



An Roinn Gnó, Fiontar agus Nuálaíochta
Department of Business, Enterprise and Innovation

Brief for the Minister

December 2017

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Section One: Current Priorities and Overview of Department

1.1 INTRODUCTION

Statement of Strategy 2016 -2019

The Department of Business, Enterprise and Innovation's current mission, as set out in its **Statement of Strategy 2016-2019**, is

“To lead on the creation and maintenance of high quality and sustainable full employment across all regions of the country, by championing enterprise across government, by supporting a competitive enterprise base to incentivise work, enterprise, trade and investment, and by promoting fair and competitive markets”.

The Statement of Strategy outlines seven key goals for the Department. These goals are set in the context of new and emerging challenges and opportunities, particularly Brexit and ongoing global developments and also reflecting the commitments in the Programme for Partnership Government 2016 and other legislative responsibilities that fall under the remit of the Department. The goals are:

Goal One

Lead on creating and sustaining high quality enterprise and employment across all regions of the country by supporting a strong indigenous enterprise base, the continued attraction of Foreign Direct Investment and a strong entrepreneurial culture.

Goal Two

Lead a whole-of-Government approach to developing the most competitive environment for investment, productivity and sustainable jobs.

Goal Three

Work ambitiously across Government with our EU and international partners to achieve progress in EU and International fora, across a wide range of interests, including in response to the implications of Brexit.

Goal Four

Lead a whole-of-Government ambition to position Ireland as a Global Innovation Leader, driving an internationally competitive research system, creating an innovative enterprise base and building a better society.

Goal Five

Promote quality employment, positive workplace relations, well-functioning dispute resolution mechanisms, a safe working environment and the evolution of the minimum wage.¹

Goal Six

Ensure that our business regulation facilitates business investment and development, competition in the market place, high standards of consumer protection and corporate governance, and provides Ireland with a competitive advantage in the global market.

Goal Seven

¹ With effect from 1 September 2017 responsibility for the minimum wage transferred to the Minister for Employment Affairs and Social Protection under the Labour Affairs and Labour Law (Transfer of Departmental and Ministerial Functions) Order 2017.

Invest in our staff to further enhance individual and collective capacity, ensure high standards of corporate governance and optimise our other resources to deliver our Strategy, Mission and Goals.

A copy of the Department's Statement of Strategy 2016-2019 is included with this briefing document.

The Department plays a key role in implementing the Government's policies of stimulating the productive capacity of the economy and creating an environment which supports job-creation. The Department also has a remit to ensure fair competition in the marketplace, protect consumers and safeguard workers. Through its agencies and Offices, the Department's remit covers a wide range of activity including:

- Facilitating the start-up and growth of indigenous enterprises,
- Attracting Foreign Direct Investment,
- Growing and deepening export opportunities Improving competitiveness and productivity,
- Promoting innovation and growth through investment in research and development,
- Promoting fair competition for businesses and consumers,
- Ensuring fit for purpose, modern company law,
- Safeguarding workers' rights including their entitlement to occupational safety and health,
- Supporting and facilitating a positive industrial relations environment,
- Making evidence based policy, informed by research, analysis and robust evaluations,
- Identifying the future skills needs of enterprise,
- Providing appropriate and independent regulatory and enforcement capability, and
- Representing Ireland's interests in relevant EU fora, including the Competitiveness Council (incorporating Internal Market, Industry and Research), and the General Affairs Council (meeting in its Trade formation) and relevant WTO, ILO, OECD and WIPO fora.

Programme for Partnership Government and Some Key Supporting Strategies/Action Plans

The **Programme for Partnership Government (PfPG)** re-affirmed the Government's strong commitment to, and ambition for, enterprise and jobs. It commits to an ambition of full employment and implementing plans to deliver new sectoral and regional opportunities. Specifically, the Programme for Partnership Government targets:

- 200,000 extra jobs by 2020, including 135,000 outside Dublin;
- a reduction in the national unemployment rate to 6%;
- facilitating the return of at least 70,000 emigrants;
- prioritising balanced regional development, aiming for an unemployment rate in each county that is within one percentage point of the state average by 2020.

The PfPG also highlights the importance of quality employment, appropriately determined minimum wages, collective bargaining, well-functioning dispute resolution mechanisms and a safe working environment.

Programme for Partnership Government Actions for delivery by DBEI

- The ultimate goal of the new Government will be to deliver sustainable full employment. This will mean an extra 200,000 jobs by 2020, of which 135,000 will be outside of Dublin, leading to more people at work than ever before
- Specifically, the new Government will:
 - Target 200,000 extra jobs by 2020, including 135,000 outside of Dublin
 - Reduce the unemployment rate to 6%
 - Facilitate the return of at least 70,000 emigrants
 - Prioritise balanced regional development, which will allow us to aim for an unemployment rate in each county that is within one percent of the State average by 2020
- We will maintain the OECD endorsed Action Plan for Jobs process that will, on an annual basis, consult with all relevant stakeholders to draft an Action Plan that contains the best ideas for job creation within available resources.
- We will implement regional jobs plans, with local input, to help spread growth to all areas. The aim of these strategies will be to encourage agencies and companies to work together and build on the competitive strengths of each region. We will mandate Local Enterprise Offices to set county-specific targets on job creation.
- We will also encourage county councils to play a significant role in the Regional Action Plan for Jobs and ensure that economic recovery is felt inside every door of their county.
- An extra €300million in capital funding between Enterprise Ireland and Udarás na Gaeltachta to allow them to provide additional support to Irish owned enterprises. This extra funding will give Local Enterprise Offices and incubation centres additional resources to help support start-ups and small businesses across the country
- An extra €200million to the IDA which will allow it, among other things, to attract more multinational jobs by building additional advanced facilities in regional towns. This will follow on from the 11 advanced facilities which are currently being rolled out
- Support a leap forward in the capacity and performance of our enterprise sector. Protect our national competitiveness from unsustainable cost growth (this involves active innovation and investment as well as containing income demands to the genuine delivery of productivity improvements).
- Excel in getting the basics right, and deliver a job-fit business environment which ranks in the top tier globally
- We will respect the Workplace Relations Commission and the Labour Court as the proper forum for state intervention in industrial relation disputes and ensure that both bodies are supported and adequately resourced to fulfil their roles
- We will ensure that our national interests are protected in any future trade discussions, with a particular focus on beef and food safety standards
- We will work with the European Commission and colleagues across the EU to ensure the best possible outcome for Ireland in any future negotiations. In particular, we will work to ensure the principle of equivalence is maintained in negotiations in terms of food safety, traceability and production standards to ensure that producers are operating on a level playing field
- Ireland's participation in the Unified Patent Court

Other Key Supports Strategies and Action Plans

In its 2015 statement on Enterprise Policy, "**Enterprise 2025**", which was developed by the Department of Business, Enterprise and Innovation, the Government set out Ireland's longer term ambition for enterprise growth and job creation over the coming decade. The *Enterprise 2025* vision is for Ireland to be the best place to succeed in business, delivering sustainable

employment and higher standards of living for all. The Programme for Partnership Government commits to achieving the ambitions set out in *Enterprise 2025* and recognises that, supported with the right policy mix, Irish based enterprise can deliver performance to match these ambitions. A Review of Enterprise 2025 is underway, due for completion Q1 2018, to determine the extent to which our enterprise policies are robust in light of more recent global developments. The Review will take account of Brexit, potential US policy developments, international taxation, as well as the pace of change in, and adoption of, technologies.

DBEI also developed a new strategy for Research and Development, Science and Technology – “**Innovation 2020**” on a cross-governmental basis. The overarching vision in *Innovation 2020* is for Ireland to become a Global Innovation Leader driving a strong sustainable economy and a better society.

Enterprise and innovation policies are broad reaching and their formulation and implementation require a whole of government commitment. Although DBEI is the principal governmental advocate for enterprise and innovation, many other government departments play a crucial role in delivering on complementary policy actions to provide an environment that is conducive to job creation and which support the development of a competitive and sustainable enterprise mix, including in the areas of skills and tax, quality of place and essential infrastructures such as broadband and housing.

The **Action Plan for Jobs (APJ)**, led by DBEI, have been developed by Government as a response to the dramatic rise in unemployment since 2008 and the loss of 300,000 jobs in the wider economy. Each yearly APJ identifies actions required to support the enterprise sector as the main engine of job creation and to drive collaboration and implementation among the relevant stakeholders who have shared responsibility for the different objectives. The implementation of the actions is monitored at Cabinet level on a quarterly basis. To prepare the 2018 APJ, the DBEI has led a consultation exercise that sought inputs from across Government and key stakeholders. This included a new High-level Consultation Forum with more than 100 stakeholders. With 40 to 50 actions, the 2018 APJ will focus on four themes: preparing for Brexit, encouraging labour market participation and meeting existing and future skills needs, transforming sectors, promoting productivity, competitiveness and innovation and stimulating regional development.

Eight **Regional Action Plans for Jobs** were published by the Department between June 2015 and January 2016, aimed at raising employment levels in the regions and facilitating them to achieve their economic potential. The primary objective of these plans is to have a further 10 to 15 per cent at work in each region by 2020 and to ensure the unemployment rate of each region is within one percentage point of the State average.

Internationally, enterprise policy is evolving towards a “system” approach, with a role of Government acting as a facilitator, coordinator and market creator in addition to an investor. Governments in other countries are increasingly engaging in creating networks, enabling cluster development, addressing coordination failures, and aligning strategic priorities through effective and ongoing dialogue with enterprise. This evolution in enterprise policy internationally has informed the Department’s formulation of the policy approach set out in **Enterprise 2025**.

Such an approach is also adopted in **Innovation 2020**, which sets out the role of innovation in helping to drive economic and jobs growth, increase collaborations between enterprise, higher education institutions and public service bodies to address major challenges.

In March 2017, the Government published its new trade and investment strategy, **Ireland Connected**, the development of which was led by DBEI and DFAT to respond to the challenge of

- In support of these high level targets, to meet the individual detailed targets and objectives set out in the strategies and corporate plans of IDA Ireland, Enterprise Ireland, the Local Enterprise Offices, Science Foundation Ireland and the NSAI
- Respond to annual increases in employment permits demand (in excess of 30% per annum in recent years) and target average wait below 10 days for trusted partners, 30 days for general employment permits and 2 months for appeals. Provide for in excess of 3,000 critical ICT permits.
- Target a maximum five-month national average waiting time for 1st instance hearings under new WRC structure (up to two years in the recent past under old structures) and 80% of decisions to issue within 8 weeks (100% 6 months) post hearing.
- Reduce rates of work related deaths, injuries and ill health (67 fatalities in 2007; down to 45 in 2016)
- Reduce agriculture fatalities from almost 50% of all workplace deaths (farms make up just 6 per cent of workplaces).
- Grow the *BeSmart* on-line Health and Safety tool user base from 38,000 (up 8,000 in 2016) to make compliance easier and keep the regulatory burden to a minimum.

Budgets, Staffing, Offices and Agencies

The Department has a total 2017 budget of €858m comprising €555m Capital and €303m Current.

