to *"Share our experience of conflict resolution to assist others"*.

7. During the Committee's visit to Brussels in Jan/Feb 2013 it was briefed by a representative of the European External Action Service on its work in the area of peace building. It was apparent that the Directorate role in relation to peace is at a formative stage and that there is an opportunity for Northern Ireland to contribute to the work of the Directorate.
8. The Committee will focus on these opportunities in its scrutiny of the development of the PbCRC and the MLK site.

Review

9. The Committee noted that there had been **developments in engagement with European issues** since the Committee's Inquiry into Consideration of European Issues was published. These include:
 - The launch of the Northern Ireland European Regional Forum – facilitated by Belfast City Council and now chaired by OFMDFM.
 - The appointment of four desk officers to the Executive's Brussels Office – one for each of the themes in the Executive's EU priorities and the dissemination of information by them to thematic groups.
 - The EU Perspectives Group formed by OFMDFM – comprising MEPs and our representatives on the Committee of the Regions and the Economic and Social Committee.
10. The Committee agreed that it would review the role of the EU Advisory Panel in light of these developments.

Subsidiarity Monitoring

11. The Committee, in conjunction with other Assembly Committees, and with the assistance of the Assembly European Project Manager, is **developing a system of subsidiarity monitoring and scrutiny**. This is to enable the views of Assembly Committees on subsidiarity issues to be relayed to the relevant Westminster Committees to inform their deliberations and report to the House of Lords and House of Commons on whether to issue a Reasoned Opinion that an EU proposal adheres to the principle of subsidiarity. A Reasoned Opinion must issue within 8 weeks of the publication of the EU proposal in question and this provides a very tight timeframe for scrutiny and response by the devolved regions.
12. The Committee will further develop and refine this role and streamline the processes involved so that, whenever possible, the views of Assembly Committees are relayed to Westminster Committees within the very tight timeframe available.

Development and Dissemination of expertise in drawing down competitive EU Funding

13. The Committee noted the emphasis on the development of this expertise in the **Executive's draft priorities for 2013-14** on which the Committee was consulted. The Committee agreed that it would seek further briefings from the Department and from key stakeholders on the actions being taken to deliver on this priority.
14. The Committee would also seek briefings on examples of existing good practice in the development and dissemination of expertise in drawing down competitive EU funding.

Peace III and Peace IV

15. The Committee will commission a briefing from Assembly Research on the findings emerging from the evaluations of PEACE III and consider the significance of those findings for the PEACE IV Programme.

Committee for Regional Development

European Commission Work Programme 2013 – Committee Priorities

Committee: Committee for Regional Development

Background

The Committee for Regional Development has already prioritised TEN-T/CEF in respect of European engagement and has conducted two visits to meet with rapporteurs in April/May 2012. It is intended that this will be followed up in the next session.

Agreed Priorities for 2013 from the European Commission Work Programme

TEN-T/CEF

A fully integrated single market and more efficient networks allowing to switch easily between different modes.

To continue influencing in the European Parliament to ensure that Northern Ireland needs are fully represented

Other EU activity planned for 2013

N/A

Other comments

N/A

Committee for Social Development

European Commission Work Programme 2013 – Committee Priorities

Committee: Committee for Social Development

Background

At its meetings on 14 and 21 February 2013, the Committee for Social Development considered correspondence from the COFMdFM and paper from RAISE regarding EU priorities.

Whilst DSD does not have direct strategic responsibility for the vast majority of priority areas within the Work Programme, there are number of initiatives that are broadly relevant to the policy areas within the remit of DSD

In general the Committee will follow up with RAISE and the Department on these priorities and monitor their progress.

Agreed Priorities for 2013 from the European Commission Work Programme

The bank account initiative

The new Bank Account Legislative Package included in the new European Work Programme is intended to promote greater consumer choice, reduced prices, increased cross-border mobility and a reduction in the number of citizens financially excluded.

There is increasing emphasis, in relation to Welfare Reform, on providing social security benefit and pension payments via bank accounts. This initiative may also be of relevance to the housing market. Homeowners and first time buyers in particular, are finding it increasingly difficult to access finance.

European Platform to Fight Undeclared Work

This draft legislative decision establishes a European platform between labour inspectorates and other enforcement bodies. It aims for a more coherent approach by covering all key areas influenced by undeclared work and supporting a more effective fight against undeclared work by improving co-operation between Member States, sharing best practice and identifying common principles.

DSD, the Social Security Agency and the Northern Ireland Housing Executive (who administer Housing Benefit) may therefore have an interest in the outworking of the proposed new European Platform to Fight Undeclared Work.

Effective Institutions for Occupational Retirement Pensions

The legislative provision for occupational pensions contained within the Commission's Work Programme include plans to facilitate cross-border supply (i.e. reduce the legal and administrative complexity for setting up cross-border pensions schemes); and strengthen the protection of occupational pension scheme members. The Committee are also anticipating a new Pensions Bill in the current mandate.

DSD has policy responsibility for a number of pension-related issues, e.g. the recent Pensions Act (Northern Ireland) 2012 introduced a new automatic enrolment scheme for workplace pensions and the use of the Consumer Price Index (rather than the Retail Price Index) as the measure of inflation for indexation and revaluation of occupational pensions

Other EU activity planned for 2013

The Committee considered a recent press release on the European Commission's plans to establish a fund for European Aid to Most Deprived. The Committee agreed to write to the Department to get its view on this Fund and what action it is taking to influence the Coalition Government to agree to this at a European level.



Northern Ireland
Assembly

Appendix 3

MEP Responses

MEP responses

1.	Martina Anderson	62
2.	Diane Dodds	64
3.	Jim Nicholson	72

Martina Anderson



Feisire de Pharlaimint na hEorpa

Clerk to the OFMDFM Committee
Alyn Hicks
Room 435
Parliament Buildings
Ballymiscaw
Stormont
Belfast
BT4 3XX

21st February 2013

Dear Alyn

Thank you for your letter dated 7 Feb.

With regard to committee work, I have recently been appointed 'shadow rapporteur' of the Tobacco Products Directive for the group I belong to in the European Parliament to follow the legislation closely and propose amendments to the draft report. It will address many aspects of tobacco control including; characterising flavours, potential standardisation of cigarette packages and e-cigarettes. This should be significant to the North where over 2000 people die every year from tobacco-related diseases. The process has just begun but is likely to be a major piece of work. I will also be working on files regarding the bioeconomy and youth issues.

I would like to flag up further funding opportunities which should be looked into now by government departments.

Having met with Commission representatives it is clear that the urban aspect of cohesion policy will become much more prominent in the next funding period 2014-2020.

Under the new proposals, a minimum of 5% of each Member State's ERDF allocation for the 2014-2020 funding period will have to be allocated for the purposes of each Member State's ERDF allocation to integrated sustainable urban development. Government departments (and city councils) need to be alert to the possibilities available.

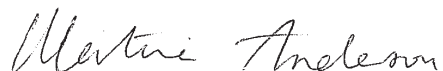
Furthermore there will be a new programme 'innovative Actions in Urban Areas' worth, I believe after the MFF deal, €330 million. City councils and governments need to start thinking now about involving universities to produce the most creative ideas possible. There may also be some

opportunities in relation to the proposals on 'Community-Led Local Development'.

I believe that engagement with Europe generally should be strengthened. It would be useful if you were to look into the Urban Development Platform to heighten our platform and improve networking in this area.

Finally, I would advise that you look further into EU programmes JESSICA and JEREMIE to seek any opportunities which may be there to support sustainable urban development respectively and improve access to finance for SMEs.

Kind Regards

A handwritten signature in black ink that reads "Martina Anderson". The script is cursive and fluid.

Martina Anderson MEP

Diane Dodds

Diane Dodds

DUP Member of European Parliament

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



Mr Alyn Hicks
Clerk to the OFMDFM Committee
Room 435,
Parliament Buildings,
Ballymiscaw, Stormont,
Belfast,
BT4 3XX

Our Ref: DD/2/EU/
(please quote on all correspondence)

11th March 2013

Dear Alyn,

Re: European Commission's Legislative and Work Programme 2013

The European Commission's Work Programme for 2013 was adopted in October of last year, outlining legislative objectives for seven specific policy areas governed by the European Union. As a region of the United Kingdom, Northern Ireland stands to be impacted, both socially and economically, by the intended provision; much of which is correlated to negotiations and partnerships to take place in advance of the 2014-2020 programming period.

In this context, it is necessary to ensure that legislators are best placed to defend the interests of the people of Northern Ireland - including our young people, the vulnerable and our businesses - as the Commission progresses its aims in the weeks and months ahead. With this in mind, please find below some considerations and recommendations which I hope will influence robust scrutiny by our devolved administration of EU policy moving forward in 2013.

1. A genuine economic and monetary union

The first policy objective documented in the Commission's 2013 work programme is that of working toward a more genuine economic and monetary union. It is stated that deeper economic union - alongside a fully-functioning banking and fiscal union - represents the best means of delivering stability, growth and job creation in light of the global economic crisis. To realise this aim, the Commission affirms the need for better coordinated tax policies, a single rule governing financial institutions and legislation that enhances consumer protection in the financial sector. It also commits to tackling tax fraud and evasion.

- As an MEP I fundamentally oppose the premise of a deeper economic and monetary union. Such a strategy neither recognises, nor provides a solution to, the primary cause of the EU's extensive economic problems; the folly of the single currency and the sovereign debt crisis. Further integration stands to reduce the present level of flexibility that Member States, such as the UK, and possess in their attempts to spark economic recovery.

www.europarl.europa.eu
B-1047 Bruxelles / Brussel
Tel: 0032 2 28 45770

F-Strasbourg
Tel: 033 3 88 1 75770

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

- The United Kingdom is already a net contributor to the EU budget, meaning that as a Member State, and Northern Ireland as a region, receives less back from the EU than we contribute. In this light, further economic integration must, I believe, be robustly opposed, and the Commission's economic strategy should instead reflect widespread austerity measures in place throughout Member States.

Significantly, the Commission also seeks to agree country-specific negotiation mandates for the Common Strategic Framework Funds for the 2014-2020 funding period. CSF funds include the European Social Fund (ESF), the European Regional Development Fund (ERDF), the Cohesion Fund, and the European Agriculture and Rural Development Fund (EARDF). These mandates would allow negotiations to be finalised which shape how the money Member States receive from EU funds can be invested.

- As the Commission's Work Programme highlights, 2013 will be a critical year in the formulation of priorities for the allocation of EU Structural and Cohesion funds in Northern Ireland between 2014 and 2020. Specific mandates will be agreed by the Commission for entering negotiations with Member States to set objectives for administering this money to worthy organisations and businesses. In this context, legislators and elected representatives in Northern Ireland must make it a priority to identify areas where support is most urgently needed in order to complement our region's social and economic development. Critically, the new Cohesion Policy - and the initial MFF agreement - caters for a higher level of support for 'transition regions' that have had between 75% and 90% of the average EU 27 GDP per capita between 2007-2009. According to recent figures, Northern Ireland is eligible for this category, having an average GDP of 86.4% for this period. This development is to be welcomed.
- The MFF Agreement reached on 8 February contains a budget line of €150 million for continuing the PEACE Programme in Northern Ireland and the Border Regions of the Republic of Ireland. This is encouraging. Steps must, however, be taken to ensure that these funds are allocated in a fair and effective manner. Given the current economic landscape, I believe tackling youth unemployment and social exclusion should be the primary focus of a new programme. Actions should also reach those not adequately impacted by PEACE III, namely victims, women's groups and faith-based organisations. SMEs should also be supported, and greater efficiency should be garnered within the application process.

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

2. Boosting competitiveness through the Single Market and industrial policy

The Commission's second major policy objective of 2013 is to boost competitiveness in the Single Market - with view to exploiting the opportunities for growth offered by new technologies and innovation. It is stated that targeted investment is needed in order to embrace technological change, promote entrepreneurship and to address the problems faced by small and medium sized enterprises (SMEs) in accessing finance and meeting compliance costs. Specific proposals are annexed to the Commission's Work Programme which would leverage investment in research and innovation through Public-Private Partnerships, eliminate trade barriers to the movement of industrial products, and make fees payable to the European Chemicals Agency more relative to a company's size. In addition to this, plans are included to align the rules and processes associated with compliance to VAT, and to make e-invoicing mandatory for public procurement.

- In Northern Ireland, where 98% of businesses are SMEs, start-up and incubator support is necessary in order to facilitate competition and subsequently accrue greater economic output.

The Commission's Work Programme also places emphasis on initiatives aimed at simplification and reducing administrative burden for businesses and citizens in the EU, most notably in the field of agriculture. However, as always, actions speak louder than words and many promises have been made by the EU to reduce bureaucracy but little progress can be seen.

3. Connect to complete: building tomorrow's networks today

The third policy objective included in the Commission's 2013 Work Programme was the need to ensure an integrated and interconnected European Single Market, which, it was asserted, key for competitiveness, jobs and ultimately economic growth.

- the European Commission continues to endorse an integrated and interconnected transport, energy and digital infrastructure throughout the EU. Gaps in transport and energy networks, in particular, create additional costs for businesses and consumers, and in many cases discourage domestic or foreign direct investment in isolated areas of Northern Ireland. In our region, this is most evident in the urban-rural divide. Subsequently, proposals aimed at increasing broadband coverage and endorsing electronic payments may make our region more hospitable to intra-province investment and connectivity.

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

- The European Regional Development Fund (ERDF) 2014-2020 may represent an effective means of improving energy, transport and digital infrastructures in Northern Ireland. Indeed, the Commission's draft proposals state that a minimum of 80% of funds for transition regions should be spent on projects that promote energy efficiency, renewables, innovation and support for SMEs. Furthermore, the MFF agreement contains a budget line of €500 million for interregional cooperation, which, in my opinion, should support innovative technology, including ICT and broadband services, in order to better develop cross-border connectivity between Northern Ireland and the Republic of Ireland.

4. Inclusion and excellence

The European Commission's Work Programme for 2013 states that the social market economy is one of Europe's greatest assets as it can combine economic growth with inclusiveness. With this in mind, it notes the present problems posed by high levels of unemployment, increased poverty and social exclusion, especially among young people.

In an attempt to combat such factors, the Commission intends to create an active employment policy to improve personal employability skills, increase educational attainment and promote participation in the labour market. It is stated that education and training schemes should better correlate to market need, and that the employment potential of growth sectors, such as the green economy and ICT, should be heralded. A European Employment Guarantee would be implemented. In addition to this, initiatives are included to better support higher education as an international tool for attracting talent, exchanging knowledge and conducting research.

- As noted previously, I believe that an emphasis should indeed be placed on improving employability skills and increasing educational attainment among our young people. This can be achieved by prioritising both community and further education schemes. The aim of attracting international talent to our universities should be engaged, however, care must be taken to ensure that opening up access does not result in our students of graduates leaving our shores to wield their skills elsewhere.

External to education, provision is included which would aim to ensure that social investment, for instance through the European Social Fund, is maximised toward increasing social inclusion and improving social services. An initiative is also included which would ensure that adequate structures are in place to fund occupational retirement pensions.

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

- The European Social Fund has provided significant funding to projects in Northern Ireland which tackle social exclusion and support those with low skills. In light of the Coalition Government's overhaul of the benefit system and the need to make work pay, the ESF Programme in Northern Ireland between 2014-2020 should remain true to the aim of improving the employability of those with few skills and of those hardest to reach. Primary emphasis should be placed on actions that support the work of groups that engage women, young people and the disabled, as well promote intergenerational and capital projects. The social economy must be developed. Most importantly, however, actions should be supported that affirm employability and lifelong learning - both through community schemes and further education.