The Department funds and staffs 5 Offices:

- Companies Registration Office (CRO) incorporating the Registry of Friendly Societies
- Labour Court
- Office of the Director of Corporate Enforcement (ODCE)
- Patents Office
- Workplace Relations Commission (WRC)

The Department also provides research, analysis and secretariat support to the work of a number of councils/groups including the:

- National Competitiveness Council, established by Government Decision and reports to the Taoiseach through the Minister for Business, Enterprise and Innovation
- Expert Group on Future Skills Needs, jointly reporting to the Minister for Business, Enterprise and Innovation and Minister for Education and Skills.

The Department supports 9 Agencies and the 31 Local Enterprise Offices, comprising:

- Competition & Consumer Protection Commission
- Enterprise Ireland
- Health and Safety Authority
- Irish Auditing and Accounting Supervisory Authority
- IDA Ireland
- InterTrade Ireland
- National Standards Authority of Ireland
- Personal Injuries Assessment Board
- Science Foundation Ireland
- 31 Local Enterprise Offices

The Department has its main presence across three offices in Dublin – Kildare Street, Earlsfort Centre and Davitt House on Adelaide Road. In addition, Departmental staff are located in Kilkenny (Patents Office) and Carlow (part of the Companies Registration Office (CRO)), and part of the Workplace Relations Commission (WRC)). Staff are also serving in Bloom House, Gloucester Place, Dublin 1, (CRO and CCPC), Parnell Square (Office of the Director of Corporate Enforcement and, in Lansdowne House, Dublin 4 (Labour Court and WRC), and in our regional presence for the WRC in Dublin, Cork, Shannon and Sligo.

More detail on the Offices and Agencies is set out in Section Five.

External Risks

There are a number of external risks that could impact on the momentum of enterprise job creation over the short and medium term. These include the impacts of Brexit, changes in the EU and in the wider global trading and investment environment, developments in international tax policy that could impact on Ireland's attractiveness for investment relative to other jurisdictions, waning support internationally for free trade which could negatively impact global growth, euro appreciation vis-a-vis sterling and the dollar which would impact exports, inward investment and tourism, increases in energy and oil prices, and the impact on global economic growth of fragilities in China, Europe and the US.

In addition there are growing concerns as to the impact of increases in domestic costs on our competitiveness, and emerging capacity issues in areas such as skills, office and industrial buildings availability, infrastructure investment and housing supply, which are increasingly impacting on our potential for enterprise investment and job creation.

Opportunities

There are significant opportunities presented for many businesses from the evolution of the digital market, which has and will continue to change how business is done internationally. SME's that embrace digital technologies and demonstrate they have robust digital security and privacy practices will have a competitive advantage in efforts to increase sales and partner with larger organisations. Ireland's strengths in particular sectors, for example, the ICT sector, can allow us to take advantage of opportunities in these areas. Building on the strong culture of innovation and entrepreneurship to strengthen our enterprise capacity and ensure the right mix between foreign and domestic enterprise is also a priority.

New and emerging markets present significant opportunities for trade and investment growth and international trade agreements can be leveraged to create opportunity in this area. There needs to be a continued focus on building and sustaining existing markets and use to our advantage our location, close to large, affluent markets, which offers opportunities to Irish companies to grow sales and exports. Ireland has a world class talent pool that is responsive to the changing and diverse needs of the economy and this is a key strategic strength. Ireland also has a strong entrepreneurial ecosystem which supports and attracts innovative start-ups that can scale up in international markets. We need to promote our strength as a location for ease of doing business and one where there are high standards of business regulation and corporate governance.

1.2 BREXIT

(a) Background

On 23 June 2016, the UK electorate went to the polls and voted to leave the European Union. Article 50, the process whereby a country leaves the EU, was formally triggered by Prime Minister May on the 29th March 2017. PM May's letter included strong acknowledgement of our unique circumstances, the need to protect the peace process and the Good Friday Agreement, and our intention to maintain bilateral arrangements with the UK like the Common Travel Area.

On May 22, the General Affairs Council agreed the detailed negotiating mandate for the European Commission to open negotiations with the UK. This mandate is based on the Guidelines adopted by the European Council on 29 April. The Council also confirmed the establishment of a new Council Working Party on Article 50 which held its first meeting on the 24th May. DBEI provides input to Department of Foreign Affairs & Trade who are leading coordination of national positions for these meetings. DBEI officials in the Permanent Representation in Brussels are also engaging in this work providing advice and expertise on the ground and sharing intelligence with HQ.

The Guidelines and Directives reflect Ireland's unique concerns regarding the withdrawal negotiations – to support and protect the achievements, benefits and commitments of the Peace Process, to avoid a hard border, and to protect the Common Travel Area. They also recognise the desirability of moving on to discuss the future relationship between the EU and the UK once sufficient progress has been made on the withdrawal issues, as well as the likely need for transitional arrangements and to address concerns around transit of goods across the UK – Ireland's land-bridge to the EU.

The outcome is a major endorsement of the Government's approach and is a reflection of the government's focused campaign of strategic engagement with EU Member States and the EU institutions over the past 18 months. We are now at an important point in the negotiations with further progress needed to be made in relation to the three exit issues before a decision can be made by the European Council on 15 December that 'sufficient progress' has been made so we can move on to discuss the framework for the future relationship between the UK and the EU. The three exit issues are citizens' rights, the financial settlement and the Irish specific issues.

The Government's position is clear that protecting the Good Friday Agreement in all its parts and the gains of the peace process is a key priority. There can be no hard border on the island of Ireland – the border must remain invisible. The optimal solution would be for the UK to remain in the Customs Union and the Single Market but this is ultimately a decision for the UK. The UK need to off concrete and workable solutions but include acceptance by the UK that the risks posed by the emergence on the island of Ireland of regulatory divergence from EU rules and regulations must be avoided.

The Department is contributing to detailed technical work led by DFAT to map out areas of North South cooperation which rely on, or are supported by, EU law and policies - this work has also underlined the need to avoid the risks presented by any regulatory divergence. The Government's position is that political solutions are required that recognise the unique situation on the island of Ireland.

The Government is intensifying its focus on the economic implications of Brexit, including on domestic policy measures to reinforce the competitiveness of the Irish economy, to protect it from potential negative impacts of Brexit, and to pursue all possible opportunities that might arise. Reflecting the breadth and depth of work underway across the Department and its

Agencies in response to Brexit An Tánaiste published **Building Stronger Business – Responding to Brexit by competing, innovating and trading** on 9 November 2017. The Paper sets out our approach by helping firms to compete, enabling firms to innovate, supporting firms to trade, and negotiating for the best possible outcome.

The Department will continue its analysis and engagement work to develop robust policy responses and approaches to be taken in the negotiations to secure the best outcome for enterprise and innovation.

(b) Brexit Unit

The Department has established a Brexit Unit which leads on the coordination of DBEI & Agency analysis and policy and operational response to Brexit.

The Brexit Unit provides the Secretariat to a number of internal and external Brexit Groups. The Unit represents DBEI on a range of Inter-Departmental Groups established on a sectoral basis led by Department of Foreign Affairs and Trade and on the Senior Officials Group led by D/Taoiseach which prepares the Cabinet Committee on EU Affairs and Brexit. The Brexit Trade and Investment Group is chaired by the A/Secretary in the Division and includes membership at that level from relevant Departments.

Brexit Unit leads on engagement with the Department's stakeholders to inform our approach and policy positions on Brexit in consultation with relevant Divisions. Dialogue is happening through existing channels of communication with stakeholders, via APJ National & Regional Implementation Groups, Retailers Forum, Horizon 2020 High Level Group and Enterprise Forum on Brexit and Global Challenges. Since the UK vote to leave the EU Ministers and officials have also been engaged in extensive bilateral engagement with EU counterparts.

The Brexit Unit oversees research and analysis being undertaken by the Department and its Agencies and monitors research published by external bodies to better inform our policy response.

(c) Brexit impacts across DBEI

Key risks exist in trade and enterprise policy given our reliance on the UK as an export market with some sectors, particularly in the indigenous enterprise base, more exposed and having a heavy regional and rural footprint. The most immediate impact has been as a result of currency fluctuations. Impacts will be pronounced on north/south trade and INTERREG funding and there are also risks associated with potential for regulatory divergence in the medium term and the loss of the UK as a strong like-minded ally in EU negotiations more generally. On the other hand there are opportunities in Foreign Direct Investment and in research and innovation.

Given Brexit is likely to represent a structural shift in the UK trading relations with partners, short, medium and long term responses are needed for Irish business. These include market diversification, cost reduction, innovation and price repositioning. Enterprise Ireland in particular is focusing its support on measures to address these issues for client companies.

The issue of currency fluctuation between the euro and sterling has been identified from an early stage as a factor liable to have an effect on the competitiveness of Irish exports to the UK. Policy responses are being developed based on surveys of SMEs impacted by Brexit, conducted by DBEI earlier this year and repeated in August/September.

Micro-enterprises and start-ups with cross-border trade relationships are particularly vulnerable to the effects of Brexit. InterTrade Ireland is supporting companies engaged in cross border trade

through a range of enterprise support programmes to build capacity in research and innovation and sales and marketing to better prepare for Brexit.

Brexit provides an opportunity for Ireland to increase its FDI stock. Particular sectors from which investment opportunities may emerge include international financial services, technology, consumer and content business and life sciences. IDA is currently focusing its efforts on maximising these opportunities. In addition, international education presents opportunities in light of potential restrictions for travel, and given that Ireland will be the only English speaking country within the EU post Brexit.

Ireland is well diversified in terms of our international research collaboration including through the EU Framework Programme for Research & Innovation – Horizon 2020. While the UK is an important partner for Ireland in research we are not overly dependent on the UK. There are opportunities for Ireland now to build further bilateral collaboration with the UK outside the EU and to further diversify our collaborations with other EU Member States in Horizon 2020. SFI has a number of programmes in place to deliver on this strategy.

The EU Guidelines also acknowledge the need for the EU to recognise existing bilateral agreements between the UK and Ireland – one of these is the Common Travel Area. If the CTA is upheld UK citizens would not require work permits to work in Ireland. However, the potential for 3rd country nationals who might look to Ireland rather than the UK could place additional demands on the employment permit regime. This too presents an opportunity for Ireland, enhancing our attractiveness to a mobile, highly skilled pool of workers, both from within and without the EU/EEA – the challenge is to ensure that our offering to attract such talent remains competitive

Potential impacts on a number of policy areas within DBEI fall into the category of regulatory divergence. These are areas where potential impacts emerge depending on the extent to which the UK align post Brexit with existing regulations and legislation.

(b) Maximising Job Creation/Retention through Inward Investment

- Ensuring IDA Ireland is positioned to deliver on the jobs targets of 42,000 net additional jobs over the period 2015 to 2020, and winning an additional 1,080 investment projects over the period and €3.6bn in RDI investment by overseas firms.
- Support IDA Ireland's work towards achieving regional development targets, including an increase of investment by 30%-40% in every region of the country by 2019.
- Supporting IDA Ireland, in particular, in its efforts to maximise new foreign direct investments (FDI) opportunities that may arise for Ireland on account of Brexit.
- Ensuring, in consultation with the Department of Finance and Revenue, a tax environment that is supportive of enterprise and job creation and which meets taxation requirements at international level and in a way that provides certainty for investors and sustains Ireland's competitiveness
- Securing the necessary capital budget and human resources to enable IDA Ireland to deliver investment, exports and jobs.