- **5. Using Europe's resources better**

The fifth objective detailed in the Commission's Work Programme for 2013 is that of using Europe's resources in a more efficient and sustainable manner. It is stated first and foremost that less waste should be produced, re-used and recycled; in order to enact greater resource efficiency, enhance competitiveness and to reduce costs for businesses in the long-term. Provision is also incorporated which would see emphasis directed to the long-term sustainability of resources such as air, soil, energy, water and fish, and to forming a strategy on moving toward a low-carbon economy by 2030. A review of waste legislation and a new strategy on adaptation to climate change are also signalled, while it is noted that the finalisation of agriculture and fisheries policies would potentially allow job opportunities with a focus on sustainability.

- Reviewing waste legislation and placing an emphasis upon re-using and recycling stands to improve resource efficiency among Northern Ireland's businesses. This evaluation should investigate and identify waste products suitable to use in the production of renewable energy, for instance, green waste and food waste. It should also look at ways to educate councils and taxpayers on the benefits.
- The Commission's emphasis on a low-carbon economy should not, however, be to the detriment of the livelihoods of our farmers and fishermen and to industry generally.

6. Building a safe and secure Europe

The European Commission's Work Programme for 2013 documents the need to protect EU citizens and their rights from threats and challenges, as well as to remove obstacles to

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

mobility. This, it is affirmed, includes fighting crime, corruption, securing EU borders and ensuring respect for the rule of law.

Initially, it is stated that the EU should have a well-functioning justice system, one which ensures that cases that involved vulnerable accused individuals are given adequate attention, and which assures businesses and individuals that EU mobility is complemented by access to justice. The Commission proposes to establish a European Public Prosecutor's Office to fight against crimes affecting the EU budget and other financial interests. Furthermore, in relation to EU borders, it is stated that risks to health, food and product safety should be reduced, whilst other cross-border dimensions, such as money and cigarette laundering, weapons trafficking, and terrorist suspects are to be subject to specific EU initiatives. Finally, reports surrounding anti-corruption and citizen rights are to be compiled to encourage best practice and to ensure that an individual's rights can be properly exercised.

- Northern Ireland exists in a unique position given its land-border with another EU Member State, the Republic of Ireland. Ultimately, this geographical status has left our region of the United Kingdom not only susceptible to the criminality commonly seen at EU borders, but also to cross-border terrorist activity. I believe, therefore, that our devolved administration should engage fully with the Commission with view to providing information on the extent of fuel, money and cigarette laundering between our region of the UK and the Irish Republic. Such engagement should also be made a priority for influencing EU policy on terrorist suspects and arms trafficking. These policies must make provision for taking a harsher line on terrorist activities, whilst the protection and support of victims of terrorism and criminality must also be prioritised. We also look forward to the EU bringing forward proposals on support for victims of terrorism.
- Improving access to justice and legal support for businesses or individuals for Northern Ireland with assets or interests in other EU Member States is also vital. The system should be made as transparent and comprehensive as possible. Over the last number of years our office has been constantly in touch with constituents who have been affected by property scams and for whom justice is very difficult to obtain. This is an issue that must be taken forward by all of us as elected representatives of those affected.
- Whilst effective action toward preventing and prosecuting the criminal and terrorist activity outlined above is necessary, the right of Member States first and foremost to legislate in these areas must be safeguarded.
- The recent horsemeat scandal affecting Northern Ireland has shown that greater scrutiny should surround EU legislation on food and product safety. Initially, in terms of labelling, there is a need for checks and balances to be enforced across Europe to ensure that products match their contents. IN this regard, retailers also have a responsibility given that they are the final actor in the food supply chain. Secondly,

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

with reference to food traceability, it is necessary to ensure that the paper trail for products/goods that move across Europe is checked to ensure that those products are genuine. In addition to this, there must be greater transparency in relation to the movement of horses within Member States and between Member States. The Northern Ireland Assembly should lobby for an urgent review of the accuracy of horse passports across the EU, in order to identify gaps in the system.

9. Europe as a global actor

The Commission's 2013 Work Programme also restates both as an objective and a priority, the promotion of the EU's fundamental values beyond its borders. It is noted that in the year of Croatia's accession, enlargement continues to represent a key tool toward supporting positive change on the EU's doorstep and thus a 2013 enlargement package is included within the agenda. This package includes a particular emphasis on consolidating the rule of law in any negotiations. In addition to this, the Work Programme aims to formulate an EU position on providing development aid to third countries post-2015, whilst heralding the need to meet the Millennium Development Goals (MDGs). A new climate change agreement is also foreseen by 2015.

A Single Seat for the European Parliament

Presently, the European Parliament is obligated to hold one plenary per month in Strasbourg, the official seat of Parliament. It has been well documented that shifting Parliament's operation from Brussels to Strasbourg for one week every month costs EU taxpayers €180m every year. Over the course of the next seven years, the continuation of this inefficiency would equate to €1.26bn of the EU budget. A single seat would therefore make savings of this amount.

Cumulatively, the European Parliament's administrative base is split between Brussels, Strasbourg and Luxembourg. This arrangement determines that almost three times the amount of infrastructure, IT and technical support, communications and interpreting is needed. In 2011, this translated into costs of €62.4m for the maintenance of Parliament Buildings in Strasbourg, which are vacant for 317 days every year. In 2010, new buildings were opened in Luxembourg for parliamentary staff, at a cost of €800m.

Resultantly, by having a single seat for the European Parliament, unnecessary financial costs accrued by a Parliamentary operation that is based in three locations would be rendered obsolete. The OFMDM Committee should thus join this campaign.

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

I trust this summary is of use to the Committee. Be assured of my continued efforts in the European Parliament on these and many other issues. If you require further information, please do not hesitate to contact me at any time.

Yours faithfully

A handwritten signature in black ink that reads "Diane Dodds," with a comma at the end. The signature is written in a cursive, slightly slanted style.

DIANE DODDS MEP

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

Jim Nicholson



Member of the European Parliament

Alyn Hicks
Clerk to the OFMDFM Committee
Room 412, Parliament Buildings,
Ballymiscaw
Stormont
Belfast,
BT4 3XX

12th April 2013

Dear Mr Hicks,

Further to your recent email and following correspondence between the Committee and my office I am pleased to include information on a number of relevant topics that have legislation or reports upcoming in the European Parliament.

The table which I have included along with this letter outline the progress and timescales of a number of different reports moving through the Parliament in areas of relevant interest to the OFMDFM Committee including Victims, Anti-Poverty, Equality and Public Services.

In relation to agriculture as Agriculture Co-ordinator for the ECR Group much of my current work centres on the on-going reform of the Common Agricultural Policy (CAP) which has just entered the trilogue stage in the process – the final negotiations between the European Parliament, Council of Ministers and European Commission. The Republic of Ireland currently hold the EU's Presidency and they remain hopeful that a political agreement can be reached before the end of June when their Presidency comes to an end there is however a lot of work to do before reaching agreement on the four CAP dossiers. For Northern Ireland the nature of the final package will have huge implications not just for agriculture and our rural communities but also for our countryside and the economy as a whole such is the importance of food production and processing for employment.

The other flagship piece of EU policy, the Common Fisheries Policy (CFP) is also on-going. In February I and other MEPs endorsed a broad range of proposals which would overhaul the current centralised management of our fisheries in favour of a system which devolves fisheries management to Member States and those with local knowledge. Proposals to tackle the issue of discards have also been supported by the European Parliament as have a range of other measures aimed at ensuring sustainability. As is the case with the CAP the final outcome of the CFP reform process to be decided during trilogues will not just affect the sector but will have wider economic, environmental and social implications.

European Office, Strandtown Hall, 2-4 Belmont Road, Belfast, BT4 2AN
Tel: 028 9047 4635 Fax: 028 9065 2149 e-mail: ntgartland@gmail.com Web: www.uup.org

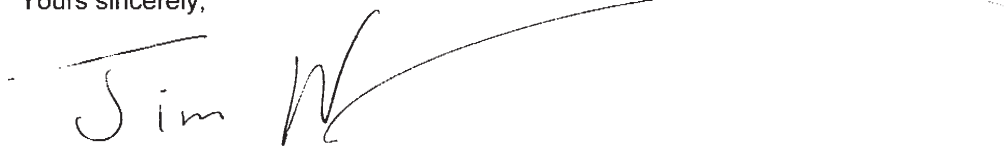


Member of the European Parliament

In addition, the on-going debate around the EU Budget 2014-20 still continues with the effect on local programmes yet to be seen. I was delighted that a Peace IV programme has been announced and once again, the details of this will be finalised in due course.

As MEP for Northern Ireland I have always stated it is essential for our Assembly to proactively engage with the European Union and I am delighted to be able to assist you in any way I can. Should I be of anymore assistance to you though my role in the European Parliament, please do not hesitate to contact my office.

Yours sincerely,



Jim Nicholson
Ulster Unionist MEP for Northern Ireland

European Office, Strandtown Hall, 2-4 Belmont Road, Belfast, BT4 2AN
Tel: 028 9047 4635 Fax: 028 9065 2149 e-mail: ntgartland@gmail.com Web: www.uup.org

VICTIMS & ANTI-POVERTY related reports

Title of Report	Committee	Rapporteur	Stage	Background Information
<i>Situation of unaccompanied minors in the EU</i>	Civil Liberties, Justice and Home Affairs (LIBE)	Nathalie Griesbeck MEP (Alliance of Liberals and Democrats in Europe)	Plenary Sitting scheduled for 02/07/2013	This report drives towards an EU-wide approach to the situation of unaccompanied minors based on the principle that the best interest of the child should always come first. The report proposes improvement of data collection, prevention of unsafe migration and trafficking, strengthening of reception and procedural guarantees in the EU and maintaining the resettlement priorities of the Union Resettlement Programme (as planned for 2014-2020 by the Asylum & Migration Fund).
<i>Impact of the crisis on access to care of vulnerable groups</i>	Employment and Social Affairs (EMPL)	Jean Lambert (Greens/European Free Alliance)	Awaiting first reading in parliament	This report looks at the effect of austerity measures on society and in particular, vulnerable groups. It will focus on stresses in healthcare provision and care services in a time of public sector budget cuts. Older people, children, young people and those with physical or learning disabilities will be of focus. The report statement also notes that the Employment Committee has long called for 20% of the European Social Fund to be dedicated to tackling poverty.

<p><i>EU Programme for Social Change and Innovation 2014-2020</i></p>	<p>Employment and Social Affairs (EMPL)</p>	<p>Jutta Steinruck MEP (Socialists & Democrats)</p>	<p>Awaiting first reading in parliament</p>	<p>This report recommends the establishment of a European Programme for Social Progress, Innovation and Employment. This programme will financially support measures that promote high innovation, sustainable employment and improved working conditions. One recommendation has been to increase the availability of micro-financing for business start ups. It advocates social protection, social inclusion and seeks to combat poverty. It also seeks to improve the situation of young people classed as NEETs (Not in Education, Employment or Training).</p>
---	---	---	---	--

EQUALITY related reports

Title of Report	Committee	Rapporteur	Stage	Background Information
<i>Establishing the Rights and Citizenship Programme 2014-2020</i>	Civil Liberties, Justice and Home Affairs (LIBE)	Kinga Goncez MEP (Socialists & Democrats)	Awaiting first reading in parliament	<p>This report highlights the inconsistent implementation of certain rights across the EU. The programme objectives are:</p> <ol style="list-style-type: none"> 1) To enhance the exercise of rights deriving from citizenship of the Union. 2) To promote effective implementation of the principles of non-discrimination on grounds of sex, race, religion, ethnicity and sexual orientation. 3) To contribute to ensuring a high level of protection for personal data. 4) To enhance the respect of rights of the child. 5) To empower consumers and businesses to trade and purchase in trust within the internal market.
<i>Educational and Occupational Mobility of women in the EU</i>	Women's Rights and Gender Equality (FEMM)	Licia Ronzulli MEP (European People's Party)	Plenary sitting scheduled for 10/06/2013	<p>This report emphasises the need to adapt education and training systems to meet current challenges to employment. It states that lifelong learning opportunities must be strengthened and that the system for recognising professional qualifications must also be improved. Shortcomings to mobility include poor knowledge of foreign languages and failures to update national social security systems. The report notes that the objective of Europe 2020 is to raise to 75% the employment rate for women and men aged 20-64.</p>

PUBLIC SERVICES related reports

Title of Report	Committee	Rapporteur	Stage	Background Information
<i>Fund for European Aid to the Most Deprived</i>	Employment and Social Affairs (EMPL)	Emer Costello MEP (Socialists & Democrats)	Awaiting first reading in parliament	Europe's 2020 Strategy includes a target to reduce the number of people in poverty by 20 million. This proposed €2.5 billion fund would support national schemes by allowing member states to have responsibility for the allocation of the resources. However, resources proposed by the fund and limited and insufficient. Nevertheless, the Rapporteur highlights the potential this fund has over 2014-2020 period.
<i>Interoperability of the Rail System within the EU (4th Railway package)</i>	Transport and Tourism (TRAN)	Izaskun Bilbao Barandica MEP (Alliance of Liberals and Democrats in Europe)	Vote in Committee scheduled for the 26/11/2013	The aim of this package is to improve the efficiency and competitiveness of the Single European Railway Area. It highlights the need to establish a common approach to safety, the need to decrease administration costs and accelerate administrative procedures. The report hopes to place greater reliance on the European Railways Agency.

<p><i>Accessibility of public sector bodies' websites</i></p>	<p>Internal Market and Consumer Protection (IMCO)</p>	<p>Jorgo Chatziamarkakis MEP <i>(Alliance of Liberals & Democrats in Europe)</i></p>	<p>Awaiting first reading in parliament</p>	<p>The website developer market consists of some 175,000 enterprises in 27 member states. This report aims to harmonise the market with the intention of improving market conditions, creating more jobs, encouraging cheaper web accessibility and increasing the number of accessible websites. Under these proposals, Member States will make the content of certain types of websites of public bodies accessible to citizens. The central tenet of the report is that easier access to public body websites is essential for citizens' participation in the economy and society.</p>
---	---	--	---	---



Northern Ireland
Assembly

Appendix 4

Research Paper



Northern Ireland
Assembly

Research and Information Service
Research Paper

4 December 2012

NIAR – 937-12

RaISe

European Commission Work Programme 2013

This research paper identifies initiatives contained in European Commission's 2013 Work Programme which are of potential interest to statutory committees of the Assembly, as part of their engagement with European issues.

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

Terminology Used in the Work Programme

The CWP categorises proposals as ‘Legislative’, ‘Soft-law’ or ‘Non-legislative’. A brief description of each category and the nature of proposals falling within each category is given below. In addition a description of ‘roadmaps’, which give a first description of a planned Commission initiatives, is provided.

Legislative

In terms of legislative proposals these may take the form of one of the three legal instruments described below

1. *Regulations*: these are binding in their entirety and directly applicable in all Member States;
2. *Directives*: these bind the Member States as to the results to be achieved; they have to be transposed into the national legal framework and thus leave margin for manoeuvre as to the form and means of implementation; and
3. *Decisions*: these are fully binding on those to whom they are addressed.

Soft Law

Soft law is the term applied to EU measures, such as guidelines, declarations and opinions, which, in contrast to directives, regulations and decisions, are not binding on those to whom they are addressed. It has been argued that in spite of, or indeed because of, its lack of legal effect soft law can exercise ‘soft’ influence through, for example, the demonstration effects of pilot projects, which illustrate possibilities and exert a persuasive influence. Member States and other actors may undertake voluntarily to do what they are less willing to do if legally obligated. Soft law, therefore, is sometimes presented as a more flexible instrument in achieving policy objectives’.¹

Non-Legislative

Communications, green papers, and white papers are the key non-legislative documents used to take forward Commission proposals in the CWP

1. *Communications* are policy documents which have no mandatory authority. The Commission takes the initiative of publishing a Communication when it wishes to set out its own thinking on a topical issue. A Communication has no legal effect.
2. *Green Papers* are documents published by the European Commission to stimulate discussion on given topics at European level. They invite the relevant parties (bodies or individuals) to participate in a consultation process and debate on the basis of the proposals they put forward. Green Papers may give rise to legislative developments that are then outlined in White Papers.
3. *White Papers* are documents containing proposals for Community action in a specific area. In some cases they follow a Green Paper published to launch a consultation process at European level.²

Road Maps

Roadmaps, which give a first description of a planned Commission initiative and set out the planned impact assessment work, are prepared for:

- those legislative proposals which have significant economic, social and environmental impacts

1 <http://www.eurofound.europa.eu/areas/industrialrelations/dictionary/definitions/softlaw.htm>

2 http://europa.eu/legislation_summaries/glossary/green_paper_en.htm

- non-legislative initiatives (white papers, action plans, expenditure programmes, negotiating guidelines for international agreements) which define future policies
- certain implementing measures (so called ‘comitology’ items) which are likely to have significant impacts.

Background

1. The undertaking of a Committee pilot project aimed at enhancing committees’ scrutiny of European issues was agreed, with the support of the Chairs’ Liaison Group, by the Committee for the Office of the First Minister and deputy First Minister (COFMdFM), at its meeting on the 17th October 2012. The pilot project seeks to build on actions recommended in the 2010 COFMdFM’s ‘Inquiry into Consideration of European Issues’ and mirrors the approach to European scrutiny adopted by the Scottish Parliament in 2011. The pilot project is based upon the following 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 2012-13 and related Implementation Plan
 - NI Executive Programme for Government targets which have a European focus
2. The Commission’s Annual Work Programme (CWP), which is usually published in the autumn, is a key document, as the Commission alone has the ‘right of initiative’ within the European Union. The CWP sets out the legislative (directives, regulations etc.) as well as non-legislative (action plans, green papers, communications, recommendations etc.) proposals which the Commission will bring forward in the forthcoming year. The pilot project, therefore, retains the 2010 Committee inquiry report’s emphasis on the CWP and seeks to further assist the prioritisation of topics by committees and to better integrate consideration of EU issues into committee work programmes.
3. The pilot project recognises the need to focus committees’ limited resources on those proposals in the CWP which are of most relevance to the work of the Assembly and on which there is greatest potential to have impact. To assist committees identify priorities from CWP, the proposal tasked the Research and Information Service (RaISe) with the development of a set of criteria which could be used to filter the CWP and to support statutory committees in identifying priority items.
4. Given that COFMdFM has lead responsibility for engagement in European matters, the pilot proposal indicated that these criteria would be subject to agreement by the Committee. At its meeting on 23 October 2012, the COFMdFM agreed the following criteria:
 - *Competence* – initiatives relating to devolved matters only, as many items in the Commission’s Work Programme may relate to excepted/reserved matters.
 - *Type of initiative* – legislative initiatives have particular significance given their impact on Northern Ireland law and the application of the subsidiarity early warning system to draft legislative acts.
 - *Stage in development* – specific non-legislative initiatives, such as green papers, represent an opportunity for Committees to engage with an issue at an early stage in the policy development process, when the potential to exert influence may be greatest.
 - *Executive’s European Priorities* – initiatives relating to the Executive’s current European priorities, given that a key role of statutory committees is scrutinising Departmental performance.
 - *Committee focus* – initiatives which relate to existing topics of interest to committees or topics identified in committees’ forward work programmes.

- *Financial Implications* – initiatives which may have significant financial implications in terms of funding or in terms of direct or indirect costs resulting from increased regulation.
5. RalSe would also seek to highlight initiatives where it might be anticipated that the EU institutions would be particularly receptive to the distinct contribution to be made by the Executive or the Assembly or initiatives in relation to which the interests of Northern Ireland may differ from those of the UK as a whole.³

Commission Work Programme 2013

6. The 2013 Work Programme, which was adopted by the Commission on 23 October 2012, sets out 55 proposals which the Commission will table during 2013 and in the first part of 2014. The proposals are grouped under the following seven key policy objectives:
- *A genuine Economic and Monetary Union*: additional legislation to enhance stability, transparency and consumer protection in the financial sector, based in particular on the blueprint to a genuine economic and monetary union.
 - *Boosting competitiveness through the Single Market and industrial policy*: initiatives to cut costs for businesses in areas like VAT and invoicing, tackle obstacles to competitiveness and encourage key growth sectors through public-private partnerships in research.
 - *Connect to compete: building tomorrow's networks today*: modernising networks by liberalisation in energy, by boosting investment in infrastructure like broadband, and by modernising Europe's transport and logistics.
 - *Growth for jobs: inclusion and excellence*: building up practical support to the unemployed in areas like public employment services, and making sure the EU does its utmost to support social inclusion.
 - *Using Europe's resources to compete better*: giving the long-term perspective so important to sustainable growth with a framework for energy and climate change to 2030 and dedicated action on air quality and waste.
 - *Building a safe and secure Europe*: working to boost justice through a European Public Prosecutor's Office to protect the EU's financial interests, security by fighting traffic in firearms and consolidating citizenship in the European Year of Citizens.
 - *Pulling our weight: Europe as a global actor*: driving forward our interest and values through a new generation of trade agreements, targeted action in our neighbourhood, and furthering the Millennium Development Goals as the world's leading development cooperation partner.
7. In line with the pilot project proposal, RalSe has now considered the list of initiatives contained in CWP and identified those initiatives which are of potentially greatest interest to statutory committees. These initiatives are listed by Committee in Annex 1.
8. When considering the initiatives listed in Annex 1 in the wider context of each statutory committee's engagement on European issues, it is important to bear in mind that the CWP contains only proposals which will be tabled during 2013 and in the first part of 2014. Proposals which are ongoing from previous years are not contained in the CWP and this ongoing work may be of significant interest to committees, particularly those for which few or no initiatives in the 2013 CWP have been identified. Furthermore, as 2014 represents the end of current of current legislature, the 2013 CWP contains significantly fewer initiatives than contained in recent Work Programmes. The 2012 CWP, for example, listed 129 initiatives for 2012 and 66 further initiative for following years; the 2011 CWP contained 40 proposals

3 Whilst as a matter of law, relations with the European Union remain the responsibility of the United Kingdom Government and Parliament, the UK Government recognises that the devolved administrations will have an interest in European policy making in relation to devolved matters.

for initiatives scheduled for adoption in 2011 and a further 92 initiatives under consideration for proposal beyond 2011.

December 2012

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

While OFMdfM has strategic responsibility for the activities of all Departments in relation to EU engagement, the priorities referred to here relate to areas specific to OFMdfM. Where possible, these are linked to the Northern Ireland Executive's stated European priorities for 2013¹.

31	Integration of the Roma	Soft Law
----	-------------------------	----------

Relevance for NI: On-going integration issues with regard to Roma; indirect link to policy development regarding Irish Travellers.

On 5 April 2011, The Commission adopted a Communication creating an EU Framework for National Roma Integration strategies up to 2020². Its aim is to encourage Member States to adopt further a comprehensive approach to Roma integration. They are asked to set realistic, achievable national goals for Roma integration in four crucial areas (employment, education, housing and health) and to allocate sufficient funding to actions supporting Roma integration from national budgets complemented by international or EU funding.

This initiative directly deriving from the 2011 Communication aims therefore at ensuring that all national authorities create or adapt national Roma integration strategies/sets of policy measures in proportion to the size of the Roma population living in their territories and taking into account their starting points.

NI Executive EU Priorities 2012-13

SC 10. Use European funding to reduce poverty, support social inclusion and combat discrimination

Sc 10.2 To pursue any competitive EU funding opportunities that arise during 2012-13 that are designed to reduce poverty, support social inclusion or combat discrimination and support projects in making applications [OFMDFM; all Departments]

SC 14. Promote the use of European funding programmes to organisations within the region who are working in the area of social cohesion.

Over recent years members of the Roma Community have arrived in Northern Ireland. There are similarities between the circumstances of the Roma and those of the 'Traveller Community', however, Roma may also face language barriers. In June 2009, a major incident in Belfast brought treatment of the Roma in Northern Ireland to international attention³.

A Promoting Social Inclusion (PSI) Working Group on Travellers was set up by the Executive in the late 1990s to consider difficulties which Travelers face and to suggest ways of tackling them. The Working Group set out 33 recommendations in its report of 2001. The recommendations covered issues such as Traveller accommodation, health, education, training and policing.

1 Northern Ireland Executive (2012), European Priorities 2012-2013 Implementation Plan, Belfast: NI Executive: <http://www.ofmdfmi.gov.uk/index/co-operation/about-the-european-policy-and-co-ordination-co-operation/european-priorities-2012-2013.htm>.

2 European Commission (2011), An EU Framework for National Roma Integration Strategies up to 2020, COM(2011) 173, Brussels: EC: http://ec.europa.eu/justice/policies/discrimination/docs/com_2011_173_en.pdf.

3 'Only Two Roma from 114 Remain after Northern Ireland Race Shame', Belfast Telegraph 27-06-09: <http://www.belfasttelegraph.co.uk/news/local-national/only-two-roma-from-114-remain-after-northern-ireland-race-shame-14366153.html>.

NI Executive action on Travellers to date has also included the amendment of the Race Relations (Northern Ireland) Order 1997 by the Race Relations Order (Amendment) Regulations (Northern Ireland) 2003 to implement the EU Framework Employment Directive, and the Race Relations Order (Amendment) Regulations (Northern Ireland) 2009.

The Order outlaws discrimination on racial grounds. Racial grounds include colour, race, nationality or ethnic or national origins. The Irish Traveller community is specifically identified in the RRO as a racial group which is protected against unlawful racial discrimination. The law covers racial discrimination in employment, education, the provision of goods, facilities or services and the disposal or management of premises.

Under Section 75 of the Northern Ireland Act 1998 public authorities are required, in carrying out their functions in Northern Ireland, to have due regard to the need to promote equality of opportunity between various groups, including persons of different racial groups. They are also required to have regard to the desirability of promoting good relations between persons of different racial groups. These duties are in addition to obligations under the Race relations Order.

47	EU Citizenship Report 2013: Progress Towards Eliminating Obstacles to EU Citizens' Rights	non-legislative Q2 - 2013
----	---	------------------------------

Relevance to NI: Integration of and respect for rights of EU citizens migrating to the region. NI Executive European Priorities SC-10, SC-14.

EU citizens are guaranteed certain rights across all the Member States and this is to be emphasised in European Year of the Citizen 2013. The Commission intends to report on progress since the EU Citizenship Report 2010⁴, which highlights problems for EU citizens in relation to rights as private individuals (such as property rights, access to justice, access to health care, etc.), as residents, students and professionals (such as free movement, recognition of qualifications, social security, etc.) and as political actors (such as voting rights).

Northern Ireland has been a destination region for migrants from across the EU (and beyond) in recent years⁵. The Racial Equality Strategy in 2005⁶ was intended to run until 2010. A Cohesion, Sharing and Integration Strategy⁷, intended to fuse approaches to community cohesion with regard to Protestant and Catholic communities, migrants and minority ethnic groups, has not been agreed for introduction.

56	Enlargement Package 2013	non-legislative
----	--------------------------	-----------------

Relevance to NI: Sharing of expertise and experience in terms of a region in the transition from conflict with candidate countries and regions. NI Executive European Priority SC-3.

The current Enlargement Strategy⁸ includes proposed access by countries in the Western Balkans (Croatia, Montenegro, Macedonia, Serbia, Albania, Bosnia and Herzegovina and Kosovo), Turkey and Iceland. The Balkan states are, like Northern Ireland, areas in the

4 European Commission (2010), Citizenship Report 2010: Dismantling the obstacles to EU citizens' rights, COM(2010) 603, Brussels: EC: http://ec.europa.eu/justice/citizen/files/com_2010_603_en.pdf.

5 See Research and Information Service Research Paper 31/12 Migration in Northern Ireland: an update, February 2012: <http://www.niassembly.gov.uk/Documents/RaISe/Publications/2012/general/3112.pdf>.

6 OFMdFM (2005), Racial Equality Strategy for Northern Ireland 2005-2010, Belfast: OFMdFM: <http://www.ofmdfmi.gov.uk/index/equality/race.htm>.

7 OFMdFM (2010), Programme for Cohesion, Sharing and Integration, Belfast: OFMdFM: <http://www.ofmdfmi.gov.uk/index/equality/community-relations/csi-consultation.htm>.

8 European Commission (2012), Enlargement Strategy and Main Challenges 2012-2013, COM(2012) 600, Brussels: EC: http://ec.europa.eu/enlargement/pdf/key_documents/2012/package/strategy_paper_2012_en.pdf.

transition from community-based conflict (Turkey’s conflict regarding Kurdish communities is on-going), those of Macedonia, Bosnia and Herzegovina and Kosovo having adopted power-sharing institutions in or since the 1990’s. Key challenges this process include the rule of law, regional co-operation and reconciliation and economic and social challenges.

NI Executive EU Priorities 2012-13

SC3. Share our experience of conflict resolution to assist others

Northern Ireland has been the recipient of generous EU⁹ and other funds in support of post-conflict reconciliation and has accumulated considerable experience and expertise in institution-building in a region in transition from conflict. As part of the enlargement process, Northern Ireland has much to offer potential accession states and Northern Ireland can also learn from their experiences. In this context, the Northern Ireland Assembly has a Memorandum of Understanding with the Kosovo Assembly.

Committee for Agriculture and Rural Development

36	Review of EU Political and Legal Framework for Organic Production	legislative
----	---	-------------

The policy objectives of the current framework for organic production (Regulation 834/2007 and Communication COM(2004) 415) are to: - establish a sustainable management system for agriculture and - produce high quality products and a high variety of products responding to consumers’ demand for processes that do not harm the environment, health, or animal welfare.

The review will verify whether they are still relevant and adapted to the future evolution of organic production. Northern Ireland has relatively little organic, or in conversion, agricultural land (13,000 hectares in 2008), when compared to the rest of the UK.

Whilst the development of the organic sector here has been limited there does appear to be interest in this type of production by both consumers and producers alike. Due to the costs of set up and conversion, the development of organic production here has to a certain extent been driven by the availability of technical and capital support programmes administered by DARD, utilising EU funding.

Schemes such as the Organic Farm Scheme under Axis 2, Measure 2.2 of the 2007-13 NIRDP and the Farm Modernisation Scheme have historically supported farmers seeking to operate organically. At present however specific public funding, open to application, to support organic farming in Northern Ireland.

If the EC chooses to take further legislative steps to support the development of organic production or sustainable production the experience in Northern Ireland suggests that this will require practical and funding support, and that any additional legislative requirements may actually discourage the development of the sector here.

52	Animal Medicines	legislative
----	------------------	-------------

9 The EU Peace III Programme 2007-2013 has brought €225m, plus €108 Member State contributions, towards peacebuilding in Northern Ireland, building on Peace I and Peace II, with plans for Peace 4 under way: <http://www.seupb.eu/programmes2007-2013/peaceiiiprogramme/overview.aspx>.

New framework for veterinary medicines and certain aspects of their use to establish a level playing field in the EU, and decrease administrative burden. At present the following EC Regulations deal with the issue of veterinary medicines:

- 470/2009
- 37/2010
- 1950/2006
- 1234/2008
- 1085/2003
- 1084/2003

The Veterinary Medicines Regulations 2011 incorporate these EC regulations into UK law and as such any new EU framework would potentially require existing UK law to be amended in order to be compliant.

In general terms any consolidation or simplification of the current legislation is likely to be welcomed within Northern Ireland.