(c) Maximising Job Creation/Retention through Indigenous Enterprise

- Providing supports for enterprise in addressing the challenges of Brexit.
- Delivering on Enterprise Ireland's targets of 60,000 new jobs over the period 2017-2020, growing exports of Irish-owned firms by €5bn to €26bn p.a. and increasing the R&D spend by 50% to €1.25bn p.a.
- Developing the most effective environment for indigenous companies to start, scale and succeed, through a suite of policies and supports designed to assist and facilitate businesses at all stages of development and growth, from nascent and early stage entrepreneurs to companies of scale trading internationally.
- Maximising the contribution from indigenous enterprises to economic development in terms of business start-ups, exports, and job creation.
- Delivering enhanced access to finance for SMEs, including microfinance, loan credit guarantees, and seed and venture capital.
- Ensuring, in consultation with the Department of Finance, that enhancements continue to be made to our tax environment to ensure that it is supportive of SMEs, particularly in the context of Brexit, the need to diversify export markets and to stimulate greater levels of entrepreneurship.
- Securing the necessary capital budget and human resources to enable Enterprise Ireland to deliver investment, exports and jobs.

(d) Ensuring an Appropriate Regulatory Environment for Business, Consumers and Workers

- Helping to make markets work more effectively for consumers and the economy as a whole through the promotion of keen competition, high standards of compliance and corporate governance and consumer protection but without unnecessary regulatory costs.
- Improving the implementation of occupational safety and health legislation to save lives, reduce injuries, promote occupational health and ensure ease of compliance in particular in micro and small-sized enterprises.
- Meeting increasing challenges in the workplace relations/employment rights environment, through the services of the Workplace Relations Commission and Labour Court.
- Ensuring regulatory bodies of the Department have the expertise, processes and resources to fulfil their broad regulatory remit.

1.4 IMMEDIATE PRIORITIES IN THE MONTHS AHEAD

There are a number of immediate short term key priority issues requiring attention, across the business responsibilities of the Department, as follows;

(a) Preparing for Brexit - supporting companies and inputting to negotiations

- Concluding, and highlighting key findings from, studies to assist in development of policy positions in context of Brexit negotiations (led by DFAT) and further domestic mitigation measures including at sectoral level;
- Trade event in late January/February to engage with stakeholders on key findings from Copenhagen Economics study assessing Brexit impact of a range of short and long term scenarios on GDP and trade;
- Awareness raising and communications campaign featuring the 'Brexit SME Scorecard' on www.prepareforbrexit.ie
- Secure additional funding in the context of the Mid Term Review of the Capital Plan The objective of the forthcoming 10 year capital investment plan is that it will be closely aligned with delivering on the outcomes set out in the National Planning Framework.
- Analyse and assess the Brexit risks at sectoral and individual company level where appropriate.
- Work with D/Finance, Strategic Banking Corporation of Ireland (SBCI), Enterprise Ireland and DAFM to develop and implement (subject to Government approval) measures to support the medium and long term financing needs of SMEs impacted by Brexit (including proposed guarantee schemes to support working capital and longer term development needs of SMEs). A draft working capital guarantee scheme is currently being finalised. Other, more medium-term, proposals are also being worked on.
- Make a new counter-guarantee scheme (under the Credit Guarantee (Amendment) Act 2016) before the Summer break under which the Minister, by sharing risk with the Strategic Banking Corporation of Ireland, can ensure EU funding is leveraged and made available to Irish SMEs.
- Take all necessary steps to ensure that we are in a position to support companies impacted by Brexit in ways that are compatible with the State aid framework. This includes scoping out what is possible within the existing State aid guidelines and engaging with DG Competition to sensitise them to the Irish situation including the need for possible flexibilities to develop other targeted supports for businesses impacted by Brexit.
- Support the recruitment of 20 additional staff in Enterprise Ireland, in addition to 39 additional staff in 2017, as part of the strategic response to Brexit.
- Deepening our understanding of the implications of Brexit at a sectoral and firm level, to inform policy responses and our sector specific priorities during EU-UK negotiations

(b) ODCE/ Seán Fitzpatrick Case

On May 24th 2017 in the Dublin Circuit Criminal Court, Judge John Aylmer directed the jury to acquit Mr Seán Fitzpatrick of all charges.

Under the proceedings initiated by the Director of Public Prosecutions, Mr. Seán Fitzpatrick, the former Chairman and Chief Executive of Anglo Irish Bank Corporation plc, had been charged with 21 alleged breaches of section 197 and 6 alleged breaches of section 242 of the Companies Act 1990.

On May 24th, the Minister wrote to the Director requesting a report under the Companies Act 2014. In her letter, the Minister asked for the report to address the criticisms raised by Judge Aylmer which include:

- the coaching of witness statements;
- late disclosure of documents;
- a perceived bias by ODCE investigators;
- the shredding of documents; and
- any other relevant matters.

This report, prepared under Section 955 (1)(a) of the Companies Act 2014, was delivered on June 23rd and has been the subject of detailed consultation with the Office of the Attorney General. On advice received in November from the Attorney General, the Minister for Business, Enterprise and Innovation does not have a legal power to publish reports/information prepared pursuant to section 955 of the Companies Act, 2014.

However, given that the shortcomings identified by Judge Aylmer in his ruling in the case of DPP v Sean Fitzpatrick have been the subject of significant concern, while it is not possible to publish the Report itself, it is intended that an account will be published of the investigative failures identified by Judge Aylmer and the steps that are being taken to address them.

(c) Legislative Priorities

A full list of the Department's legislative priorities is included in section 7 of this brief, some immediate priorities for the months ahead are as follows:

- **Companies (Statutory Audits) Bill 2017**

The Bill was published on 6 November 2017 and is due for Second Stage in Dáil Éireann on Friday 8 December 2017. The main objective of this Bill is to further transpose discretionary elements of Directive 2014/56/EU, to give effect to some elements of Regulation EU No 537/2014 and to elevate SI 312 of 2016 to primary legislation.

- **Necessary Amendments to existing legislation to ensure that IDA Ireland has the required powers to deliver its strategic property functions**

Amendments need to be made to existing legislation, on account of the judgment of the Supreme Court in Reid vs IDA, to ensure that IDA Ireland has the necessary powers to deliver its strategic property functions. The Department is aiming to publish the Industrial Development (Amendment) Bill 2017, which will address the implications of the Court judgement before the end of 2017.

- **A Bill to provide for amendments in the Copyright area**

In July 2016, the Department obtained Government approval for the heads of a Bill entitled Copyright and Related Rights (Amendment) (Miscellaneous Intellectual Property) Bill. This Bill also makes some technical amendments to other Intellectual Property legislation. Formal drafting of the Bill is currently being finalised by the Office of the Parliamentary Counsel.

- **Personal Injuries Assessment Board (Amendment) Bill 2017**

The Government approved the General Scheme of the Personal Injuries Assessment Board (Amendment) Bill on the 27th of June 2017. The General Scheme was sent to the OPC for drafting on the 30th of June 2017. DBEI officials will work closely with the OPC in the drafting process. The Bill will amend the Personal Injuries Assessment Acts 2003 and 2007 to strengthen PIAB in terms of operational issues to ensure greater compliance with the PIAB process and to encourage more claims to be finalised through the Board.

(k) Research Prioritisation Refresh.

A new cycle of Research Prioritisation will be in place in 2018. Public research funding is currently focused on 14 priority areas identified on the basis of national economic and societal need, and where, for the most part, there is already a combination of enterprise relevance and research strength in Ireland. There are three strands to the development of the new cycle:

1. A review of the first cycle of Research Prioritisation.
2. A market-led horizon-scanning exercise to identify strategic areas of commercial opportunity in global markets for Irish-based enterprises.
3. A technology futures exercise to identify technologies that will be critical to Ireland's economic and social development.

Reports on all three strands are complete and a consultation event for the Refresh of Research Priority Areas under Research Prioritisation took place in mid-November.

(l) Industrial Relations

In order to progress necessary amendments to the Industrial Relations Act 1990 to provide Garda Representative Associations with access to the States Industrial Relations institutions, a working group chaired by D/JE has been established to work through a range of core issues that must first be tied down. DBEI will take the lead on the legislative work required to amend the Industrial Relations Act 1990 and Government has already approved the Heads of a Bill in September 2017. Drafting of the Bill is to be progressed and brought before the Houses of the Oireachtas in 2018.

(m) Economic Migration Policy

Undertake a fundamental review of the policies underpinning the current employment permits regime, to ensure that it is fully supportive of Ireland's emerging labour market needs.

(n) Digital Single Market

Lead on the cross government Digital Single Market (DSM) agenda. The DSM is one in which the free movement of persons, services and capital is ensured and where the individuals and businesses can seamlessly access and exercise online activities under conditions of fair competition, and a high level of consumer and personal data protection, irrespective of their nationality or place of residence. A stronger and more coherent DSM is a key enabler of our national digital economy, essential to boost jobs and economic growth and to open new growth opportunities for our SMEs and to ensure our global competitiveness.

(o) InterTrade Ireland

There are currently two vacancies on the board of InterTrade Ireland, the nomination of which are at the discretion of the Minister for Business, Enterprise and Innovation (there is no Public Appointments Process for these appointments).

2017-2018 Dates / events in the period ahead for Minister

The following key events are provided for consideration by the Minister as to attendance / representation by the Department.

Key Events in Minister's Diary			
Month	Date	Meeting/Appointment	Location
2017			
December	1	COMPET (Research)	Brussels
	10	FAC Trade	Buenos Aires
	10-13	Ministerial Conference 11	Buenos Aires
	11	Trade Council en marge of WTO Ministerial Conference	Buenos Aires
2018			
February	1	Informal COMPET Council (Internal Market & Industry)	Sofia, Bulgaria
	2	Informal COMPET Council (Research)	Sofia, Bulgaria
	26-27	Informal Trade Council	Bulgaria
March	12	COMPET Council	Brussels
	13	COMPET Council	Brussels
May	14-17	Visit to European Parliament	Strasbourg
	22	Trade Council	Brussels
	28	COMPET Council (Internal Market & Industry)	Brussels
	29	COMPET Council (Research)	

- **No fixed Dates** - Appearance before Oireachtas Committee on Estimates.
- Schedule of Trade missions for 2018 to be decided.

List of Groups / Committees attended by the Minister for Business, Enterprise & Innovation

Group / Committee	Approximate frequency
Departmental Coordination on Brexit (Senior Officials from DBEI & Agencies)	Monthly
Enterprise Forum on Brexit & Global Challenges (Business Representative Groups) (Group meets every 6-8 weeks – Minister attends quarterly)	Quarterly
Retail Consultation Forum (Retail Sector representatives & Senior Officials from relevant Government Departments)	Quarterly
National Design Forum (Representatives from the business & education sectors and relevant Government Departments & Agencies)	3-4 times annually
Cabinet Committee on Economy, Trade and Jobs	Frequency of Cabinet Committee meetings are determined by the Department of An Taoiseach
Cabinet Committee C: European Affairs and Brexit	
Cabinet Committee on Regional and Rural Affairs	
Cabinet Committee on Infrastructure, Environment and Climate Action	
Export Trade Council (Council members include relevant Government Ministers, relevant Agency CEO's & private sector representatives)	
	Biannually

1.5 The Department Structure and Interaction with Cabinet Committees

The Department is currently comprised of six Divisions, as follows:

Division	Assistant Secretary
Indigenous Enterprise Development Division	Declan Hughes
Innovation and Investment Division	Dermot Mulligan
Commerce, Consumers and Competition Division	Breda Power
Workplace Regulation & Economic Migration Division	Clare Dunne
EU Affairs, Trade Policy and Export Licensing Division	Philip Kelly
Strategic Policy and Management Support Division	David Hegarty

In addition, Human Resources, Learning and Development and Business Services Unit Reports directly through a Principal Officer, Harry Lester, to the Secretary General.