53	Use of Cloning Techniques for Food Production	legislative non-legislative
----	---	--------------------------------

Follow up Commission's report on cloning of animals for food production, in the context of the good functioning of the internal market. Foods produced from cloned animals fall under Regulation (EC) No 258/97 concerning novel food and novel food ingredients. This means that foods from cloned animals would be subjected to a safety evaluation and approved by all European Union countries as a novel food before they could be marketed legally

The EC published its report into animal cloning for food production in 2010 and concluded that it was appropriate to propose measures to:

- Suspend temporarily the use of the technique in the EU for the reproduction of all food producing animals; the use of clones of these animals; the import of clones and the marketing of food from clones
- Establish the traceability of the imports of semen and embryos to allow farmers and industry to set up data bank(s) of offspring in the EU.

As things stand the EU has a number of potential legislative pathways that it could follow:

- Go with the proposed measures within the 2010 report;
- Go with the proposed measures presented in the 2010 report and supplement this with traceability of live offspring from third countries and the traceability and labeling of food from offspring of cloners and their descendants;
- Go with suspending the use of the cloning technique in the EU, the use of clones and live offspring from clones, the use of reproductive material from clones and the placing on the market of food from clones and their offspring and descendants.

It remains unclear as to which of these potential options the EC will pursue and how these might impact on the wider issue of general cloning techniques for food production. In these circumstances an assessment of any potential impacts on Northern Ireland is hard to make.

In simple terms however it seems fair to surmise that the further expansion, regulation or banning of cloning techniques for food production could leave local agriculture with either greater or lower potential costs than some global competitors. This situation is complex, as food produced without the use of cloning techniques may attract a higher premium. At the

same time cloning techniques may produce food with a consistently higher level of desirable traits which could attract a higher price.

Given these complexities, the way in which food produced using cloning techniques is labeled will be a critical consideration for local producers and consumers alike.

R5	New Regulation on Plant Health	legislative 2013
----	--------------------------------	---------------------

The exemption for small operators selling plant material exclusively on the local market will remain. The current Community Plant Health Regime (CPHR) was established in 1977 (Council Directive 77/93/EEC); since the 2000 codification, the basic legal framework is Council Directive 2000/29/EC4.

The new regulations are likely to increase the focus on the threats posed by invasive and alien species to indigenous plant life. The prevention of introduction or spread of plant disease or pests through tighter plant importation and more stringent measures for dealing with diseases/pests is likely to be a key feature.

These steps are likely to be welcomed in Northern Ireland given the ongoing issues of sudden oak and ash dieback disease, both of which have highlighted the risk posed to indigenous plants. In the absence of detailed legislative proposals it is hard to assess the potential impacts for Northern Ireland. These regulations do however have the potential to add to the administrative burden for those either importing or exporting plant material within Northern Ireland. It is however unclear as to how many local businesses this would potentially affect.

R6	New Regulation on Animal Health	legislative 2013
----	---------------------------------	---------------------

A simpler framework (1 regulation replacing over 40 directives) and clearer responsibilities are easier understood and used by authorities and operators, less time and effort to study it and to comply with. Improved use of new electronic technologies and simplified requirements will bring potential for considerable savings, while

the high safety standards that are necessary to ensure disease control and safe trade in animals and their products would be maintained. The Welfare of Animals Act (Northern Ireland) 2011 and the Animal Health Act 1981, as amended in 2002, and associated subordinate legislation, are the main ways in which the UK and Northern Ireland comply with the more than 40 existing EU directives on animal health.

The issue of animal health is complex and any moves to simplify or consolidate the existing regulations are likely to be welcomed within Northern Ireland. The promotion and maintenance of good animal health, in conjunction with mechanisms to eradicate or control animal diseases such as TB and Brucellosis continue to be priorities for DARD and the Northern Ireland Executive.

In the absence of detailed legislative proposals it is hard to assess the potential impacts for Northern Ireland, but it is fair to surmise that any changes to EC regulations may well require changes to the existing UK and Northern Ireland legislation in order to ensure compliance

R7	Revision of Legislation on Veterinary Medicines	legislative 2013
----	---	---------------------

Simplification of the regulatory environment pre and post marketing authorisation (incl. pharmacovigilance):

- reduce the administrative burdens to businesses (with a particular focus on SMEs) clearly identified during public consultation and IA preparation,
- increase availability of medicines (including for minor species) on the single market At present the following EC Regulations deal with the issue of veterinary medicines:
 - 470/2009;
 - 37/2010;
 - 1950/2006;
 - 1234/2008;
 - 1085/2003;
 - 1084/2003.

The Veterinary Medicines Regulations 2011 incorporate these EC regulations into UK law and as such any new EU framework would potentially require existing UK law to be amended in order to be compliant.

In general terms any consolidation or simplification of the current legislation is likely to be welcomed within Northern Ireland.

R16	Proposal for a Regulation of the European Parliament and of the Council for the Conservation of Fishery Resources through Technical Measures for the Protection of Marine Organisms	legislative 2014
-----	---	---------------------

The main relevant problem that this initiative will address is to reduce the complexity of the existing technical measures legislation.

This initiative aims to simplify the current technical measures regulations through the development of a framework regulation with specific rules developed regionally. The Common Fisheries Policy is the mechanism utilised by the EC to manage the EU's sea fisheries. A key objective of the CFP is the maintenance of sustainable fish stocks across the EU.

The achievement of this objective is undertaken through measures such as fish catching quotas, restrictions on the fishing fleet effort and through the imposition of technical measures that define and limit the types of fishing net or associated gear that can be used.

The current review of the CFP raises the potential for greater regional input and a simplification of the existing technical measures legislation. These developments would be welcomed by the local fishing industry as the current system continues to pose problems and delays in relation to the adoption of fishing gear conducive to the catching of nephrops and the reduction of associated by catch within the Irish Sea fishery.

The current technical measure legislation, Regulation (EC) 850/98, applies primarily to the North Atlantic and North Sea and contains the following range of measures:

- Minimum mesh sizes;
- Restrictions on gear construction (i.e. twine thickness, codend construction);
- Mandatory device of selectivity devices (e.g. square mesh panels, sorting grids)

- Minimum landing sizes;
- Closed areas and seasons;
- Catch composition limits;
- Eco-system protection measures; and
- Prohibitions of certain gears.

This is primarily the responsibility of DARD, however DOE may need to have due consideration in relation to eco-system protection measures and conservation with MCZ designation under the Northern Ireland Marine Bill.

Committee for Culture, Arts and Leisure

NIL

Committee for Education

NIL

Committee for Employment and Learning

9	State Aid Modernisation: General Block Exemption Regulation	legislative Q4 - 2013
---	---	--------------------------

Since 2008 the General block exemption has enabled the granting of regional aid without the need to meet the notification requirement when the aid is directed towards R&D, the environment, employment and training, and aid that complies with the map approved by the Commission for each Member State.^{10[1]}

The intention of this is to reduce the administrative burden on Member States. It also has implications for SMEs as the current exemption exempts aid under certain conditions aid in favour of small and medium-sized enterprises.^{11[2]}

The current General block exemption regulation will expire at the end of December 2013. The initiative proposed in the 2013 work programme will seek to update the 2008 initiative.

A Communication issued in May 2012 set out the themes underpinning the modernisation process:

- State aid control shall support sustainable growth and contribute to improving the quality of public spending by discouraging aid that does not bring real added-value and distorts competition. Aid shall support flagship initiatives of the Europe 2020 strategy;
- State aid enforcement shall focus more on cases with the biggest impact on the internal market; and
- Procedures shall be streamlined to deliver decisions within business-relevant timelines.^{12[3]}

Consultation on the initiative took place between June and September 2012, although no road map has as yet been published.

10 [1] <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32008R0800:EN:NOT>

11 [2] http://europa.eu/rapid/press-release_IP-12-627_en.htm

12 [3] http://europa.eu/rapid/press-release_IP-12-458_en.htm?locale=en

The Committee's interest will likely stem from the current exemptions given to employment and training. However, no related targets/objectives were found in the NI Executive EU Priorities 2012-13.

This initiative may also be of interest to the Committee for Enterprise Trade and Investment and to the Committee for Finance and Personnel.

17	Proposals for Reinforcing Partnering in Research and Innovation under Horizon 2020	legislative Q3 - 2013
----	--	--------------------------

This proposal will aim to use public- funding to leverage increased private sector (including SMEs) investment. Sectors targeted by this include transport, aeronautics, electronics and bio-based products.

The PPPs will also be for the joint implementation of national research programmes, to underpin industrial competitiveness by supporting R&D-performing SMEs, cutting-edge metrology, and ICT-based products and services for the elderly.

The proposals will also give businesses an increased role in the design of these public-private partnerships – it should be noted that this is consistent with the UK aim of building strategic collaborative partnerships with key sectors, which again includes aeronautics, automotive and life-sciences.

This proposal is being developed under Horizon 2020 which has as one of its main goals to help innovative enterprises develop their technological breakthroughs into viable commercial products. The creation of PPPs is intended to bring together the resources needed to make this happen.

Perceived Relevance for NI: May have implications for a number of organisations in Northern Ireland, including Universities, SMEs, companies and research organisations. Due to the large number of SMEs in NI and the need to expand R&D here, this Initiative could have a significant impact here. However, it should be noted that a Roadmap has only been produced regarding fighting disease in areas such as Sub-Saharan Africa and as such it is not possible at this point to detail the full proposals impact

NI Executive EU Priorities 2012-13

CE12. Encourage greater participation of our universities and further education colleges in European funding programmes

CE12.1 Put in place a new joint funding package to support greater University participation in the 7th Framework Programme and its successor, Horizon 2020, by the end of September 2012;

CE12.2 Carry out a scoping study by 30th November to identify the EU sector support opportunities available.

IT1. Promote increased participation in EU research, technology and innovation programmes by companies, universities, research base and elsewhere in the public sector:

- IT1.8 Introduce an enhanced Higher Education EU Framework Support Fund by end September 2012.

This initiative may also be of interest to the Committee for Enterprise, Trade and Investment.

34	Modernisation of Public Employment Services	legislative
----	---	-------------

This package will cover all elements of the reform of EURES is the job mobility portal for the EU and provides information, advice and recruitment services for people across Europe.

The package includes the delivery of a European Employment Guarantee and the setup of a formal European network of Public Employment Services, to help develop and implement a European Labour Mobility Action Plan for modernisation and strengthening of PES to help transitions on labour markets.

EURES is the job mobility portal for the EU and provides information, advice and recruitment services for people across Europe. It operates as a co-operative network between the European Commission and the public employment services (such as the jobs and benefits office) of the EEA member states.

EURES is currently undergoing a process of restructuring in order to redirect its focus. This includes the streamlining of the EURES network and the focusing of its services to both outgoing and incoming placements and on the economic need to fill vacancies.

Perceived Relevance for NI: There is currently limited information on this proposal. However, it is stated in the CWP that it will “Help improve the performance of public employment services and networking between national employment agencies”. This could encourage labour market mobility across the EU, creating employment opportunities for NI residents.

In addition, it may provide benefits for job seekers, job changers, young people and a number of other groups across the EU.

This initiative may also be of interest to the Committee for Enterprise Trade and Investment.

35	European Platform to Fight Undeclared Work	legislative
----	--	-------------

A 2010 report provided the commission with an analysis on the feasibility and added value of creating a European platform for co-operation between labour inspectorates in the EU in order to prevent and fight undeclared work.

The report found that undeclared work is held responsible for a number of problems including obstructing growth-oriented economic, budgetary and social policies, lowering work quality standards creating health and safety risks and undermining the competitive environment for businesses. The report lists a variety of other problems.

There is a broad diversity across Europe on dealing with undeclared work, with governments focusing on different aspects of it and its impact, such as targeting tax avoidance or health and safety issues.

The EU platform is intended to provide an EU wide approach to dealing with undeclared work, with a network of relevant organisations working together to deal with it.

It aims for a more coherent approach by covering all the key areas influenced by undeclared work and supporting a more effective fight against undeclared work by way of improving cooperation, sharing best practice and identifying common principles.

Perceived Relevance to NI: Cracking down on undeclared work in Northern Ireland could have a number of impacts, including in dealing with benefit fraud and potentially increasing tax revenues. It may also help in areas such as illegal immigration.

This initiative may also be of interest to the Committee for Social Development.

10	State Aid Modernisation in Key Sectors	non-legislative
----	--	-----------------

In 2012 the EU Commission set out a state aid reform programme with three objectives:

- Foster growth in a strengthened, dynamic and competitive internal market;
- Focus enforcement on cases with the biggest impact on the internal market; and
- Streamlined rules and faster decision making.

This piece of non-legislative work will carry out reviews of the compatibility criteria included in the guidelines for aid to Research & Development & Innovation, including:

- For aid to risk capital;
- For regional aid;
- For environmental aid;
- For industrial Rescue and Restructuring aid; and
- For aid to airports and airlines.

These revisions aim at supporting the EU's strategy for economic growth, at giving a better focus to the Commission's enforcement work and at taking Commission decisions quicker.

Perceived Relevance to NI: State Aid has been an important part of Northern Ireland's economic development for a number of years. The review of aid for R&D&I may be of special note to the Committee. However, it should be noted that these are reviews only.

This initiative may also be of interest to the Committee for Enterprise Trade and Investment.

11	Review of the Technology Transfer Block Exemption Regulations and its Guidelines	non-legislative
----	--	-----------------

Technology transfer agreements concern the licensing of technology. Such agreements will usually improve economic efficiency and be pro-competitive as they can reduce duplication of research and development, strengthen the incentive for the initial research and development, spur incremental innovation, facilitate diffusion and generate product market competition. The objective of the Review is to improve framework conditions for licensing of technology for production thereby stimulating innovation and growth while ensuring effective competition.

Perceived Relevance to NI: Whilst there is no roadmap for this proposal, based on the limited information available it could have an impact on spin-off companies developed by NI's universities to commercialise their research. This could also impact on NI businesses. However, it is hard to state to what extent as a result of limited information.

This initiative may also be of interest to the Committee for Enterprise, Trade and Investment.

30	Social Investment for Growth and Cohesion – Including Implementing the ESF 2014-2020	non-legislative
----	--	-----------------

Providing guidance on increasing efficiency, effectiveness and adequacy of social protection systems; improving activating and enabling policies; social inclusion and adequate livelihoods. The Communication will contribute to implementing the Europe 2020 strategy/ European Semester, support the design of social investment in the National Reform Programmes and assist Member States in making best use of EU funds, ESF in particular.

Perceived Relevance to NI: ESF is an important fund for Northern Ireland and as such any changes to it could have implications here. To what extent it is not possible to state at this current moment in time as a result of the lack of available information.

NI Executive EU Priorities 2012-13

CE11. Prepare for and influence EU decision-making processes in respect of the 2014-20 Structural Funds Programmes, the Trans-European Networks and the Connecting Europe Facility:

- CE11.2 Continue the development in 2012-13, in consultation with key regional stakeholders, the Department for Finance and Personnel and the European Commission; of a draft Investment for Growth and Jobs Programme for 2014-2020

This initiative may also be of interest to the Committee for Social Development and the Committee for Finance and Personnel.

33	Internationalisation of Higher Education	non-legislative
----	--	-----------------

Europeans need to be prepared for an increasingly global, open and competitive labour market. European universities are subject to growing global competition to attract talent and exchange knowledge. The Communication will review the different policies and programmes that can support them in furthering their internationalisation efforts.

Perceived Relevance to NI: The income generated by international students is becoming increasingly more important as a source of revenue for Universities and plays a role in other areas such as research and development. This is an important sector for NI, with the Department encouraging the universities in their collaboration across international borders.