A more detailed top level organisation chart is included in this report.

1.5.1 Management Board

The Department's Management Board currently comprises the Secretary General, six Assistant Secretaries and the Head of the Management Support Unit.

The Management Board meets weekly, usually on Tuesday morning.

1.5.2 Ministerial Management Board

Currently, Ministerial Management Board meetings take place every four weeks. The Minister, the Ministers of State and the Special Advisors to the Minister attend these meetings, along with the members of the Management Board. The Agenda is set by the Minister, who also chairs the meeting.

1.5.3 Cabinet Committees

The Cabinet Committee system is a key infrastructure supporting the formulation and delivery of significant Government policies, and especially those that require cross-Departmental and cross-Agency co-operation. DBEI has been an active contributor to the work of the Cabinet Committees and their supporting senior officials, expert and technical groups. In doing so it has sought to place employment, enterprise and innovation at the heart of government policy areas which influence sustainable economic recovery, and especially, in regard to job creation, infrastructure, European Union, energy and climate change policy.

The Department has successfully ensured that competitiveness is prioritised in the formulation of policy across many domains, so that the implications for business costs, jobs exports and inward investment are given due consideration. The Department is committed to driving delivery of commitments made in the new Programme for Government and other frameworks (APJ 2016, Enterprise 2025, Innovation 2020, Ireland Connected).

The Minister/Department are currently members of the following Committees and their supporting groups.

- Cabinet Committee on Infrastructure
- Cabinet Committee on Economy
- Cabinet Committee on European Union including Brexit
- Cabinet Committee on Health
- Cabinet Committee on Social Policy and Public Services

1.5.4 EU Councils

Of the nine current EU Council of Ministers formations, this Department has a key role in 2 Councils, the Competitiveness Council and the Trade Council.

Ministers and Ministers of State act as "Head of Delegation" at formal meetings of these Councils in Brussels, and occasionally Luxembourg, and at informal meetings in the country holding the EU Presidency.

1.6 DEPARTMENTAL ESTIMATE 2017-2018

The content of this section needs to be considered in conjunction with the further detail and background on the Department's Vote and finances contained in **Section 6** of this briefing document.

The total Gross Allocation for the Department for 2017 is €858 million as per the published 2017 Revised Estimates Volume (REV). This includes funding for the Department, its Offices and its Agencies. The funding provision is targeted at growing the economy and maintaining and developing employment while regulating markets and ensuring fair competition and retaining an effective and efficient labour relations capability.

Budget 2018 provided the Department with a gross allocation of €871m. The Table below provides a comparison between the Department's 2017 and 2018 allocations broken down as and between Capital and Current funding.

	2017 REV Allocation	2018 REV Allocation
Capital	€555m	€555m
Current	€303m	€316m*
Total Allocation	€858m	€871m

*Part of the increase in the Current Expenditure allocation in Budget and Rev 2018 is due to a reclassification of an element of expenditure from capital to current. Further details in relation to this are set out below.

The €871m for 2018 will be allocated as follows:

- €555m in Capital grants provision (mainly enterprise & research grants to Enterprise Ireland, IDA Ireland, Science Foundation Ireland and the Local Enterprise Offices).
- €164.754m on payroll costs to cover a staffing cohort of c. 2,450 across the BEI Vote (c. 835 posts in the Department, the other 1,600+ employed across the agencies).
- €101.043m in non-pay programme expenditure e.g. day-to-day running costs of the Department, Offices & Agencies. Non-pay also covers Ireland's subscriptions to certain international memberships organisations.
- €50.163m in Pensions costs, primarily for retired employees of the enterprise agencies.

BEI Current Expenditure

Comparison of Current Expenditure 2017 v 2018

	2017*	2018
Pay	€153.6m	€164.754m**
Pensions	€49m	€50.163m
Non-Pay	€100.4m	€101.043m**
Total	€303m	€315.96m

*2017 allocation included provision for funding for the Low Pay Commission and a number of employment right related functions which have since being transferred to DEASP

** see Point 3 below re: Technical adjustment in 2017 re: the IDA Winning Abroad Programme

The BEI Current (gross) provision of **€315m** represents **0.57%** of the total 2018 Exchequer Current expenditure provision of €55.5 billion.

Non-Pay covers the cost of day-to-day operations of the Department, Offices and Agencies (e.g. accommodation related costs, travel, publications, ICT costs etc).

Non-Pay also includes payment of Ireland's annual membership contributions to, for example, the World Trade Organisation, the International Labour Organisation, the World Intellectual Property Organisation and the OECD.

The primary changes on the Current expenditure side in 2018 are:

- 1/ An additional €3m in "Brexit" related pay was secured to enable the recruitment of 40+ staff across the Department, Enterprise Ireland, IDA Ireland, Science Foundation Ireland and the Health & Safety Authority.
- 2/ Additional provision has been provided for technical adjustments relating to Pay and Pensions on foot of Pay/Pensions restoration and payments due in 2017 under the Lansdowne Road agreement.
- 3/ There was also a technical adjustment made, with the approval of the Minister for Public Expenditure and Reform in relation to Subhead A5– Industrial Development Authority and its Winning Abroad Programme. The Winning Abroad Programme is a programme targeted at the IDA's promotional activities in foreign locations to attract overseas investment to Ireland. Expenditure under the Winning Abroad Programme essentially relates to the pay (€4m) and non-pay (€1m) costs of the staff involved in this programme. Previously expenditure under the IDA's Winning Abroad Programme was classified as Capital expenditure. With the permission of the Department of Public Expenditure and Reform, expenditure under the Winning Abroad Programme has been reclassified as Current expenditure. The net effect is that overall the Department's 2018 Capital allocation, which was increased to €560m in Budget 2018, is being reduced by the Winning Abroad expenditure of €5m, so effectively the Department's capital ceiling remains at €555m in 2018. On the other hand, the reclassification will increase the Department's 2018 current expenditure ceiling by €5m (€4m in pay and €1m in non pay).

BEI Capital Expenditure

As advised the Department's capital expenditure in 2018 will remain at €555m. This represents approximately **10.37%** of the total planned Exchequer Public Capital Programme of €5.33billion in 2018.

The 2018 allocation reflects the reduction of €5m arising from the reclassification of the Winning Abroad programme from capital to current as outlined above. The allocation also reflects the increase of €5m secured in Budget 2018 to support capital programmes in SFI and to expand the footprint of Ireland's membership of International Scientific Research organisations.

The BEI capital provision is to support the grant activities of the enterprise agencies, primarily Enterprise Ireland, IDA Ireland, Science Foundation Ireland and the Local Enterprise Offices as well as Ireland's subscriptions to a number of international research organisations, such as the European Space Agency.

The bulk of the enterprise grant operations are multi-annual programmes spanning over 3 to 6 year periods and take-up on agency grants is usually dependent on industry demand and activity in the economy. The Capital provision in any given year is substantially utilised for prior commitments on existing multi-annual awards. The indicative "headroom" for new capital grant business undertakings in a given financial year tends to be c. 15% of the agency's capital

provision. Therefore it is not the case that the Department has c. €500m+ at its disposal each year to conduct new grant supported business.

Supplementary Estimate – December 2017

The Department will have a Supplementary Estimate which is to be presented to the Select Committee on Business, Enterprise and Innovation on 6th December 2017. The Supplementary Estimate, which is somewhat technical in its nature, is intended to allow the Department to meet a number of priority capital expenditure demands from savings on its 2017 capital and current expenditure ceilings. The Department expects to generate a total of €40m in capital and current savings.

The €40million in savings will allow the Department to

- Pay its contribution of €14m as part of the overall €23million (the other €9m being provided by D/Agriculture) cost of launching the Brexit Loan Guarantee Scheme announced in Budget 2018
- Pay €12m to continue to discharge the Department's liabilities under Cycle 5 of the Programme for Research in Third Level Institutions (PRTL). PRTL Cycle 5 has provided research infrastructure and supported human capital development across Ireland's Higher Education Institutes in key strategic areas including bioscience, medical technologies; energy, social sciences and humanities and ICT.
- Pay €10.6m to SFI to fund research equipment associated with two SFI Research Professorships. In both cases, the equipment will provide a strong underpinning for the work of the teams concerned and increase the global visibility and impact of the work being undertaken in Ireland.
- Pay €2.4m to Tyndall National Institute to contribute towards a €50m programme of infrastructure renewal required by Tyndall to remain at the leading edge in ICT research and to ensure its continued relevance to its key industry partners.
- Pay €1m to the European Space Agency (ESA) to increase Ireland's contribution to the ARTES (telecommunications) programme. This will allow for new contracts to be signed with Irish companies for industry co-funded market oriented technology and product development, generating additional R&D activity, employment and exports that would not otherwise take place in Ireland.

Agency Own Resource Income

In addition to Exchequer funding, several of the Department's Agencies, most notably Enterprise Ireland, IDA Ireland, National Standards Authority of Ireland generate Own Resource Income (ORI) from a range of their activities. The retention of the ORI by the Agencies is subject to annual sanction from the Minister for Public Expenditure & Reform. Typically the quantum of annual ORI generated and retained for use by the agencies has been in the €85m - €115m range in recent years.

Income received by the Department ("Appropriations-in-Aid")

A number of the Department's Offices, such as the CRO, Patents Office and Employment Permits area of the Department provide services to the public with a fee generation element. Unlike ORI, the Department does not get to retain and use A&As, these are returned to the Exchequer and "netted off" against the Exchequer gross allocation to the BEI Vote. Typically this is in the region of €50m per annum

Top Level Organisation Chart
Secretary General: Orlaigh Quinn

EU Affairs & Trade Policy Division Assistant Secretary Philip Kelly	Commerce, Consumers and Competition Division Assistant Secretary Breda Power	Indigenous Enterprise Development Div. Assistant Secretary Declan Hughes	Innovation and Investment Division Assistant Secretary Dermot Mulligan	Strategic Policy Division Assistant Secretary David Hegarty (starting December 2017)	Workplace Regulation & Economic Migration Division Assistant Secretary Clare Dunne		
<p>EU Affairs and Single Market Principal Officer Conor Verdon</p> <p>Trade Policy, EU Multilateral & Bilateral Trade Principal Officer John Hughes</p> <p>Export Licensing, Admin & Policy Principal Officer Eamonn Cahill</p> <p>Brexit Unit Principal Officer Pauline Mulligan</p> <p>Economic Counsellors Paraig Hennessy (Embassy London) Thomas Murray (PR Brussels) Anne-Marie Finlay (PR Brussels) John Newham (PMUN Geneva)</p>	<p>Competition & Consumer Policy Principal Officer Kieran Grace</p> <p>Company Law Policy & Business Regulation Unit & PIAB Liaison Unit Principal Officer Eadaoin Collins</p> <p>Company Law Development & EU Principal Officer Helen Curley</p> <p>Company Law Audit, Accounting Policy & Enforcement Legislation Principal Officer Sabha Greene</p> <p>Internal Audit Principal Officer Malachy Quinn</p>	<p>Enterprise Agencies & Programmes Unit Principal Officer Eugene Forde</p> <p>Finance For Growth & State Aid Principal Officer Jean Carberry</p> <p>Regional Strategies & Enterprise Initiatives Principal Officer Céline McHugh</p> <p>Entrepreneurship & Small Business Policy Principal Officer Nina Brennan</p> <p>Digital Economy Principal Officer John Dooley</p> <p>Finance Unit Principal Officer Cathal O'Gorman</p>	<p>National and International STI Policy Principal Officer Joseph Moore</p> <p>STI Programmes, Agency, Policy and Delivery, Divisional Finances Principal Officer Marcus Breathnach</p> <p>Intellectual Property Unit / Patents Office Principal Officer Declan Morrin</p> <p>Inward Investment & North/South Unit Principal Officer Richard Scannell</p>	<p>Competitiveness, Economic Analysis & Enterprise Surveys Unit, Principal Officer Marie Bourke</p> <p>Skills & Education Unit/ Enterprise Programmes & Policies Evaluations Unit Principal Officer Kevin Daly</p> <p>Action Plan for Jobs Principal Officer Gary Martin</p> <p>New Sources of Growth and Innovation Advisory Unit Principal Officer Karen Hynes</p> <p>Enterprise Policy, Trade Strategy, Economic Infrastructures & Tax Principal Officer Maria Ginnity</p> <p>Management Support Fol Units Principal Officer Michael O'Leary</p> <p>Communication & Press Office Principal Officer Cathy Madden</p>	<p>Economic Migration Policy Employment Permits International Labour Organisation Principal Officer Fiona Ward</p> <p>Industrial Relations and Workplace Relations Liaison Principal Officer Anne Coleman Dunne</p> <p>Safety, Health & Chemicals Policy Principal Officer Stephen Curran</p> <p>ICT Unit Principal Officer Pat McCourt</p>	<p>Human Resources, Learning & Development Unit and State Agencies & Pensions Principal Officer Harry Lester</p> <p>Organisational Capability Review and Business Services Unit Principal Officer Fergal Cullen</p>	<p>Construction Contracts Unit Director Loughlin Quinn</p>

Section Two: Summary of Key Issues by Division

The following sets out in summary the key policy and related issues across the Divisions within the Department. These items are outlined in further detail, by Division, in Section Three below.

2.1 Indigenous Enterprise Development Division Declan Hughes, Assistant Secretary

Business Unit in the Division	Head of Unit (Principal Officer)
Enterprise Agencies and Programmes Unit	Eugene Forde
Entrepreneurship and Small Business Policy Unit, National Standards Authority of Ireland (NSAI) Liaison Unit	Nina Brennan
Regional Action Plans and Enterprise Initiatives	Celine McHugh
Finance for Growth and State Aid	Jean Carberry
Digital Single Market Policy	John Dooley
Finance Unit	Cathal O’Gorman
Agencies: Enterprise Ireland National Standards Authority of Ireland Design & Crafts Council of Ireland	Julie Sinnamon – CEO Geraldine Larkin - CEO Karen Hennessy - CEO

The overall goal of this Division is to work with relevant stakeholders to ensure that appropriate supports are in place to promote and develop entrepreneurship, to help businesses to start, scale and export, and to advocate across the wider system for a supportive business environment (e.g. tax policy, skills availability; etc.)

The Division operates a suite of policies, supports and services designed to assist and facilitate businesses at all stages of development and growth, from nascent and early stage entrepreneurs to companies of scale trading internationally.

This includes direct interventions such as the provision of Microfinance and Loan Guarantees, as well as working with the Agencies (Enterprise Ireland (EI), Local Enterprise Offices (LEOs), NSAI) to ensure their supports and services are relevant and aligned to the evolving needs of business.

Developing Indigenous Enterprise is crucial to the economy because Irish-owned enterprises account for over 90% of businesses in Ireland.² Ireland’s active enterprise base³ is made up of:

² CSO Business in Ireland 2012, p.50 (Structural Business Survey 2012)

³ Ireland’s foreign-owned industry base comprises mainly of the IDA’s 1318 client companies which employ approx. 200,000 directly, IDA 2016 Annual Report. Enterprise Ireland supported companies directly employ over 200,000

- 249,000 companies and businesses⁴
- 219,888 micro-enterprises (less than 10 employees), accounting for 92.3% of all active enterprises in the State⁵
- Internationally trading companies supported by Enterprise Ireland achieving exports of €21.6bn⁶
- Irish-owned SMEs solely trading in the domestic economy, accounting for 63.3% of all SME employment⁷

Ireland has a proven track record, and a well-recognised model for attracting and retaining Foreign Direct Investment (FDI); and FDI continues to be a key cornerstone of our enterprise base. Since the 1990's it has been acknowledged that the attraction of FDI must be complemented by a clear national effort to develop and grow our own domestic base of companies and to develop clear national advantage in key sectors of strength. Export intensity in Irish owned enterprises has increased from levels of 37% of total sales in 2003 to 51% in 2014, showing continued improvements in capacity, capabilities and competitiveness.

Today, Enterprise Ireland client companies (representing only 2.7 % of all Irish-owned businesses) employ slightly more people than the IDA supported multinationals (2016 figures: EI total employment 201,108; IDA total employment 199,877). Irish companies are generally more integrated into the Irish economy. They account for 90% of all business in Ireland, and 49% of employment. However, the productivity performance of the domestic enterprise base lags that of the multinationals, and Irish owned client companies account for only €21.6bn of our total exports.

In an environment where there are multiple external challenges that can impact on the current and future investment choices of global companies, Ireland needs to focus more than ever on developing its own enterprise base of companies that perform strongly in the domestic and near markets, but, more importantly, can compete in the global marketplace and drive economic growth and jobs. Our continued focus on supporting early stage entrepreneurship and start-ups is critical, as is the need to ensure that policies across Government are aligned to support the scaling and internationalisation of all companies with the potential to develop and sell high value-add products and services into overseas markets.

The key priorities for the Indigenous Enterprise Development Division include:

a) Supporting Businesses through Brexit

- Awareness raising of Enterprise Ireland's #PrepareforBrexit communications campaign featuring the 'Brexit SME Scorecard' on www.prepareforbrexit.ie
- Secure additional funding in the context of the Mid Term Review of the Capital Plan
- Analyse and assess the Brexit risks at sectoral and individual company level where appropriate
- Work with D/Finance, Strategic Banking Corporation of Ireland (SBCI), Enterprise Ireland and DAFM to develop and implement (subject to Government approval) measures to support the

⁴ CSO Business Demography 2015, <http://www.cso.ie/en/releasesandpublications/er/bd/businessdemography2015/>

⁵ CSO Business Demography 2015, <http://www.cso.ie/en/releasesandpublications/er/bd/businessdemography2015/>

⁶ Enterprise Ireland Annual Report 2016

⁷ CSO Business in Ireland 2012, p.16

medium and long term financing needs of SMEs impacted by Brexit. . A Brexit Loan Scheme, to support the working capital needs of companies impacted by Brexit, was announced as part of Budget 2018, and will be launched in March 2018. Work is underway on the design of a Scheme which would provide financing to longer term development needs of SMEs. Other, more medium-term, proposals are also being worked on.

- Support the recruitment of 39 additional staff in Enterprise Ireland as part of the strategic response to Brexit,
- Through the Retail Consultation Forum, chaired by the Minister, work with members to support the retail sector's preparedness for Brexit

b) Enterprise Agencies and Programmes

- Supporting EI, LEOs and NSAI with appropriate resources to deliver a strategic response to Brexit
- Encouraging Irish companies to prepare for a hard Brexit by improving competitiveness, investing in innovation, diversifying into new market segments and geographical markets and improving financial capability.
- Ensuring that a range of supports and services are available through our agencies (EI, LEOs, NSAI) to facilitate the start-up, scaling and internationalisation of Irish businesses
- Overseeing the management and development of the agencies and monitoring their performance in accordance with their Oversight and Performance Delivery Agreements
- Driving the development and performance of the LEOs.

c) Start Up/ Scaling Agenda

- Secure additional funding in the context of the Mid Term Review of the Capital Plan for EI's Global Ambition Plan
- Support the rollout of an extensive schedule of EI trade promotion programmes with over 145 events for 2017 to support client exports to the UK and to diversify into new markets

d) Regional

- Undertake a refresh and refocussing of the 8 Regional Action Plans, to be informed by an impact analysis of the initiative to be undertaken in Q1 2018.
- Roll out the €60m Regional Enterprise Development Fund, with first approvals announced shortly. Second call for applications to be launched in the new year
- Monitor closely employment/unemployment trends in the Regions.
- Publish the third Progress Reports of the Regional Action Plan (covering January-June 2017)

e) Corporate Social Responsibility

- Through the CSR Stakeholder Forum, work with members to progress the actions in Ireland's Second National CSR Plan launched in June 2017 to make Ireland a Centre of Excellence for CSR.

f) Finance and State Aid

- Take all necessary steps to ensure that we are in a position to support companies impacted by Brexit in ways that are compatible with the State aid framework. This includes scoping out what

is possible within the existing State aid guidelines and engaging with DG Competition to sensitise them to the Irish situation including the need for possible flexibilities to develop other targeted supports for businesses impacted by Brexit. At a November 2017 meeting between the Tanaiste and the Competition Commissioner, Margarethe Vestager, it was agreed that a working group comprising representatives from DG Comp, DBEI, Enterprise Ireland and DAFM would be established to engage on these issues. The Group had its first meeting on 20th November 2017.

- Implement and coordinate State Aid Policy at a National level, and represent Ireland in the European State Aid Modernisation negotiations. In April 2018 Ireland will be hosting the biannual meeting of the State Aid Modernisation Working Group, which will be attended by delegates from all member States and officials from DG Competition.
- Ensure that SMEs can access appropriate finance throughout their life-cycle, from early stage (including micro firms), through MFI seed and venture capital, loan credit guarantees and counter guarantees etc, and through prompt payments

g) Entrepreneurship and Small Business Policy

- Conduct a Mid-term Review of the National Policy Statement on Entrepreneurship with the engagement of stakeholders.
- Continue to monitor a range of nationally and internationally available indicators to assess national performance across the entrepreneurship ecosystem in order to inform entrepreneurship policy. Distil and distribute statistics on business creation and failures by gender, region and age profile through the newly established Business Creation Data Package
- Update, refine and promote our mapping exercise which identify the wide range of supports available to entrepreneurs from multiple sources
- Ensuring the voice of Small Business is factored into policy making across the system, in particular through the Advisory Group on Small Business
- Ensuring that the Department inputs as appropriate to the EU's eCommerce Agenda

h) NSAI

- Transpose a suite of metrology EU Directives
- Support NSAI in assessment of Brexit exposure and development of mitigation measures
- Ensure that NSAI is positioned to provide certification services to Irish based exporting medical device companies in view of a changing regulatory environment (MDSAP, MDR, IVDR)
- Ensure that legal metrology resources are in place to provide for a fair and competitive trading environment

i) Digital Single Market

- Leading the IDC on DSM chaired by the Minister and ensuring overall coordination and liaison across government including within DBEI of this complex policy brief.
- Ensuring, as an open economy, that legislation proposed within the DSM is pro trade, innovation and the single market so that the DSM is a key enabler of our national digital economy, essential to boost jobs and economic growth and to open new growth opportunities for our SMEs and to ensure our global competitiveness