Committee for Enterprise, Trade and Investment

1	The Annual Growth Survey	non-legislative Q4 - 2013
---	--------------------------	------------------------------

The Annual Growth Survey will review the economic growth prospects of the EU. This will include a review of progress towards 2020 targets, policy guidance and possible reports on macro-economic imbalances, the single market and employment.¹³

This may be of interest to the Committee as it will provide insight into the economic performance of the EU, which is an important market for businesses. It should also provide an indication of how Northern Ireland is progressing towards 2020 targets, which includes targets on R&D expenditure and renewable energy falling within the Committee's remit.

This initiative may also be of interest to the Committee for Employment and Learning and the Committee for Finance and Personnel.

9	State aid Modernisation: General Block Exemption Regulation	legislative Q4 - 2013
---	---	--------------------------

Since 2008 the General block exemption has enabled the granting of regional aid without the need to meet the notification requirement when the aid is directed towards R&D, the

13 http://ec.europa.eu/atwork/pdf/cwp2013_annex_en.pdf

environment, employment and training, and aid that complies with the map approved by the Commission for each Member State.¹⁴

The intention of this is to reduce the administrative burden on Member States. It also has implications for SMEs as the current exemption exempts aid under certain conditions aid in favour of small and medium-sized enterprises.¹⁵

The current General block exemption regulation will expire at the end of December 2013. The initiative proposed in the 2013 work programme will seek to update the 2008 initiative.

A Communication issued in May 2012 set out the themes underpinning the modernisation process:

- State aid control shall support sustainable growth and contribute to improving the quality of public spending by discouraging aid that does not bring real added-value and distorts competition. Aid shall support flagship initiatives of the Europe 2020 strategy;
- State aid enforcement shall focus more on cases with the biggest impact on the internal market; and,
- Procedures shall be streamlined to deliver decisions within business-relevant timelines.¹⁶

Consultation on the initiative took place between June and September 2012, although no road map has as yet been published.

The Committee's interest will likely stem from the current exemptions given to R&D and to SMEs.

This initiative may also be of interest to the Committee for Employment and Learning and the Committee for Finance and Personnel.

10	State Aid Modernisation in Key Sectors	non-legislative
----	--	-----------------

This initiative will see reviews of state aid guidelines in various sectors: R&D and Innovation; for aid to risk capital, for regional aid, for environmental aid, for industrial Rescue and Restructuring aid; and for aid to airports and airlines.¹⁷

Revisions will aim at supporting EU's strategy for economic growth, at giving better focus to the Commission's enforcement work, and at taking Commission decisions quicker. Again, the three themes listed above will underpin the modernisation process.

State Aid has been an important part of NI's economic development. A number of the areas outlined above may be of interest to ETI Committee, specifically the reviews of R&D and Innovation, risk capital, regional aid, industrial rescue and restructuring aid, and aid to airports and airlines.

The initiative links to the Northern Ireland Executive's priority CE 3: Ensure the European Commission's proposed revisions to the State Aid rules consider our needs. There are three sub-priorities linked to this, each of which falls within DETI's remit:

- CE3.1 Provide input, through the Department for Business, Innovation and Skills (BIS) and other relevant bodies, in 2012/13 to ensure that our position is fully reflected in the UK's interactions with the Commission on the revised State Aid rules for the 2013–2020 period. [DETI / Invest NI];

14 <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32008R0800:EN:NOT>

15 http://europa.eu/rapid/press-release_IP-12-627_en.htm

16 http://europa.eu/rapid/press-release_IP-12-458_en.htm?locale=en

17 http://ec.europa.eu/atwork/pdf/cwp2013_annex_en.pdf

- CE3.2 Participate, as part of the UK delegation, in the European Commission's autumn 2012 workshop on the proposed revisions of the State Aid rules for Regional Aid. [DETI]; and
- CE3.3 During 2012/13, actively seek opportunities for our Ministers, MEPs and departmental officials to lobby the European Commission in relation to the treatment of the region in the post-2013 Regional Aid rules [DETI].¹⁸

This initiative may also be of interest to the Committee for Employment and Learning.

11	Review of the Technology Transfer Block Exemption Regulation and its Guidelines	non-legislative
----	---	-----------------

Technology transfer agreements concern the licensing of technology. Such agreements will usually improve economic efficiency and be pro-competitive as they can reduce duplication of research and development, strengthen the incentive for the initial research and development, spur incremental innovation, facilitate diffusion and generate product market competition. The objective of the Review is to improve framework conditions for licensing of technology for production thereby stimulating innovation and growth while ensuring effective competition.¹⁹

Whilst there is no roadmap for this proposal, based on the limited information available it could have an impact on spin-off companies developed by NI's universities to commercialise their research. This could also impact on NI businesses. However, it is hard to state to what extent as a result of limited information.

There is no direct link to the Executives EU priorities, although this initiative may impact DETI and Invest NI's promotion of R&D and innovation, particularly the commercialisation of R&D. It is difficult to assess the likely impact without further information.

This initiative may also be of interest to the Committee for Employment and Learning.

12	Energy Technologies and Innovation in a Future European Energy Policy (Non-legislative)	non-legislative
----	---	-----------------

This initiative will seek to aid the development of energy policies as per the energy road map 2050. This will include the promotion of energy research, demonstration and market deployment actions at EU level and remove market, regulatory and behavioural barriers to market deployment of energy innovation.²⁰

The Energy Road Map 2050 aims toward developing a competitive low-carbon economy in 2050. It urges the development of post-2020 policies in the areas of:

- Energy efficiency;
- Gas;
- Energy supply;
- Energy saving;
- Electrical energy;
- Research and development;
- Bioenergy;
- Fossil fuel;

18 <http://www.ofmdfmi.gov.uk/eu-priorities-2012-2013-implementation-plan.pdf>

19 http://ec.europa.eu/atwork/pdf/cwp2013_annex_en.pdf

20 http://ec.europa.eu/atwork/pdf/cwp2013_annex_en.pdf

- Reduction of gas emissions;
- Nuclear policy;
- Climate change;
- Tradeable emission permit;
- Renewable energy; and,
- The price of energy.²¹

The scrutiny of energy policy has historically been a significant element of the ETI Committee's workload, and is likely to remain so. The drive to encourage innovative energy solutions will also be of interest to the Committee given its on going prioritisation of R&D and innovation.

NI's Strategic Energy Framework is geared towards 2020, although it does recognise the need to plan beyond this date. The Energy Technologies and Innovation in a future European Energy Policy initiative is likely to place a further impetus on member states to develop longer-term strategy.

The initiative links in with a number of NI executive European priorities under the heading of Climate Change and Energy. However, only one of the 16 priorities has DETI as the lead department despite its central role in energy policy development, this is:

- CC8. Identify key infrastructure projects which align with EU energy policy and funding opportunities and support the delivery of the Strategic Energy Framework.

And the related sub-priority:

- CC8.1. By March 2013, explore the potential to support energy infrastructure opportunities by way of the Connecting Europe Facility. [DETI]

DETI has also been ascribed a role in delivering the following priority:

- CC16. Ensure regular Ministerial involvement in the work of the Climate Change and Energy Thematic Group and engagement with the European Commission.

And the related sub-priority:

- CC16.1. Follow up on the Brussels Engagement Programme in March 2012, with further dialogue and a further meeting with Commission Task Force members by March 2013. [DOE; DETI, DARD, DRD, DSD]

The following related target is also included under the competitiveness and employment heading:

- CE11.1 Carry out an assessment of the potential Energy and Telecoms infrastructure funding opportunities under the Connecting Europe Facility by 31 March 2013. (Link to Energy/Climate Change Group). [DETI]

Given the initiative's emphasis on innovation in energy policy, it is likely executive priorities under the Innovation and Technology heading will be of significance here, specifically those which fall under:

- IT1. Promote increased participation in EU research, technology and innovation programmes by companies, universities, research base and elsewhere in the public sector.

DETI has a central role to play here, specifically in the delivery of sub-priorities:

- IT1.1 Play an active role in the Enterprise Europe Network, participating in at least two network events by November 2012. [DETI / Invest NI];

21

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52011DC0885:EN:NOT>

- IT1.2 Participate in the European Regions Research and Innovation Network, hosting at least two Brussels-based events to increase the visibility of regional research capability by end 2012. [DETI / Invest NI];
- IT1.3 Provide advice, guidance and, where necessary, financial support to encourage greater participation in the final FP7 call in July 2012, with an increase in participation by the closing dates in 2013. [DETI / Invest NI];
- IT1.4 Host at least 15 workshops or events to promote collaborative R&D opportunities by April 2013. [DETI / Invest NI];
- IT1.5 Actively prepare for Horizon 2020 during 2012-13, playing an active role in the UK's negotiations and participating in at least two working groups. [DETI / Invest NI];
- IT1.6 Appoint a Horizon 2020 Manager by end December 2012. [DETI];
- IT1.7 Secure €50m of FP7 funding by 31 March 2013. [DETI; DEL, DHSSPS, DCAL, DARD]; and,
- IT1.8 Introduce an enhanced Higher Education EU Framework Support Fund by end September 2012. [DEL / DETI].²²

This initiative may also be of interest to the Committee for Social Development.

13	Reforming the Internal Market for Industrial Products	non-legislative Q3 2013
----	---	----------------------------

This initiative will enhance the quality and efficiency of internal market legislation for industrial products. The initiative will remove remaining trade barriers for high-growth products, and ensure consistency in the application of legislation and the simplification of its management and implementation.²³

The initiative has two central objectives:

- Eliminate remaining barriers to trade in the internal market and create a business environment favourable to growth: the initiative will aim at *'reducing administrative burdens and providing businesses with rules which are clearer, easier to understand and apply'*; and,
- Bring the internal market for industrial products acquis²⁴ up-to-date with the latest manufacturing practices, developments in the supply-chain and globalisation trends: the initiative will aim to bring current EU law up-to-date with the latest manufacturing practices, developments, globalisation trends and economic realities. This, it is hoped, will facilitate innovations and increased competitiveness.²⁵

The initiative will impact enterprise, including SMEs. The ETI Committee may be interested in the initiative from this perspective. The initiative's stated aims to *create a business environment favourable to growth* and to *facilitate innovations and increased competitiveness* are also likely to be of interest to Committee particularly in the context of the economic realities Northern Ireland's industry currently faces.

Whilst the initiative does not link directly with any of the Executive's EU priorities for 2012/13, it is directly linked with the DETI's role in delivering better regulation and therefore the Committee's scrutiny of that role.

²² <http://www.ofmdfmi.gov.uk/eu-priorities-2012-2013-implementation-plan.pdf>

²³ http://ec.europa.eu/atwork/pdf/cwp2013_annex_en.pdf

²⁴ Refers to the accumulated body of European Union (EU) law and obligations from 1958 to the present day.

²⁵ European Commission Road Map Review of the internal market legislation for industrial products (November 2012) http://ec.europa.eu/governance/impact/planned_ia/docs/2013_entr_003_industrial_products_en.pdf

14	Review of Standardisation Acquis	legislative non-legislative
----	----------------------------------	--------------------------------

The initiative will have two parts:

- An initiative to establish strategic priorities and specific mandates to support EU policy for international competitiveness, innovation, digital interoperability and technology development; and,
- An independent review (to be launched in 2013) to assess progress against strategic objectives and evaluate the current governance in the European standardisation system.²⁶

The UK government have stated that this initiative will be a:

*...good opportunity to influence the development of strategic standardisation priorities to support the international competitiveness, innovation, digital interoperability and technology development of European businesses. Though the new governance structure for European Standardisation only comes into effect in January 2013 the planned review may be useful if it sets up systems to assess the performance of the new structure, which will allow a comprehensive evaluation in due course.*²⁷

Whilst the issue of standardisation does not directly tie-in with the NI Executive's EU priorities, it may have some bearing on the DETI's role in developing R&D and innovation, and to the work of its Better Regulation Unit.

17	Proposals for Reinforced Partnering in Research and Innovation under Horizon 2020	legislative Q3 2013
----	---	------------------------

This proposal will aim to use public- funding to leverage increased private sector (including SMEs) investment. Sectors targeted by this include transport, aeronautics, electronics and bio-based products.

The PPPs will also be for the joint implementation of national research programmes, to underpin industrial competitiveness by supporting R&D-performing SMEs, cutting-edge metrology, and ICT-based products and services for the elderly.

The proposals will also give businesses an increased role in the design of these public-private partnerships – it should be noted that this is consistent with the UK aim of building strategic collaborative partnerships with key sectors, which again includes aeronautics, automotive and life-sciences.²⁸

This proposal is being developed under Horizon 2020 which has as one of its main goals to help innovative enterprises develop their technological breakthroughs into viable commercial products. The creation of PPPs is intended to bring together the resources needed to make this happen.

The initiative may have implications for a number of organisations in NI, including universities, SMEs, companies and research organisations. Due to the large number of SMEs in NI and the identified need to expand R&D&I this initiative could have a significant impact. It should be noted that the current Roadmap only covers the fighting disease in Sub-Saharan Africa element of the initiative. As such it is not possible to assess the proposals full impact at this stage.

²⁶ http://ec.europa.eu/atwork/pdf/cwp2013_annex_en.pdf

²⁷ 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 Commission Work Programme 2013

²⁸ http://ec.europa.eu/atwork/pdf/cwp2013_annex_en.pdf

There a number of the Executive’s priorities potentially linked to this initiative. Those that DETI leading on are as follows:

- IT1.1 Play an active role in the Enterprise Europe Network, participating in at least two network events by November 2012. [DETI / Invest NI];
- IT1.2 Participate in the European Regions Research and Innovation Network, hosting at least two Brussels-based events to increase the visibility of regional research capability by end 2012. [DETI / Invest NI];
- IT1.4 Host at least 15 workshops or events to promote collaborative R&D opportunities by April 2013. [DETI / Invest NI];
- IT1.5 Actively prepare for Horizon 2020 during 2012-13, playing an active role in the UK’s negotiations and participating in at least two working groups. [DETI / Invest NI];
- IT1.6 Appoint a Horizon 2020 Manager by end December 2012. [DETI];
- IT10.1 Present emerging thinking on a smart specialisation²⁹ strategy for a peer review exercise organised by DG Regional Policy in June 2012. [DETI]; and
- IT10.2 Produce a draft smart specialisation strategy for Executive agreement by end 2012. [DETI].³⁰

This initiative may also be of interest to the Committee for Employment and Learning.

21	Fighting Misappropriation of Trade Secrets	legislative non-legislative
----	--	--------------------------------

Initiative 21 aims to provide effective protection against trade secrets which can act as a significant disincentive for innovative companies who rely on these to expand their businesses through licensing deals with partners, notably given the protection existing in other jurisdictions harmonising existing rules on protection of trade secrets.³¹

The initial action will be to assess the impacts on businesses and whether action at EU level is necessary. The outcome of this could lead to a reprioritisation.

Given the prioritisation of R&D&I in NI this initiative could be of interest to companies, universities and research institutions seeking to commercialise their R&D work. Again, given DETI’s role in this area and its brief to secure better regulation this initiative may be of interest to the both the Department and the Committee. There are, however, no directly related Executive priorities.

23	Reducing the Cost of Broadband Infrastructure	legislative Q1 - 2013
----	---	--------------------------

This initiative will seek to substantially reduce the cost of deploying high-speed broadband networks across the EU, incentivising investment in line with the Digital Agenda high speed internet targets. The resulting Regulation will set out rights and obligations directly applicable to telecom operators and other utilities.

29 Smart Specialisation Strategy have been encourage by EU. Their aim is to help regions to identify their best technological and research and development assets, identify the barriers to innovation, target resources on key priorities and design the right policy mix to stimulate growth.