- Actively participating in likeminded networks both Brussels based, capital based (e.g. Digital 9 initiative) and bilateral as required due to, inter alia, Brexit in order to influence key council outcomes and the European Council.

j) Finance Unit

- Support the Minister in negotiating an appropriate 2018 Estimate with DPER through the reformed Budgetary Process.
- Support the Minister in negotiations following on the Department's submissions to the Mid-Term Capital Review and Comprehensive Review of Expenditure.
- Prepare for Minister's appearance(s) before Oireachtas Committees including review of mid-year position on BEI Estimate (date yet to be determined).
- Oversee the Dept's successful migration of Payroll & Travel to Shared Services incl. appraising BEI staff of the extent of Finance Unit's retained functions post-migration. (April-July)

2.2 Innovation and Investment Division Dermot Mulligan, Assistant Secretary

Business Unit in the Division	Head of Unit (Principal Officer)
Innovation, Research and Development - Policy	Joseph Moore
Innovation, Research and Development - Programmes	Marcus Breathnach
Intellectual Property Unit	Declan Morrin
Inward Investment and North-South	Richard Scannell
Offices: Patents Office	Gerard Barrett, Controller of Patents
Agencies: SFI	Prof. Mark Ferguson – Director General
IDA Ireland	Martin Shanahan – CEO
North/South Body Intertrade Ireland	– CEO Position currently vacant

The **Innovation & Investment Division** carries policy and delivery management responsibility for innovation, research, development, intellectual property, foreign direct investment and North/South activities delivered by agencies as set out below:

The Division has responsibility for:

- Foreign Direct Investment, including the agency IDA Ireland. This requires engagement on FDI policy, on issues impacting FDI, individual projects, overseas Ministerial missions, financial and human resources for this area with a view to achieving ambitious 2020 job creation targets.
- Developing and promoting innovation and research and development policy, leading cross Governmental coordination in these areas.
- A very significant part of Enterprise Ireland's mandate, namely, research and innovation supports for enterprise, connecting enterprise to academic research, commercialisation of research from Higher Education Institutes and High Potential Start-Up companies. These supports are aimed at driving exports and creating jobs.
- Science Foundation Ireland and its mandate to support excellent research with impact in areas affecting the competitiveness of enterprise. The Division also has responsibility for the Programme for Research in Third Level Institutions.
- North/South issues and InterTrade Ireland, involving responsibilities for enterprise, innovation and research at all-island level.
- Intellectual Property policy and administration, to ensure Ireland delivers a world class IP management service. This mandate includes the Patents Office in Kilkenny.
- Leading at EU level for all Departments on research and innovation including Horizon 2020.
- Negotiating membership of International Research Organisations, and managing subsequent programmes.

The key priorities for the Innovation and Investment Division include:

(a) IDA Ireland

- (i) FDI Policy and its development and implementation
- (ii) Identify and secure the additional financial resources the IDA will require both in 2018 and in future years, for grants to companies and its property programme, so that the Agency can meet its strategic employment targets in the period up to 2019;

- (x) Facilitate the development of the National Open Science Policy by supporting the National Open Research Forum
- (xi) Negotiate Ireland's membership of the European Southern Observatory in 2018.

(c) Intellectual Property

- (i) Continue preparatory work in the lead up to a referendum on ratification by Ireland of an international Agreement setting up a Unified Patent Court to adjudicate on patent litigation;
- (ii) Finalise drafting and seek publication of the Copyright and Related Rights (Amendment) (Miscellaneous Intellectual Property) Bill in conjunction with the Office of the Parliamentary Draftsman (OPC)
- (iv) Examine, negotiate and implement proposals in the Intellectual Property area emerging from the European Commission in the context of the Digital Single Market and the Single Market Strategies;
- (v) Examination of legislative commitments in the Intellectual Property area to facilitate Ireland's bid for an upcoming major sporting event;
- (vi) Prepare secondary legislation to transpose "trade secrets" Directive and engage with the OPC to meet June 2018 deadline;
- (vii) Prepare secondary legislation to transpose EU Trade Marks Directive and engage with the OPC to meet the January 2019 deadline

(d) InterTrade Ireland

- (i) Secure an understanding with the Northern Ireland Department of the Economy on the future funding of InterTrade Ireland; and engage with other Government Departments in formulating an overall approach to the long-term funding of all North-South bodies.
- (ii) Continue to support ITI in its initiatives to assist SMEs that will be impacted by Brexit.

2.3 Commerce, Consumers and Competition Division

Breda Power, Assistant Secretary

Business Unit in the Division	Head of Unit (Principal Officer)
Competition and Consumer Policy Section	Kieran Grace
Company Law Policy and Agencies/Offices	Eadaoin Collins
Company Law Development & EU	Helen Curley
Company Law Audit & Accounting Policy & Enforcement Leg	Sabha Greene
Business Regulation	Eadaoin Collins
Cooperative Legislation & PIAB Liaison Unit	Eadaoin Collins
Internal Audit Unit	Malachy Quinn PO Accountant
Offices:	
Office of the Director of Corporate Enforcement (ODCE)	Ian Drennan – Director of Corporate Enforcement
Companies Registrations Office, Registry of Friendly Societies (CRO/RFS)	Maureen O’Sullivan – Registrar of Companies and Registrar of Friendly Societies
Agencies:	
Competition & Consumer Protection Commission (CCPC)	Isolde Goggin - Chairperson
Cooperative Legislation & PIAB Liaison Unit	Eadaoin Collins
Personal Injuries Assessment Board (PIAB)	Conor O’Brien - CEO
Irish Auditing and Accountancy Supervisory Authority (IAASA)	Kevin Prendergast – CEO

The **Commerce, Consumer and Competition Division** is the policy arm of the Department which seeks to help make markets work more effectively for consumers and the economy as a whole through the promotion of keen competition, high standards of compliance and corporate governance and consumer protection but without unnecessary regulatory costs and that the highest standards of internal corporate governance is promoted through the work of the Department’s Internal Audit function.

The Division also provides the legislative framework for the structure and operation of companies registered in Ireland, whether domestic or foreign. It seeks to ensure a balance between simplifying the day-to-day running of a business; maintaining necessary protections for those dealing with companies, such as creditors and investors and putting in place an effective corporate governance regime to ensure compliance. This law is contained in the Companies Act 2014 and related statutory instruments. Some company law derives from EU legislation. A similar regime applies to industrial and provident and friendly societies.

The key priorities for the Commerce, Consumers and Competition Division are:

(a) Competition and Consumer Policy Section

- (i) Scheme of Proposed Consumer Rights Bill.
- (ii) Proposed EU Directives on
 - Consumer Contracts for the Supply of Digital Content and
 - Consumer Contracts for the Online and Other Distance Sales of Goods.
 - Empowering the Competition Authorities to be more effective enforcers and to ensure the proper functioning of the internal market.
- (iii) Hallmarking (Amendment) Bill 2016.
- (iv) Enactment of an amendment to the Casual Trading Act 1995 to bring it into line with the requirements of the Services Directive.

- (v) Monitoring implementation and operation of the provisions of the EU Directive on alternative dispute resolution (ADR) and EU Council Regulation on the online dispute resolution platform (ODR) in Ireland.
- (vi) Monitoring implementation and operation of the new grocery goods regulations.
- (vii) Gift vouchers
- (viii) Ticket resale.
- (ix) Give effect to Regulation (EU) 2016/426 on appliances burning gaseous fuels.
- (x) Transposition of Directive (EU) 2017/738 on the safety of toys as regards lead and Directive 2016/2037 on aerosols.

(b) Company Law

- (i) Enactment of the Companies (Statutory Audits) Bill 2017.
- (ii) Accounting standards – Prescribing standard setter
- (iii) Provide Secretariat support to the Company Law Review Group (CLRG) (Plenary meetings and 10 sub-committees). Continue to support the implementation of the CLRG Work Programme 2016-2018.
- (iv) Progress the CLRG review of the enforcement of company law.
- (v) Progress the examination of the UNCITRAL Model Law on Cross-Border Insolvency.
- (vi) Progress the CLRG review of winding up provisions in the Companies Act 2014.
- (vii) Participate in negotiations on EU proposals in the area of company law.
 - Public disclosure of corporation tax information by certain undertakings and branches.
 - Directive on preventative restructuring and second chance (Shared with the Department of Justice and Equality)
- (viii) Measures required to implement EU law - Follow on actions arising from recast and amended EU Insolvency Regulation.
- (ix) Transposition of Directive (EU) 2017/828 regarding the encouragement of long term shareholder engagement.
- (x) Preparation of a Bill to establish the Office of the Director of Corporate Enforcement as an independent agency

(c) Cooperative Unit & PIAB Liaison Unit

- (i) Personal Injuries Assessment Board (PIAB) Publish and enact the Personal Injuries Assessment Board (Amendment) Bill, which is aimed at addressing various operational issues and encouraging more claims to be settled through the Board.
- (ii) Engage further with the Department of Finance in relation to the prudential supervision gap in respect of certain Friendly Societies (FS) and Industrial and Provident Societies (I&Ps).
- (iii) Conduct a comprehensive root and branch review of the Industrial and Provident Societies Acts 1893 to 2014 with a view to their modernisation, reform and consolidation.
- (iv) Provide Secretariat support to the Personal Injuries Commission (PIC) chaired by former President of the High Court, Justice Kearns. The establishment of the PIC was one of the key recommendations in the Cost of Insurance Working Group (CIWG) Report on the Cost of Motor Insurance.
- (v) Participate in the Cost of Insurance Working Group (CIWG) chaired by Minister Michael Darcy DBE. Officials have formed an integral part of the Working Group since its establishment in July 2016. The CIWG published a Report in January on the Cost of Motor Insurance and are now examining employer and public liability insurance.

(d) Business Regulation

- (i) Communications: BusinessRegulation.ie Portal & Taking Care of Business
- (ii) Represent Ireland at EU and International fora in relation to Better Regulation issues

(e) Internal Audit

- (i) Provide a risk-based internal audit service in compliance with Department of Public Expenditure and Reform (DPER) requirements.
- (ii) Provide assurance to the Accounting Officer (Secretary General of the Department) regarding the internal control systems of the Department and those Offices directly within the remit of the Department.
- (iii) Complete a programme of audit during 2017 as approved by the Audit Committee and Secretary General as part of a rolling three year strategic audit plan.

2.4 Workplace Regulation & Economic Migration Division Clare Dunne, Assistant Secretary

Business Unit in the Division	Head of Unit (Principal Officer)
Workplace Relations Liaison Unit Industrial Relations Unit Employment Appeals Tribunal	Anne Coleman-Dunne
Economic Migration Policy, Employment Permits, International Labour Organisation Units	Fiona Ward
Safety, Health & Chemicals Policy Unit	Stephen Curran
ICT Unit	Pat McCourt
Offices: Workplace Relations Commission ⁸ Labour Court	Oonagh Buckley – Director General Kevin Foley - Chairman
Agency: Health and Safety Authority	Martin O'Halloran - CEO

The role of the Workplace Regulation & Economic Migration Division is to work to ensure that our policy, legislative and institutional framework promotes harmonious industrial relations; that any IR disputes or breaches of employment and equality law are handled efficiently and effectively; that a skills based economic migration policy is efficiently implemented.