30 <http://www.ofmdfni.gov.uk/eu-priorities-2012-2013-implementation-plan.pdf>

31 http://ec.europa.eu/atwork/pdf/cwp2013_annex_en.pdf

The Commission consulted on this initiative during June 2012. The consultation document notes that the:

...patchwork of rules at national and sub-national levels [concerning broadband infrastructure investment] perpetuates fragmentation of the single market and leads to investments costs which are much higher than they ought to be. For a company operating on cross-border basis, such a patchwork of rules, procedures and practices at national, regional and even local level drives up costs to a point of challenging the profitability of investments and as such constitutes an important barrier. It is likely to negatively impact companies' ability to invest and reduce any economies of scale in this investment. Inevitably, this reduces competition and reduces consumers' benefits who will end up paying more for their high-speed Internet connection.

In contrast, measures at EU level aiming at optimising existing infrastructure and better deployment of new networks, by telecom and non-telecom operators, could yield significant efficiency gains in network deployment. This could not only attract investment in new networks, not least cross-border, but also ensure equal opportunities for operators seeking access to (passive) infrastructures, in line with sector specific rules, where these exist, as well as with antitrust and state aid rules.³²

In this context the Commission have investigated the potential of:

...coherent set of measures at EU level

aimed at significantly reducing the cost, and bringing out efficiencies in the process of rolling-out high-speed communication infrastructure across Europe. The main areas of action could be enhancing the re-use of existing (passive) infrastructure, improving transparency and facilitating the coordination of civil engineering works, streamlining administrative procedures involved in permit granting, and ensuring that new buildings are equipped with open, next generation access.³³

The UK government have stated that the initiative is in-line with its 'commitment to speeding up the roll-out of broadband infrastructure and reducing the deployment costs to communications providers'. They have also stated that 'we want an EU approach that avoids introducing new red tape which could slow broadband deployment'.³⁴

Amongst the NI Executive priorities the following relevant target is included under the competitiveness and employment target:

- CE11.1 Carry out an assessment of the potential Energy and Telecoms infrastructure funding opportunities under the Connecting Europe Facility by 31 March 2013. (Link to Energy/Climate Change Group). [DETI]³⁵

DETI recently consulted on the Provision of a 2 Megabit per second Broadband Service across Northern Ireland (consultation closed 19 October 2012). This is in keeping with the target of providing 'virtually all premises across Northern Ireland should be able to access a broadband service with a speed of at least 2 Megabits per second (Mbps) by 2015 and to provide superfast broadband to at least 90% of premises with speeds in excess of 24 Mbps'.³⁶

32 http://ec.europa.eu/information_society/policy/ecom/doc/library/public_consult/cost_reduction_hsi/cost_reduction.pdf

33 Ibid

34 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 Commission Work Programme 2013

35 <http://www.ofmdfmi.gov.uk/eu-priorities-2012-2013-implementation-plan.pdf>

36 DETI The Provision of a 2 Megabit per second Broadband Service across Northern Ireland <http://www.detini.gov.uk/deti-telecoms-index/deti-telecoms-whats-new.htm>

The initiative will likely interlink with the Departments efforts to meet this target.

This initiative may also be of interest to the Committee for Social Development.

24	Action Plan on Wireless Communications for a Connected Europe	non-legislative
----	---	-----------------

This initiative aims to lay down a policy action plan to meet the challenges facing the EU with regard to dynamic market developments and exponential traffic growth in wireless services. Policy objectives include accelerating the roll-out of wireless broadband networks, fostering share spectrum use, exploitation of EU R&D results on wireless communications and enhancing global spectrum harmonisation.³⁷

On this the UK government have stated that they would welcome:

*...an approach to harmonisation in spectrum-sharing around the EU in its Action Plan on Wireless Communication for a Connected Europe, rather than any passing of responsibility for spectrum management.*³⁸

There are few details available on this initiative and a roadmap is yet to be developed. However, it is unlikely that Northern Ireland will be immune to the expected exponential traffic growth in wireless services. As such, the initiative may have some bearing on DETI's telecommunications policy.

As above, there are possible linkages with the NI Executive's EU priorities, namely:

- CE11.1 Carry out an assessment of the potential Energy and Telecoms infrastructure funding opportunities under the Connecting Europe Facility by 31 March 2013. (Link to Energy/Climate Change Group);
- IT2. Engage in the policy debate around the Connecting Europe Facility to ensure that funding is available for the region; and
- IT2.1 Facilitate a meeting between relevant Commission Officials and DETI: Telecoms/ Energy policy leads, and develop an action plan for future engagement by March 2013. [DETI]³⁹

38	New Climate & Energy Framework for the Period 2030	legislative non-legislative
----	--	--------------------------------

This initiative will provide the EU framework for climate and energy policy for the period 2020 to 2030, including targets to:

- Meet 80-95% greenhouse gas emissions reduction objective in 2050 compared to 1990.
- Foster long term competitiveness, security of supply and sustainability; and
- Provide a long-term perspective for investments until 2030.⁴⁰

As noted in Section 5 NI's current Strategic Energy Framework is primarily focussed on the delivering targets set for 2020. DETI are working beyond this date however. For example, it

37 http://ec.europa.eu/atwork/pdf/cwp2013_annex_en.pdf

38 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 Commission Work Programme 2013

39 <http://www.ofmdfmi.gov.uk/eu-priorities-2012-2013-implementation-plan.pdf>

40 http://ec.europa.eu/atwork/pdf/cwp2013_annex_en.pdf

has been announced that Northern Ireland will implement a series of measures as part of UK-wide implementation of Electricity Market Reform, including:

- Extension of the NIRO to 2037 to ensure that stations accrediting up until 2017 receive the full 20 years support; and
- Her intention to introduce the enabling powers for a small scale Feed-In Tariff in the forthcoming DETI Energy Bill.⁴¹

The outcome of this initiative's development will likely have an impact on the Department's future energy policy.

As was also noted in Section 5, the NI Executive's priorities in the area of Climate Change and Energy are focussed on the actions of the Department of the Environment. The following priorities may be of significance here:

- CC8. Identify key infrastructure projects which align with EU energy policy and funding opportunities and support the delivery of the Strategic Energy Framework.
- CC8.1. By March 2013, explore the potential to support energy infrastructure opportunities by way of the Connecting Europe Facility. [DETI]
- CC16. Ensure regular Ministerial involvement in the work of the Climate Change and Energy Thematic Group and engagement with the European Commission.
- CC16.1. Follow up on the Brussels Engagement Programme in March 2012, with further dialogue and a further meeting with Commission Task Force members by March 2013. [DOE; DETI, DARD, DRD, DSD]
- CE11.1 Carry out an assessment of the potential Energy and Telecoms infrastructure funding opportunities under the Connecting Europe Facility by 31 March 2013. (Link to Energy/Climate Change Group). [DETI]⁴²

This initiative may also be of interest to the Committee for the Environment.

41	Environmental Climate and Energy Assessment Framework to Enable Safe and Secure Unconventional Hydrocarbon Extraction	legislative non-legislative
----	---	--------------------------------

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

The outcome of the work to develop this framework may of interest to both DETI and the ETI Committee due to the potential development of shale gas in Northern Ireland.

There are no NI executive priorities directly linked to this initiative.

This initiative may also be of interest to the Committee for the Environment.

41 DETI 22 May 2012 – Electricity Market Reform and Northern Ireland http://www.detini.gov.uk/deti-energy-index/deti-energy-sustainable/electricity_market_reform.htm

42 <http://www.ofmdfmi.gov.uk/eu-priorities-2012-2013-implementation-plan.pdf>

Committee for the Environment

37	EU's Strategy on Adaptation to Climate Change	legislative non-legislative
----	---	--------------------------------

To contribute effectively to a more climate-resilient Europe. This means enhancing the preparedness and capacity to respond to the adverse impacts of climate change of the EU, its Member States and regions. The general aim of the EU Adaptation Strategy is to make Europe more climate resilient, and to do so at lowest possible cost. Four specific objectives have been identified:

1. Knowledge: the Strategy should outline paths to further the understanding of adaptation, improve and widen the knowledge base where knowledge gaps have been identified and enhance dissemination of adaptation related information;
2. Facilitation and cooperation: The Strategy should support and facilitate exchange between Member States, regions, cities and all other relevant stakeholders;
3. Mainstreaming: The Strategy should develop initiatives for a more consistent and comprehensive integration of climate change adaptation considerations into policies at EU level;
4. Public and private action on adaptation: The Strategy should make use of available instruments at EU level to capture the respective potential of the public and private sectors in strengthening adaptive capacity and climate impact preparedness and responses in the EU

An Impact Assessment is being conducted and it is hoped that the Strategy will be adopted by March 2013.

Under the UK Climate Change Act 2008, the DOE must lay programmes before the Assembly setting out: Northern Ireland department's objectives, proposals and policies to meet objectives and timescales. It is expected that a Northern Ireland Adaptation programme will be laid before the Assembly in early 2013. While and EU strategy is at its early stages, and long-term strategy for Northern Ireland should be aware of this.

38	New Climate & Energy Framework for the Period up to 2030	legislative non-legislative
----	--	--------------------------------

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

Stated in the EU Low Carbon Roadmap 2050 – current policies will not allow the EU to meet its objective of 80-95% carbon emissions reduction by 2050. It is believed that this is largely due to the significant policy gap between 2020 and 2050. The Framework is the next intermediary step in binding 2030 renewables, CO2 and energy efficiency targets to fill this gap

The Minister of the Environment has proposed the introduction of a NI Climate Change Bill that includes challenging targets for greenhouse gas reduction. Proposals are to go to the Executive Autumn 2012 for agreement they go public for consultation. Targets in relation to the Framework will need to be considered.

The current NI Strategic Energy Framework (SEF) states targets for up to 2020, and associated Sustainable Energy Action Plans up to 2015, therefore longer term targets are needed to keep in line with a new Framework.

Policy proposals for a NI Energy Bill are currently out for public consultation which makes reference to the SEF (up to 2020); therefore Northern Ireland will eventually need to give consideration to any longer term targets set under the Framework for up to 2030.

This initiative may also be of interest to the Committee for Enterprise, Trade and Investment.

39	Review of the Thematic Strategy on Air Pollution and Associated Legislation	legislative
----	---	-------------

The initiative will assess the implementation and achievements of current air pollution and air quality policies and will include legislative proposals to revise the NEC Directive and other air quality legislation as appropriate in order to deliver enhanced protection from the impacts of air pollution for human health and the natural environment whilst contributing to Europe 2020. In 2011, the Commission discussed the progress on the EU's air policy, and as a result it was agreed that a comprehensive review of air policy would be conducted by 2013.

Much of Northern Ireland's air quality legislation has its roots within the Air Quality Directives, for example:

- Directive 2008/50/EC on Ambient Air Quality and
- Cleaner Air for Europe (the Air Quality Directive),
- Directive 2004/107/EC (the Fourth Daughter Directive)

These are incorporated into Northern Ireland's national law by the Air Quality Standards Regulations (Northern Ireland), of which the most recent revision was in 2010, and the Air Quality Strategy for England, Scotland, Wales and Northern Ireland, first published in 1997 and updated in 2007, which establishes a strong framework for tackling air pollution.

The Air Quality Standards Regulations transpose the EU limit values and non-mandatory target values for ambient concentrations of pollutants. They set out the duties of Northern Ireland's Departments in relation to achieving these values, and the responsibility of Departments to inform the public about air quality in the region, particularly with regard to warning the public when information and alert thresholds are exceeded.

According to Northern Ireland Air (DOE), results from 2010 show that Northern Ireland is well within the EU limit and target values for most pollutants apart from nitrogen dioxide at a number of sites.⁴³

If the EU Directives are reviewed, then national policies relating to Northern Ireland will more than likely need to meet new requirements.

40	Review of Waste Policy and Legislation	legislative
----	--	-------------

This initiative will review key targets in EU waste legislation (in line with the review clauses in the Waste Framework Directive, the Landfill Directive and the Packaging Directive) and carry out an ex-post evaluation of waste stream directives, including ways to enhance coherence between them. Currently the Waste Regulations (Northern Ireland) 2011 have fully transposed the requirements of the revised Waste Framework Directive (2008/98/EC) in the Province. However, the Department of the Environment has recently held open consultations on a number of areas including the possibility of introducing a requirement for Site Waste Management Plans, Restrictions on Wastes to Landfill, a Recycling Policy (setting a 60%

43 Air Pollution in Northern Ireland 2010 http://www.airqualityni.co.uk/documents/1111125_AQ_NI_2010_Final_screenversion_v2.pdf

Municipal Recycling rate target), an Addendum to the Northern Ireland Waste Management Strategy, and a proposed Duty of Care Code of Practice for Northern Ireland.⁴⁴

While the Northern Ireland Waste Management Strategy 2006-2020 provides a long term vision and framework for waste management and sets the targets for all types of waste reduction, no specific targets were identified for municipal waste. In response to feedback from sub-regional Waste Groups and stakeholders requesting more guidance on the infrastructure required to comply with EU Waste Directives the DOE developed ‘NI Best Practicable Environmental Option (BPEO) Guidance’ 2005, which suggests targets not identified in the Strategy. However the Strategy is currently under review.⁴⁵

The Landfill Allowances Scheme Regulations (2004) Northern Ireland (NILAS) came into force on 1 April 2005. The scheme does permit free transfer of allowances within NI, but does not permit trading of allowances. The NILAS scheme is currently under review.

Other proposals include the development of a Waste Prevention Programme in line with requirements under the WFD, to be in place by December 2013. The WFD requires the Commission to review its implementation by 2014, which includes an assessment of Member States’ waste prevention programmes.

The outcome of reviews at national and EU level is expected to shape future waste regulation in Northern Ireland; however consideration will need to be given to the review of EU legislation taking place, the timing of it, and how it will fit in with the review process at the Northern Ireland level.

41	Environmental Climate and Energy Assessment Framework to Enable Safe and Secure Unconventional Hydrocarbon Extraction	legislative non-legislative
----	---	--------------------------------

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

This may impact Northern Ireland due to the recent consideration of shale gas exploration. Responsibilities and considerations in relation to planning such as environmental impact assessment, community/public involvement, any public inquiry etc. rest with the DOE.

However close liaison will be required with DETI in terms of exploration and extraction consents. DOE has responsibility for groundwater, air and a range of other environmental issues; however the Geological Survey Northern Ireland (DETI) assesses the seismic activity and present physical, chemical and ecological conditions, all of which are required to inform the Environmental Impact Assessment by DOE.

This initiative may also be of interest to the Committee for Enterprise, Trade and Investment.

55	Preparing an EU Position on the Post - 2015 Development Agenda and Preparing an EU Position on the Follow-up to Rio + 20 Including the Development of Sustainable Development Goals	non-legislative
----	---	-----------------

As part of a process to pursue a linked strategy for the MDGs, the follow-up to Rio+20 and the Sustainable Development Goals process, this Communication will set out the EU follow-up to Rio+20 including sustainable development goals. The current Sustainable Development

44 http://www.doeni.gov.uk/index/protect_the_environment/waste.htm

45 http://www.larac.org.uk/uk_waste_management_n_ireland.htm

Strategy and Implementation Plan (developed by OFMDFM) are for the period 2011-2014. These EU positions may influence the development of a strategy/policy beyond 2015 by considering the areas still needing addressed under Rio 2020.

DOE Planning Policy Statements are produced giving consideration to sustainable development and the Northern Ireland Strategy. Currently there is a general duty on local authorities under the Miscellaneous Provisions Act (2006) to achieve sustainable development in carrying out all their functions, however with RPA proposed for 2015, giving more powers and duties to local councils, commitments to sustainable development and climate change will need to be ensured. This is to be considered under the review of councils' 'Best Value Duty' and also in relation to sustainable communities under Community Planning responsibilities.

This initiative may also be of interest to the Committee for the Office of the First Minister and deputy First Minister.