The key priorities for the Workplace Regulation & Economic Migration Division are:

a) Workplace Relations

- (i) Ensure that the Workplace Relations reforms are bedded down in relation to the formation (in late 2015) of the Workplace Relations Commission (WRC) (incorporating the LRC/Rights Commissioners/NERA/Equality Tribunal and first instance functions of the EAT) - and a separate appeals body which is effectively an expanded Labour Court.

b) Industrial Relations

- (i) Given that pay pressures are likely to intensify in a rapidly recovering and growing economy remain ready to respond to any move by Government to evolve our structures to help manage industrial relations tensions that may emerge.
- (ii) Defend challenges and respond to any adverse outcomes.
- (iii) Monitor and respond to individual industrial relations disputes as they arise.

⁸ In accordance with the provisions of the Workplace Relations Act 2015, the EAT will be dissolved after it has disposed of all complaints and appeals referred to it before the commencement date of the WRC. However, the EAT cannot be dissolved as an entity until all of the legacy cases have been dealt with. Currently there are c. 95 cases outstanding.

c) **Economic Migration/Employment Permits**

The focus of the employment permits regime in recent years has been to ensure that the skills requirements of enterprise in the State can be met through economic migration where necessary; as we approach full employment, labour as well as skills needs are beginning to manifest. It is critical that our economic migration/employment permit system can respond to emerging needs. To this end we will:

- (i) Ensure the delivery of a high quality service in considering employment permit applications, within positive timeframes, in line with legislation while acting on measures to take into account the current economy, labour market and enterprise needs and trends.
- (ii) Undertake a fundamental review of the policies underpinning the current employment permits regime, to ensure that it is fully supportive of Ireland's emerging labour market needs, be they skills or labour shortages in certain sectors;
- (iii) Review the Highly Skilled Eligible Occupations List (HSEOL) and Ineligible Categories of Employment List (ICEL) in Q2 and Q4 each year in order to ensure the employment permit regime is aligned with evolving domestic labour market conditions
- (iv) Undertake a review of employment permit fees;
- (v) Ensure the legislative framework for the employment permits regime is up-to-date and appropriate.

d) **Health and Safety/Chemicals**

- (i) Review of Dangerous Substance legislative and licensing Regime
- (ii) Focused Review of the 2005 Act
- (iii) Review and monitor ongoing occupational health and safety policy and legislative requirements and initiatives with particular reference to the construction and farming sectors
- (iv) Ongoing Chemicals Policy and Legislative Development and Implementation;
- (v) Ensure appropriate liaison mechanisms are in place between DBEI & the Health and Safety Authority with particular reference to governance matters

2.5 EU Affairs, Trade Policy and Export Licensing Division

Philip Kelly – Assistant Secretary

Business Unit in the Division	Head of Unit (Principal Officer)
Brexit Unit	Pauline Mulligan
EU Affairs and Single Market Unit	Conor Verdon
Trade Policy Unit	John Hughes
Export Licensing Unit	Eamonn Cahill
Permanent Representation Brussels	Tommy Murray Anne Marie Finlay
Permanent Representation Geneva	John Newham
Irish Embassy, London	Páraig Hennessy

The **EU Affairs, Trade Policy and Export Licensing Division** defines, coordinates and develops our position on EU policy matters and our relationship with EU Institutions, including coordination of our policy and operational response to Brexit. It is responsible for the identification, formulation and development of Ireland's international trade policies, including at European Union trade policy negotiations and through active participation in the World Trade Organisation. The Division also has responsibility for import and export licensing.

A dedicated Brexit Unit is responsible for supporting the Ministers and Management Board in ensuring a coordinated and coherent approach to Brexit across the Department. It works with officials in other Divisions to identify impacts and implications of Brexit as well as mitigation measures across the sectors with a view to minimising risks and maximising opportunities.

The main priorities for the EU Affairs, Trade Policy and Export Licensing Division are:

(a) Brexit

- i. Lead an approach to Brexit by the Department, its Agencies and Offices including through appropriate representation at external Brexit related groups;
- ii. Lead on engagement with Department's stakeholders to inform our approach and policy positions on Brexit in consultation with relevant Divisions;
- iii. Oversee Brexit related research being undertaken by the Department and its Agencies, monitor research published by external bodies and undertake research to address any gaps;
- iv. Develop DBEI policy positions on Brexit negotiations in consultation with other Divisions to feed into the Department of Foreign Affairs & Trade and the Department of Taoiseach.

(b) EU Affairs

- i. Optimising Ireland's engagement at the EU Competitiveness Council – Single Market and Industry Issues
- ii. Advancing Ireland's position in the context of the EU's Single Market Strategy
- iii. Monitoring and reporting on progress of the Government initiative to have all Government services to business available online by November 2017
- iv. Driving Implementation of the Services Directive
- v. Enhancing and broadening our networking with other Member States and within EU institutions, to mitigate for the loss of the UK as a like-minded ally within EU negotiations
- vi. Coordinating the Department's interests in the European Semester process
- vii. Monitoring and reporting on the transposition of EU Directives across the Department to the Minister, Management Board and the Interdepartmental Committee on European Engagement, chaired by the Minister of State for EU Affairs.

(c) Trade

- i. Advance Irish interests in EU bilateral trade negotiations and in pluri-lateral and multi-lateral trade negotiations and in EU trade legislation
- ii. Support and promote Bi-lateral trade
- iii. Administration and wind-down of export credit guarantee scheme
- iv. Manage Ireland's export control regime

2.6 Strategic Policy and Management Support Division Declan Hughes/David Hegarty⁹, Assistant Secretary

Business Unit in the Division	Head of Unit (Principal Officer)
Enterprise Policy, Trade Strategy, Tax and Economic Infrastructures	Maria Ginnity
Action Plan for Jobs	Gary Martin
Skills & Education, Enterprise Programmes and Policies Evaluations	Kevin Daly
Economic Analysis, Competitiveness, and Surveys	Marie Bourke
New Sources of Growth and Innovation Advisory Unit	Karen Hynes
Management Support Unit, FOI and Customer Service Unit	Michael O'Leary
Communications Unit	Cathy Madden

The Strategic Policy Division (SPD) is focused on designing and evaluating ambitious enterprise and jobs strategies and in supporting the formulation and development of policy across the Department. The key elements of the role of SPD include the areas of enterprise policy, competitiveness, horizon scanning, tax policy, education, skills and labour market analysis, the Action Plan for Jobs, economic infrastructure and research and technical support in the areas of trade, research & innovation and climate change, together with economic and data analysis generally and evaluation of enterprise policies and programmes.

SPD provides for a coherent national enterprise policy perspective and co-ordinated the preparation the medium-term strategy Enterprise 2025. SPD co-ordinates the development of the annual Action Plan for Jobs, working with other government departments and agencies, towards achieving the Government's objective of sustainable full employment.

The Department's enterprise, innovation and science surveys activity, which provide a key element of the enterprise policy research capability are also undertaken by the SPD and published annually.

SPD also supports the work of the National Competitiveness Council and the Expert Group on Future Skills Needs. Both the NCC and Expert Group publish their advice and reports on their respective websites. The NCCs reports are considered at Cabinet Committee and Government.

The Division also has responsibility for risk management, Freedom of Information, data protection, Irish Language, and quality customer service.

The key priorities for the Strategic Policy Division include:

(a) Brexit

Support the DBEI Brexit strategic planning and response through currency sensitivity analysis, competitiveness benchmarking and scoping actions. Undertaking research to examine the implications, at firm-level, for the most exposed enterprise sectors, in terms of trading and economic relationships, of the UK being outside of the European Single Market and Customs Union.

⁹ From 11 December 2017

(b) Action Plan for Jobs

- i. Working jointly with the Department of the Taoiseach across Government to progress implementation of the APJ, monitoring implementation of the DBEI/agency actions and engaging with the Industry Partners.
- ii. Progress the development of the Action Plan for Jobs 2018 is underway. Other APJ related activity includes the includes an eHubs Development Toolkit, Licences.ie, Workplace Innovation tool-kit roll-out, and enhanced communications and awareness of enterprise supports.

(c) Enterprise Policy Priorities - Enterprise 2025

- i. Review of enterprise policy, Enterprise 2025 in the context of Brexit, US, EU and technological developments.
- ii. Work across DBEI, the agencies and external stakeholders to progress the actions set out in Enterprise Policy 2025 Review and advise the Secretary General as appropriate.
- iii. Develop an approach to ecosystem development, including through the updating of sector briefs (2018).
- iv. Support implementation of the new Trade, Tourism and Investment Strategy, Ireland Connected developed by the Unit in March 2017 and contribute to the new Americas and Asia Strategies. Support 'Team Ireland' development and DBEI input to the Export Trade Council.

(d) Skills & Education

- i. Through the Expert Group on Future Skills Needs (EGFSN), research and identify the emerging skills needs of the Irish economy by engaging with HEA, SOLAS, QQI, the Regional Education Fora, education and training providers and the enterprise sector
- ii. Work with DES on the implementation of the National Skills Strategy and the Action Plan for Education, while supporting the work of the new National Skills Council and the Regional Skills Fora.
- iii. Advise the new National Skills Council (NSC) on the prioritisation of identified skills needs and how to secure the delivery including in the areas of ICT, Brexit related skills challenges, design and digital.

(e) Competitiveness

- i. Achieving a Top 5 position - ensure a strong focus on competitiveness across departments and externally by delivering the National Competitiveness Council's core analysis and policy advice. The Council's Competitiveness Challenge report for 2017 will be published in December. This Council's agenda is supported by the strong evidence based provided by the NCC secretariat in the division through its publications - the *Costs of Doing Business*, *Competitiveness Scoreboard* and *Competitiveness Challenge reports* and in 2017 specifically the focus on Brexit, *Benchmarking Competitiveness: Ireland & the UK* and productivity, *Benchmarking Ireland's Productivity Performance 2004-2014*.

(f) Tax & Pensions Reform

- i. Coordinate and develop the DBEI and agency annual Pre-Budget Submission and engage with the Tax Strategy Group towards achieving the Department's objectives.
- ii. Engage with the consultation processes following the publication of the Review of the Corporation Tax Code (Coffey Report).
- iii. Monitor and assess the implications for Ireland of developments in international taxation, working with the enterprise development agencies and key stakeholders as appropriate.

- iv. Coordinate the DBEI analysis and inputs on considerations being given to new pension arrangements for workers by the Department of Social Protection and ensure the Department's views are represented.

(g) New Sources of Growth

- i. Undertake for I&I Division a Technology, Market and Enterprise based horizon scanning exercise as input to the next cycle of the National Research Prioritisation Exercise.
- ii. Develop proposals to promote business expenditure on R&D in Ireland and in other small advanced economies and develop proposals accordingly.
- iii. Ensure Ireland's leadership in developing new Digital Manufacturing opportunities through a new Manufacturing 4.0 Strategy.
- iv. Promote with I&I and other DBEI Divisions the case for public investment in RDI and assess how best to support Knowledge Capital development in the economy. Support DBEI's policy interests in the areas of Digital Economy strategy.