Committee for Finance and Personnel

1	Annual Growth Survey	non-legislative Q14 - 2013
---	----------------------	-------------------------------

Proposal: The European Commission will present an Annual Growth survey accompanied by a Communication, which will be the main input for discussions at the Spring European Council. The survey will include both a review, reporting on progress on the implementation of the Europe 2020 Strategy, and a forward – looking part proposing strategic policy guidance horizontally across Member States.

This initiative may also be of interest to the Committee for Employment and Learning and the Committee for Enterprise, Trade and Investment.

6/7	Common Strategic Framework Regulations	non-legislative
-----	--	-----------------

6/7 — The Common Strategic Framework is the overall project in which a number of various funding programmes extend including: the European Regional Development Fund; the European Social Fund; the Cohesion Fund; the European Agricultural Fund for Rural Development; and, the European Maritime and Fisheries Fund. The new common strategic framework regulations governing how structural funds are spent over the 2014-20 aim to provide a better link to the EU2020 strategy than currently exists so that EU funding supports smart, sustainable and inclusive growth. The Communication will set out how this works in practice, including macroeconomic conditionality.

6	Common Strategic Framework (CSF) Funds and EU Economic Governance	non-legislative
---	---	-----------------

Proposal: The Communication will analyse how the CSF Funds will contribute to EU economic governance, their role in fostering growth and the importance of a sound macroeconomic framework for the efficient use of the funds. It will examine the links of the CSF Funds with the economic governance procedures and explain how macroeconomic conditionality will be implemented.

Relevance to NI: The impact depends on the outcome of negotiations on the Multiannual Financial Framework, which will determine whether macroeconomic conditionality applies to the UK (including NI), i.e. whether EU funding is contingent on certain macro-economic thresholds.

However, due to the lack of a roadmap and timescales it is difficult to assess impact at this stage.

7	Country – Specific Negotiation Mandates for the Common Strategic Framework Funds for the Period 2014-2020	non-legislative
---	---	-----------------

Proposal: In view of the adoption of partnership agreements, these documents will shape the priorities in Member States for public investment during the next seven years.

Relevance to NI: Both initiatives 6/7 concern the procedures for allocations of CSF funds. Any changes to the CSF funds should be examined closely as it contains many sub-initiatives from which NI receives significant amounts of funding.

The DFP consultation document “A Reflection Exercise” released in April 2012 confirms the responsibility of the Department in implementing the European Structural funding programmes. Therefore, these initiatives may have a direct impact on the funding. Examining the progress of these initiatives could be considered to be consistent with the first objective of the NI Executive’s European Priorities 2012-13 document:

1. *Maximise our engagement in European Funding Programmes*

However, due to the lack of a roadmap and timescales it is difficult to assess impact at this stage.

9	State Aid Modernisation: General Block Exemption Regulation	legislative Q4 - 2013
---	---	--------------------------

Proposal: This sets the most appropriate conditions for state aid to be compatible with the internal market. This is designed to reduce the administrative burden for national authorities.

Relevance to NI: This may be of relevance to Northern Ireland, as Northern Ireland has been the recipient of such aid in the past.

However, there is no available roadmap for this initiative making it difficult to assess impact.

This initiative may also be of interest to the Committee for Employment and Learning and the Committee for Enterprise, Trade and Investment.

15	Initiative on E-invoicing in the Field of Public Procurement	legislative Q2 2013
----	--	------------------------

Proposal: This initiative would eliminate the fragmentation of the Internal Market by promoting the use of B2G e-invoicing in the public sector and enhancing the interoperability of national (and sub-national) e-invoicing systems. It would help to reduce the operating costs of enterprises and the procurement costs of public authorities by fostering the automation of procedures related to invoicing.

The roadmap for the initiative highlights the need for standardisation across Member States to reduce complexity and costs. It identifies some initial costs to Member States some of which include: the appropriate IT software; and, the skills to carry out the procedures. The road map justifies EU action to co-ordinate the uptake on e-invoicing by Member States.

Relevance to NI: Public Procurement is a devolved matter. It is the view of the UK government that this initiative may offer efficiency savings for both public administrations and suppliers. This could be considered to be consistent with Committee’s view from their Inquiry into Public Procurement update (June 2011) that the Public Procurement process should be operated on a value for money basis.

This initiative may also be of interest to the Committee for Social Development.

22	Bank Account Initiative	legislative non-legislative Q1 2013
----	-------------------------	---

Proposal: An initiative aiming at increasing the transparency and comparability of bank account fees, as well as to render bank account switching easier for consumers.

The roadmap identifies three problems that confirm the need for action in this area including: complex, unclear and incomparable information make it difficult for the consumer; barriers to switching bank accounts and new market entrants; and, potential difficulties in trying to access bank accounts across jurisdictions. According to the EU Roadmap, the potential benefits include: greater consumer confidence; lower prices; increased choice; greater mobility; and it creates a level playing field in payment accounts. Potential costs include: compliance costs for banks; administrative burden; and, costs to public authorities for initiating and implementing transposing legislation. The roadmap further highlights the need for EU action on the basis that there are gaps and disparities in the extent to which Member States have taken action in this area.

Relevance to NI: Although banking is not a devolved matter, it is possible that a non-devolved matter can have a devolved impact. This initiative will inevitably impact consumers in Northern Ireland; and in light of this, it may be an issue for consideration. There is no reference to this area in the Executive's European Priorities Document.

This initiative may also be of interest to the Committee for Social Development.

30	Social Investment for Growth and Cohesion – Including Implementing the ESF 2014-2020	non-legislative
----	--	-----------------

Proposal: To provide guidance on increasing efficiency, effectiveness, and adequacy of social protection systems; improving activating and enabling policies; social inclusion and adequate livelihoods. The Communication will contribute to implementing the Europe 2020 Strategy/ European Semester, support and design of social investment in the NRPs and assist Member States in making the best use of EU funds, ESF in particular.

Relevance to NI: There is no roadmap or timescale for this initiative making it difficult to assess impact at this stage. However, Northern Ireland benefits, and seeks to maximise future benefits, from EU Social Funds. It may be beneficial to further consider this initiative as it may have an impact on the availability or implementation of these funding programmes.

Health, Social Services and Public Safety

NIL

Committee for Justice

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

JHA (Title V) opt in Protocol 21

The entering into force of the Lisbon Treaty means that the UK and separately Ireland may choose within three months of a proposal or an initiative being presented to the Council pursuant to Title V of Part Three of the TFEU (the part of the Treaty governing Home and Affairs Matters) whether it wishes to participate in the adoption and application of any such proposed measure. If the UK notifies the President of the Council of its intention to participate within the three month period, there is no possibility of opting out at a later date. If the measure is adopted, the United Kingdom is bound by the measure and the European Court of Justice (ECJ) has jurisdiction over it and the Commission will have the power to infract in respect of any failure to properly implement the measure. If the UN does not opt in at the three month point, it is still entitled to a seat at the negotiating table but has no vote, and has as a result significantly reduced negotiating weight. The UK may at any stage after a measure has been adopted, indicate its wish to participate however the Commission has to approve and the Commission and Council may apply conditions.⁴⁶

Schengen opt-out Protocol 19

The Schengen area and cooperation are founded on the Schengen Agreement of 1985. The Schengen area represents a territory where the free movement of persons is guaranteed. The signatory states to the agreement have abolished all internal borders in lieu of a single external border. Common rules and procedures are applied with regards to visas for short stays, asylum requests and border controls. Co-operation between police services and judicial authorities have been stepped up to ensure security within the Schengen Area. Schengen co-operation has been incorporated into the EU Legal Framework by Treaty of Amsterdam 1997.⁴⁷ Since the entry into force of the Lisbon Treaty Article 4 to Protocol 19 to the TEU and TFEU on the Schengen Acquis integrated into the Framework of the EU, provides that the UK may request to take part in some or all provisions of the UK Acquis. The UK already participates in some parts of Schengen, for example police and judicial elements but does not participate in the border control elements. Article 5 of the Protocol provides that that the UK is deemed to opt in to measures building on parts of the acquis in which it participates unless within three months of the publication of the proposal or initiative, it notifies the Council that it does not wish to take part in the measure- an opt-out. If the UK does not opt-out within that three month period, it is automatically bound. If the UK opts out, the Commission and Council can decide to eject the UK from all or part of the rest of Schengen to the extent necessary if such non participation seriously affects the practical operability of the system but the protocol states that it must seek to retain the UK's widest participation.⁴⁸

It is too early to tell whether the UK will opt into any of the initiatives, however the UK Government has confirmed that it will not opt into a proposal on a European Public Prosecutor.

48	Establishment of a European Public Prosecutor's Office (EPPO) to Protect the Financial Interests of the Union	legislative Q2 2013
----	---	------------------------

The aim of this legislative initiative is to set out the framework and conditions for establishing the European Public Prosecutor's office to focus on the protection of the financial interests of

46 Report to Parliament on the Application of Protocols 19 and 21 to the Treaty on European Union and the Treaty on the Functioning of the European Union (TFEU) (the Treaties) in Relation to EU Justice and Home Affairs (JHA Matters) |1 December 2009-30 November 2010) CM 8000, January 2011, 1.

47 http://europa.eu/legislation_summaries/justice_freedom_security/free_movement_of_persons_asylum_immigration/l33020_en.htm

48 Report to Parliament on the Application of Protocols 19 and 21 to the Treaty on European Union and the Treaty on the Functioning of the European Union (TFEU) (the Treaties) in Relation to EU Justice and Home Affairs (JHA Matters) |1 December 2009-30 November 2010) CM 8000, January 2011, 2.

the Union. The initiative will be accompanied by proposals on the reform of Eurojust and on protection of the financial interests of the EU.⁴⁹

The main policy objectives of the policy are: the effective fight of, in particular offences affecting the financial interests of the Union; and enhanced and equivalent protection of taxpayers' money across the Union. The European Public Prosecutor's Office shall be responsible for investigating, prosecuting and bringing to judgement, where appropriate in liaison with Europol, the perpetrators and accomplices of offences against the Union's financial interests. It shall exercise the functions of prosecutor in the competent courts of the Member States in relation to such offences.⁵⁰

The initiative seeks to address the obstacles to an effective fight against crimes affecting the financial interests of the Union (E-Fraud). It will ensure that Member States attach a high priority in their criminal policy to investigating and prosecuting offences affecting the EU financial interests and dedicate the necessary resources for that purpose. The European Public Prosecutor's Office will require that national authorities carry out investigations under its authority, ensure that they meet deadlines and that ensure full cooperation with the EPPO. The European Commission considers that Member States, national police, judicial authorities, Eurojust and other EU bodies and institutions, citizens and businesses.⁵¹ The expected date of adoption is the second half of 2013.

The UK Government has confirmed it will not opt in to a proposal concerning a European Public Prosecutor.⁵² However it may be worth monitoring any further developments in this area.

These initiatives have been included in the CWP for 2013/14. However the European Commission indicates that these initiatives have been carried over from 2012.⁵³

45	Special Safeguards in Criminal Proceedings for Suspected or Accused Persons who are Vulnerable	legislative
----	--	-------------

The expected date of adoption of this initiative was May 2012 however the initiative has been carried over in the 2013 CWP with no further indication of timescale for adoption. This proposed initiative aims to ensure that special attention is shown in criminal procedures throughout the European Union to suspected or accused persons who cannot understand or follow the content or the meaning of the proceedings, owing, for example, to their age, mental or physical condition.⁵⁴

According to the European Commission, there appears to be a disparity in protection across Member States with regards to protection for children and other vulnerable suspects and accused persons in criminal proceedings. This has resulted in an obstacle to mutual trust between judicial authorities in Member States and to mutual recognition of judicial decisions in criminal matters. The protection afforded to a person in criminal proceedings includes the

49 Initiative number 48 of Annex 1 of the Commission Work Programme, available at http://ec.europa.eu/atwork/pdf/cwp2013_annex_en.pdf

50 http://ec.europa.eu/governance/impact/planned_ia/docs/2013_just_007_eppo_for_protection_of_eu_financial_interests_en.pdf

51 http://ec.europa.eu/governance/impact/planned_ia/docs/2013_just_007_eppo_for_protection_of_eu_financial_interests_en.pdf

52 Report to Parliament on the Application of Protocols 19 and 21 to the Treaty on European Union and the Treaty on the Functioning of the European Union (TFEU) (the Treaties) in Relation to EU Justice and Home Affairs (JHA Matters) 1 December 2009-30 November 2010) CM 8000, January 2011, 2.

53 http://ec.europa.eu/governance/impact/planned_ia/roadmaps_2013_en.htm

54 Initiative number 45 of Annex 1 of the Commission Work Programme, available at http://ec.europa.eu/atwork/pdf/cwp2013_annex_en.pdf

means of identifying a vulnerable person, access to a lawyer; and special measures to allow the effective participation of the person during criminal proceedings.⁵⁵

The European Commission highlights that preliminary research indicates that Member States do have minimum standards for children in line with the United Nations Convention on the Rights of the Child (UNCRC) which has been signed by all Member States however the Commission notes these standards are not always enshrined in legislation and practice. The Commission also suggests that there appears to be very little legislation protecting vulnerable adults who represent a large proportion of defendants in the criminal justice system.⁵⁶

The Commission notes that those who are likely to be affected by the proposal include:⁵⁷

- suspects and accused children and adults in criminal proceedings and their families;
- professional providing assistance to the person including lawyers, an appropriate adult, medical/health/social professionals, carers guardians and teachers;
- Police authorities including custody officers; prison officers;
- Courts, judges, justice professionals facing judicial cooperation requests from other Member States as mutual trust may be insufficient;
- Ultimately, the Member States themselves are affected as mutual recognition mechanisms are hampered by mutual trust.

Relevance to NI: There is possibly some cross over with measures included in the Justice (NI) Act 2011 and in the forthcoming Justice Bill on live links; however it would be difficult to tell until any draft EU legislation is published. The Justice (NI) Act 2011 included provisions to allow examination of vulnerable defendants through an intermediary. The act also extends the conditions for a vulnerable accused live link direction to include those of any age that have a physical disability or physical disorder. The Act also improves the services for mentally disordered offenders by allowing live link connections between courts and psychiatric hospitals.

The Department of Justice propose to include provisions in the forthcoming Justice Bill on live links to provide an ability to hold committal proceedings by live link; an ability for Parole Commissioners to conduct their oral hearings by live link; and an ability for breach proceedings on behalf of the Probation Board for Northern Ireland and the Youth Justice Agency to be dealt with by live link where an offender has already been returned to detention. It would be worth monitoring developments to consider whether any further measures are required to achieve compliance.

46	Service in the Member States of Judicial and Extra Judicial Documents in Civil and Commercial Matters	legislative
----	---	-------------

This proposed legislative initiative is a revision of Regulation 1393/2007 and will pay special attention to the effectiveness of transmitting and receiving agencies and focus on the practical application of the execution of a request for forwarding a request for service. The revision could include the establishment of common minimum standards.⁵⁸ The main policy objectives are:

- To improve the service of judicial and non-judicial documents between the Member States;
- To introduce the possibility of electronic service of documents; and

55 http://ec.europa.eu/governance/impact/planned_ia/docs/2012_just_016_vulnerable_persons_en.pdf

56 http://ec.europa.eu/governance/impact/planned_ia/docs/2012_just_016_vulnerable_persons_en.pdf

57 http://ec.europa.eu/governance/impact/planned_ia/docs/2012_just_016_vulnerable_persons_en.pdf

58 Initiative number 46 of Annex 1 of the Commission Work Programme, available at http://ec.europa.eu/atwork/pdf/cwp2013_annex_en.pdf

- To possibly establish common minimum standards for the service of documents.

The European Commission considers that the proper functioning of the European judicial area entails the need to improve and expedite the transmission of judicial and extrajudicial documents in civil and commercial matters. According to the European Commission Roadmap, courts, transmitting and receiving agencies, bailiffs and potentially all EU citizens will be affected by the proposal. The expected date of adoption is June 2013.⁵⁹

Relevance to Northern Ireland - In Northern Ireland, the transmitting agency is the Master (Queens Bench and Appeals), Royal Courts of Justice.⁶⁰ It will be worth monitoring developments of the revision to assess the impact of the proposal.

Other Forthcoming Initiatives included in the Commission Work Programme 2013/14.

43	Initiatives on Firearms: Reducing Gun Crime in Europe ¹	non-legislative
----	--	-----------------

This is a proposed non- legislative initiative in relation to firearms to reduce gun crime in Europe. The European Commission indicated that trafficked firearms are being used by criminal networks and lone criminals and that legally held firearms are also being used illegally. The aim of the Communication will be to present:

The nature and scale of the problem and current action including external dimension;

- New/increased EU actions for example increased role of Europol; funding;
- Law enforcement policy orientations in view of the 2015 review of the Firearms Directive 91/477, including possibly a Directive on criminal sanctions based on Art 83(1) TFEU.

Relevance to Northern Ireland: The Firearms (Northern Ireland) Order 2004 requires that to possess, purchase or to acquire firearms and ammunition, a person must have a firearms certificate. The legislation sets out minimum sentences for certain offences involving the illegal possession of handguns and prohibited weapons. Guidance produced in 2005 by the Northern Ireland Office suggested that the purpose of the minimum sentence is to tackle gun crime and gun culture.⁶² It may be worth monitoring development of this policy to assess any possible impact on the domestic legal framework.

44	Framework for Administrative Measures for the Freezing of Funds, Financial Assets and Economic Gains of Persons and Entities Suspected of Terrorist Inside the EU ⁶³	legislative
----	---	-------------

The EU legal framework on the freezing of funds, financial assets and economic gains of persons and entities suspected of terrorist activities only covers terrorists who represent an international, global threat. The European Commission notes that no framework currently exists for the realisation of the objectives of the area of freedom, security and justice.

59 http://ec.europa.eu/governance/impact/planned_ia/docs/2012_just_006_proposal_service_of_documents_en.pdf

60 Information communicated by Member States under Article 23 of Regulation (EC) 1393/2007 OF THE European Parliament and European Council of 13 November 2007 on the Service of in the Member States of judicial and extrajudicial documents in civil or commercial matters,(service of documents), repealing Council Regulation (EC) No 1348/2000 http://euzpr.eu/eudocs/01prozessr/30erkenntnisverf/11egzustellvoa/egzustellvoa-500-mitteilungenart23_consfass081113_en.pdf

61 Initiative number 43 of Annex 1 of the Commission Work Programme, available at http://ec.europa.eu/atwork/pdf/cwp2013_annex_en.pdf

62 http://www.nio.gov.uk/guidance_on_northern_ireland_firearms_controls.pdf

63 Initiative number 44 of Annex 1 of the Commission Work Programme, available at http://ec.europa.eu/atwork/pdf/cwp2013_annex_en.pdf

This legislative initiative aims at using the new legal basis of the Lisbon Treaty to set up a coherent and effective legal framework for administrative measures for the freezing of funds, financial assets and economic gains of such persons and entities.

49	Fighting Money Laundering ⁶⁴	legislative
----	---	-------------

The European Commission highlighted that as one of the ‘Eurocrimes’, money laundering is a criminal offence in all EU Member States, The Commission notes however that EU Member States do not have the same definition of money laundering and also apply different sanctions as this hinders cross border investigations and police cooperation. The Commission proposes a legislative initiative to harmonise the offence of money laundering at EU level.

50	Fighting Cigarette Smuggling ⁶⁵	non-legislative
----	--	-----------------

It is proposed that this non- legislative initiative will be in the form of a strategy. The aim is a comprehensive response at EU level to illicit trade in cigarettes, taking into account the losses to public revenue and its role as an outlet for organised crime. The Commission suggested that better coordinated action would include exchange of information, standard setting and international cooperation.

Relevance of the EU proposals on money laundering and cigarette smuggling to Northern Ireland: the Organised Crime Task Force Annual Report and Threat Assessment 2012 noted that over the past 12 months the principal threats from organised crime included money laundering, fraud and excise and tax fraud, amongst others. According to the report, 23.45 million counterfeit and smuggled cigarettes were seized in 2011/12. ⁶⁶

Committee for Regional Development

28	Framework on the Future EU ports Policy Including a Legislative Proposal	legislative non-legislative
----	--	--------------------------------

Enhancing the efficiency and overall quality of port services, addressing the obligations of Member States regarding the sound planning of ports and hinterland connections, transparency of public funding and port charges, and administrative simplification efforts

in ports, and reviewing restrictions on the provision of services at ports. A review of Port Policy has been underway Since September 2011.

With the proposed regulation on the Trans-European Transport Networks (TEN-T) the Commission aims to ensure adequate connectivity of all major EU ports with their respective hinterlands – this will be funded by means of the Connecting Europe Facility as well as the Structural and Cohesion Funds.

64 Initiative number 49 of Annex 1 of the Commission Work Programme, available at http://ec.europa.eu/atwork/pdf/cwp2013_annex_en.pdf

65 Initiative number 50 of Annex 1 of the Commission Work Programme, available at http://ec.europa.eu/atwork/pdf/cwp2013_annex_en.pdf

66 Organised Crime Task Force 2012 Annual Report and Threat Assessment : Organised Crime in Northern Ireland, pg 10 <http://www.dojni.gov.uk/index/publications/publication-categories/pubs-policing-community-safety/doj-organised-crime-annual-report.pdf>

The current review deals with the transparency in ports and with port services. The commission is currently consulting on:

- the objectives to be pursued at EU level;
- possible policy measures to achieve the objectives; and
- related impacts of the proposed policy measures.

The consultation survey contains measures on market access to port services, public service obligations in ports, national administrative conditions on market entry, transparency of financial relations between public authorities and port authorities, the setting of port service charges, the sustainable functioning of the port labour market, quality requirements for port service providers, improvement of user satisfaction, measurement and monitoring of port performance, training and qualification of workers, health and safety of workers and transfer of staff in the case of transfer of undertakings.

This initiative may also be of interest to the Committee for Enterprise, Trade and Investment.

29	Internal Road Market - Access to the Road Haulage Market and Access to Occupation of Road Transport Operator	legislative
----	--	-------------

The initiative will improve the economic and environmental efficiency of road freight transport by further lifting the restrictions to cabotage. Cabotage Rules are enforced by DVA

It will create a more even playing field by including provisions to apply social rules of the host country in the case of long stay of drivers and provisions for a more uniform enforcement.

The EC White Paper on Transport published on 28 March 2011 called for additional actions to further integrate the internal road freight transport market.

New regulations modernising the rules governing road transport were adopted in '09, including:

- Regulation (EC) No 1072/2009 on common rules for access to the international road haulage market;

Regulation 1072/2009 changed the rules applicable to cabotage operations while it also requires the Commission to draw up a report on the state of the European Union's road transport market by the end of 2013, assessing whether harmonisation of the rules applicable to the road transport market has progressed to such an extent that the further opening of domestic road transport markets, including cabotage, could be envisaged.

In the road haulage industry, cabotage is where an operator registered in one country picks up and delivers a load within another country.

Within the EU, such cabotage operations are only legal if they are conducted on a temporary basis – this means hauliers are limited to a maximum of three journeys in seven days following bringing a load into a foreign country.

For Irish hauliers operating in Great Britain and Northern Ireland, and vice versa, the rigorous enforcement of this regulation poses a significant barrier to the free movement of goods adding to costs and bureaucracy.

The UK govt. takes the view that any relaxation of current cabotage rules would disadvantage UK hauliers as they believe non-UK hauliers are less likely to comply with relevant health and safety regulations.

The Irish and UK governments met earlier this year and continue to work on identifying what progress can be made on a bilateral basis between both countries with regards to cabotage, therefore, it would seem prudent to seek an update on the outcome of this work.

This initiative may also be of interest to the Committee for the Environment.

Committee for Social Development

Whilst DSD does not have direct strategic responsibility for the vast majority of priority areas within the Work Programme, there are number of initiatives that are broadly relevant to the policy areas within the remit of DSD (e.g. European energy policies and DSD's remit in relation to fuel poverty).

12	Energy Technologies and Innovation in a Future European Energy Policy	non-legislative
----	---	-----------------

The European Commission's Work Programme outlines a commitment to foster energy technologies development; to promote energy research and market deployment actions at EU level; and to remove market, regulatory and behavioural barriers to the market deployment of energy innovation.

Relevance to DSD

The Department of Enterprise, Trade and Investment has strategic responsibility for energy policy. However, DSD has the lead responsibility for tackling fuel poverty. The promotion of energy efficiency and new energy technologies therefore has relevance for both DSD and the Northern Ireland Housing Executive (in its capacity as the Home Energy Conservation Authority for Northern Ireland). Improving energy efficiency and achieving affordable energy are two of the three key areas for action contained within DSD's Fuel Poverty Strategy "Warmer Healthier Homes".

15	Initiative on E-invoicing in the Field of Public Procurement	legislative Q2 - 2013
----	--	--------------------------

The Single Market economy needs to continue to adapt to reach the potential for businesses and consumers in a borderless Europe. New approaches are needed in areas such a procurement. Key proposals under this European Commission Work Programme priority includes a legislative proposal to make e-invoicing mandatory for public procurement in order to facilitate business to government interaction, reduce costs and serve as a pilot for other sectors.

Relevance to DSD

The purpose of European procurement policy and directives is to promote open and transparent competition for European public contracts and to ensure value for money in public purchasing. The Department of Financial and Personnel has strategic responsibility for public procurement. However, DSD's Procurement Strategy for the Social Housing Development Programme outlines the critical role of Registered Housing Associations in Northern Ireland in relation to social housing construction procurement which is partly funded through public funding in the form of Housing Association Grant. The UK Government has accepted the European Commission's view that Registered Social Landlords (including Housing Associations) are to be regarded as Bodies Governed by Public Law (BGPL) and therefore must comply with the requirements of the EU Public Procurement Directives⁶⁷. As such, European policy or directives on procurement will impact upon the Social Housing Development Programme and the procurement processes of Registered Housing Associations.

67 Information extracted from DSD website - www.dsdni.gov.uk/index/hsdiv-housing/ha_guide/hagpg-contents/hagpg-eu-procurement-rules.htm

This initiative may also be of interest to the Committee for Finance and Personnel.

22	Bank Account Initiative	legislative non-legislative Q1 - 2013
----	-------------------------	---

The 2007 European Commission retail banking inquiry pointed to the existence of obstacles to customer choice and mobility in banking accounts. These included the lack of transparency and comparability of banking fees and high switching costs incurred by consumers when they change bank account providers. A third problem concerned difficulties faced by a significant number of EU citizens in accessing basic banking services.

The new Bank Account Legislative Package included in the new European Work Programme is intended to promote greater consumer choice, reduced prices, increased cross-border mobility and a reduction in the number of citizens financially excluded.

Relevance to DSD

There is increasing emphasis on providing social security benefit and pension payments via bank accounts. The financial exclusion faced by low-income households in accessing appropriate accounts and other financial products is well-documented. This new European Initiative may be pertinent to the roll-out of welfare reform, particularly in relation to Universal Credit, which will primarily be an online resource and payments made into bank or other accounts. Legislating for the control of unfair or opaque banking charges will be crucial for low-income households in receipt of Universal Credit and other benefits.

This initiative may also be of relevance to the housing market. Homeowners and first time buyers in particular, are finding it increasingly difficult to access finance. Promoting transparency in banking fees and charges and enabling the easy transfer of mortgages to more favourable products is a significant issue.

This initiative may also be of interest to the Committee for Finance and Personnel.

23	Broadband Infrastructure	legislative Q1 - 2013
----	--------------------------	--------------------------

The Work Programme contains proposals for draft regulation to substantially reduce the cost of deploying high speed broadband networks across the EU. This is aimed at incentivising investment in line with the Digital Agenda high speed internet targets.

Relevance to DSD

Internet access and improvements to the broadband infrastructure is an issue of significant relevance to the Coalition Government's welfare reform agenda. The Government is seeking to accelerate the capacity for customers to apply and manage social security and child maintenance payments online. Under the welfare reform agenda, the application and management of the new Universal Credit and also the proposed advice services for Child Maintenance are intended to be web-based resources. Access to affordable broadband, particularly in rural areas, has been identified as an issue of concern. The European Commission's Digital Agenda and broadband infrastructure initiatives may therefore have an impact on the accessibility of government online resources and on electronic payment of pensions and social security benefits.

This initiative may also be of interest to the Committee for Finance and Personnel.

30	Social Protection/Welfare/Benefits	non-legislative
----	------------------------------------	-----------------

The ‘*Social Investment for Growth and Cohesion – including the implementation of the European Social Fund 2014-2020*’ is a non-legislative initiative to provide guidance to increase efficiency, effectiveness and adequacy of social protection systems (which include social security/social welfare/pensions etc.). It also aims to provide guidance on social inclusion and adequate livelihoods.

Relevance to DSD

As yet there is little available information in relation to this particular Work Programme Priority. However, as DSD has responsibility for Social Security and Pensions this may be an issue for the Committee for Social Development to monitor.

This initiative may also be of interest to the Committee for Finance and Personnel and the Committee for Employment and Learning.

32	Effective Institutions for Occupational Retirement Pensions	legislative
----	---	-------------

Pension funds play a major role in meeting the challenges arising from demographic ageing in the European Union. The Commission’s 2012 paper on pensions underlined the role of the EU in strengthening its framework to support occupation retirement provision. The legislative provision for occupational pensions contained within the Commission’s Work Programme include plans to facilitate cross-border supply (i.e. reduce the legal and administrative complexity for setting up cross-border pensions schemes); and strengthen the protection of occupational pension scheme members.

Relevance to DSD

DSD has policy responsibility for a number of pension-related issues, e.g. the recent Pensions Act (Northern Ireland) 2012 introduced a new automatic enrolment scheme for workplace pensions and the use of the Consumer Price Index (rather than the Retail Price Index) as the measure of inflation for indexation and revaluation of occupational pensions. The pension provisions within the European Work Programme may therefore be of interest to the Committee for Social Development given its role in pensions policy and in relation its remit in tackling deprivation (e.g. pension poverty).

35	European Platform to Fight Undeclared Work	legislative
----	--	-------------

This draft legislative decision establishes a European platform between labour inspectorates and other enforcement bodies. It aims for a more coherent approach by covering all key areas influenced by undeclared work and supporting a more effective fight against undeclared work by improving co-operation between Member States, sharing best practice and identifying common principles. No official definition of “undeclared work” but there is general consensus is that it is work that not declared to the relevant government authorities for tax, social security and/or labour law purposes.

Relevance to DSD

Undeclared work has significant implications in terms of social security fraud and for bodies such as the Social Security Agency and the Northern Ireland Housing Executive who have a strategic role in identifying and/or tackling benefit fraud and error. Undeclared work is a challenge to the sustainability of the social security budget. DSD, the Social Security Agency and the Northern Ireland Housing Executive (who administer Housing Benefit) may therefore have an interest in the outworking of the proposed new European Platform to Fight Undeclared Work.

This initiative may also be of interest to the Committee for Employment and Learning.



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

and available from:

Online

www.tsoshop.co.uk

Mail, Telephone, Fax & E-mail

TSO

PO Box 29, Norwich, NR3 1GN

Telephone orders/General enquiries: 0870 600 5522

Fax orders: 0870 600 5533

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

Textphone 0870 240 3701

TSO@Blackwell and other Accredited Agents

£14.00

Printed in Northern Ireland by The Stationery Office Limited
© Copyright Northern Ireland Assembly Commission 2013

ISBN 978-0-339-60479-7