(h) Economic Infrastructure

- i. Assessing and advising on the economic infrastructure investment, policy and regulatory priorities of DJEI in the areas of water, energy, transport, and waste to support FDI and SMEs competitiveness and investment. A specific piece of analysis related to data centres is underway.
- ii. Ensuring an enterprise policy orientation in medium/longer term spatial strategy, The National Planning Framework (due for completion Q4 2017), working with D/HPCLG.
- iii. Ensuring enterprise policy focus on Regional Spatial and Economic Strategies through participation on Senior Advisory Groups and Technical Working Groups led by each of the 3 Regional Assemblies – for completion by end 2018

(i) Climate Change

- i. Provide for co-ordinated DBEI technical analysis and policy input on the enterprise dimensions of climate change targets and policy specifically the enterprise opportunities and competitiveness implications of the Emissions Trading Scheme, the National Mitigation Plan and the National Adaptation Plan and the Department's role in progressing the targets in the UN Sustainable Development Goals Agenda.

(j) Surveys & Evaluations

- i. Produce the annual employment and annual business Irish economy expenditure surveys of agency clients; conduct the R&D in Higher Education survey and Government R&D Budget and submit quarterly science budget returns to Eurostat and the OECD; undertake related statistical analysis.
- ii. Undertake evaluations of enterprise development agency programmes, with a particular focus in 2018 on the Focused Policy Assessment of DBEI capital expenditure, the Evaluation of the Enterprise Ireland Seed and Venture Capital Scheme, and completing the review of the economic appraisal model of the enterprise agencies. Additional evaluations will be identified in developing the 2018 Business Plan. The unit also gives inputs into the capital review via comments on any other DPER analysis of DBEI expenditure.

(k) Governance

- i. Supporting good corporate governance in the Department, as set out in its Governance Framework e.g. Freedom of Information, Risk Management, Data Protection etc
- ii. Provision of a range of supports to the Management Board and the Ministerial Management Board

(l) Strategic Planning

Developing the Department's Statement of Strategy and reporting annually on this

(m) Consultancy Budget

Manage the DBEI consultancy budget (c €1.0m)

(n) Communications and Press Office

1. The Communications and Press Office manages DBEI's internal and external communications needs.
2. The team provides press office support to the Department, its Minister and Ministers of State. It also responds to media requests and disseminates announcements.
3. In addition, communications plans are being developed around DBEI's three strategic priorities:
 - a. Building stronger businesses so that they are Brexit ready;
 - b. Creating and sustaining high quality employment across the regions;
 - c. Positioning Ireland as a global innovation leader.

DBEI's Communications Strategy for 2018-2019 is also currently being drafted

2.7 HR, State Agency Staffing and Pensions, Learning & Development and Business Services Units

Business Unit in the Division	Head of Unit (Principal Officer)
Human Resources, State Agencies and Pensions, Learning and Development, and Business Services Units	Harry Lester

These Units currently report directly to the Secretary General and are led by a Principal Officer. They are concerned with driving the human resources, learning and development, performance management, state agency staffing and Board appointments process, accommodation, asset management, procurement and workplace health & safety. While all these areas deliver key enabling supports to the Department's capacity to function and deliver, the key areas of immediate Ministerial concern would include:

(a) Human Resources

- (i) Manage the HR demands (including Learning & Development) for the Department within budget limits
- (ii) Manage the State Boards Appointments process and Agency Staffing demands

(b) Accommodation

- (i) Co-ordinate the OPW-led moves of a number of Business Units (Finance Unit, Workplace Regulation and Economic Migration Divisions etc.) from current locations to new ones on foot of the State not renewing various leases across Dublin with minimal impact for business delivery

2.8 Construction Contracts Adjudication Service

Business Unit	Head of Unit (Director)
Construction Contracts Adjudication Service	Loughlin Quinn

The Construction Contracts Act, 2013 came into force for certain construction contracts entered into after the 25th July 2016.

The purpose of the Act is to regulate payments - particularly the timing of payments - under a construction contract covered by the legislation. It provides new payment protections for subcontractors in the construction industry who had been considered vulnerable in the payment cycle in that industry.

The Act also provides, for the first time in Ireland, a new right for a party to a construction contract to refer a payment dispute for adjudication as a means of resolving the dispute. The Act envisages that adjudications will be completed usually within 28 days of the referral of a dispute to an Adjudicator.

The Construction Contracts Adjudication Service was established within the Department to undertake the necessary administrative arrangements to implement the legislation and support the work of the Chairperson of the Panel of Adjudicators who has responsibility under the Act for appointing Adjudicators from that Panel to payment disputes on the request of a party to such a dispute.

EI Strategy 2017-2020

The principal challenge facing EI is to maintain or improve on the level of performance over recent years against a backdrop of Brexit and an uncertain global economic climate. This will be addressed through the Board's new Strategy 2017-2020 which sets out the following key targets:

- Grow exports by €5bn to €26bn per annum
- Double client expenditure on R&D
- Increase spend in the Irish economy by €4bn to €27bn per annum
- Create 60,000 new jobs

Local Enterprise Offices: Delivering Jobs at Local Level

Objectives

The Local Enterprise Offices are the "first-stop-shop" for providing advice and guidance, financial assistance and other supports such as training and mentoring to those wishing to start or grow their own business. Direct financial assistance is available to businesses employing less than 10 people, subject to eligibility criteria. The LEOs provide information/referrals to other relevant bodies under agreed protocols e.g. Revenue, Micro Finance Ireland, Fáilte Ireland, LEADER, and Revenue.

The LEOs are Units within the Local Authorities (LAs) nationwide. Policy, funding and legal responsibility rests with DBEI through EI. A Service Level Agreement (SLA) is in place between EI and each LA, which sets out respective roles and responsibilities.

The LEO Budget, managed by EI, is approx. €32.9m per annum; consisting of €22.5m Capital (grants and other supports such as training and mentoring) and €10.4m Current, which covers the bulk of the running costs of the 31 LEOs and the coordination activities of the LEO Centre of Excellence (CoE) in EI.

There are approx. 180 staff across the LEOs, employed by the LAs and Enterprise Ireland. LEO clients currently employ 34,634 people (full-time and part-time) and created an additional 3,679 net jobs (full time and part-time) during 2016.

Key priorities

Overall the LEO project so far has been successful. Current priorities are to:

- Address differential LEO performance through a strengthened LEO portfolio management and client engagement approach – APJ 2017
- Implement consistent and coordinated national communications.
- Deliver a LEO customer relationship management system (CRMS) – APJ 2017
- Continued productive engagement with DHPLG & LAs on strategic direction.
- Continued collaboration with other actors, such as DCCAE through the Trading Online Vouchers Scheme, and MicroFinance Ireland, etc.
- Continued engagement by the LEOs with clients affected by Brexit - APJ 2017

Business Unit in the Division	Head of Unit (Principal Officer)
Entrepreneurship and Small Business Policy Unit National Standards Authority of Ireland (NSAI)	Nina Brennan

Developing and Applying Regulatory Standards for Business

The National Standards Authority of Ireland (NSAI) provides Ireland with the components necessary for an effective trading infrastructure for products and services to be developed, traded, and relied on nationally and around the world. NSAI provides services to industry and the public through its Certification, Standards and Agrément (building products and processes) functions.

It is also responsible for both Legal and National Metrology functions, which ensures the accuracy of all measurements and measuring instruments used for trade and other purposes. NSAI also offers its services in the US market through its subsidiary, NSAI Inc.

NSAI was established in 1997 as a statutory non-commercial semi-State organisation. It currently employs 131.8 full-time equivalent (137 head count) staff and is headquartered in Northwood, Santry, Dublin.¹⁰ NSAI also has 39.2 full-time equivalent (71 head count) external service delivery staff most of whom are contracted to provide certification services. NSAI has 7 regional offices and a subsidiary, NSAI Inc., based in New Hampshire, USA.

NSAI Strategy 2016-2020

The strategic objectives contained in the NSAI's Strategy 2016-2020 are focused on the contribution that NSAI can make to Ireland's trade infrastructure and sustainable economic growth. NSAI believes that the strategy will make a positive contribution to Ireland's economy particularly as it starts to recover. NSAI recognises the importance of the contribution of the SME sector to Ireland's economic growth and the strategy includes actions to develop that sector's understanding of the benefits of using standards in the production of goods and the delivery of services.

Strategic Priorities for NSAI Liaison Unit

- Transpose a suite of metrology EU Directives
- Support NSAI in assessment of Brexit exposure and development of mitigation measures
- Ensure that NSAI is positioned to provide certification services to Irish based exporting medical device companies in view of a changing regulatory environment (MDSAP, MDR, IVDR)
- Support NSAI in managing its financial model (Grant and Own Resource Income) to deliver its services
- Ensure that legal metrology resources are in place to provide for a fair and competitive trading environment.
- Support NSAI in necessary organisational restructuring.

Challenges

- Transposition of Directives in time to avoid fines subject to availability of OPC services
- The medical devices regulatory environment provides a challenge for NSAI who are currently engaging with notified body accreditation requirements to ensure they can provide the necessary certification services to exporting companies.
- Ensure that legal metrology resources are in place which will require a legislative amendment to allow for external service delivery

¹⁰ NSAI Ireland only – NSAI Inc. not included

National Policy Statement on Entrepreneurship

This Policy Statement represents the first time a Government has published a comprehensive national plan for entrepreneurship in Ireland.

Covering the six key elements that impact on entrepreneurs and startups, and signposting the direction that policy will take over five years. This will be achieved through:

- Increasing the number of start-ups by 25% (3,000 more start-ups p.a.);
- Increasing the survival rate in the first five years by 25% (1,800 more survivors p.a); and
- Improving the capacity of start-ups to grow to scale by 25%.

There are 96 cross Government actions. Delivery is overseen through the Action Plan for Jobs (APJ) process. DBEI monitors progress against key performance indicators and works with partners in enterprise to achieve this ambition. A second Progress Report for the Group was completed in Q1 2017 and has identified areas of strength and areas that need further development.

- Continue to monitor-a range of nationally and internationally available indicators to assess national performance across the entrepreneurship ecosystem in order to inform entrepreneurship policy.
- Conduct a mid-term Review of the Policy Statement, to include stakeholder engagement by Q4, and to examine measures to ensure greater numbers of people under-represented cohorts start and run a business (Action 45 in the APJ).
- Update, refine and promote our mapping exercise which identifies the range of supports available to entrepreneurs .

SMEs and Small Business Policy : Advisory Group on Small Business, “Think Small First” A “Small Business Act” for Europe and SME Envoy for Ireland

Ireland’s SME sector was one of the hardest hit by the economic crisis in the EU. While employment and value added have not yet returned to pre-crisis levels, the sector has shown a strong recovery since 2011. However Brexit has the potential to adversely affect SMEs recent gains. Small businesses must ensure they check for potential impacts on their supply chains and customer base.

The **Advisory Group on Small Business (AGSB)** was established by the Taoiseach in June 2011 with the objective of facilitating structured and regular dialogue between the Minister and representatives of the Small Business sector. The Group is chaired by the Minister for Small Business and Employment. The terms of reference include:

- Providing on-going assistance and advice to the Minister for Business and Employment, Government Departments and Agencies on any issues affecting SMEs:
- Providing assistance and advice to Government Departments and Agencies when consultation with SMEs is required;
- Promoting business growth in the SME sector through other initiatives, as required, and as agreed with the Minister for Business and Employment.

Membership of the AGBS includes entrepreneurs, nominees from the main small business representative bodies, LEOs as well as the Design and Crafts Council of Ireland and the National Association of Community Enterprise Centres. The AGBS provides a submission into the annual Budget process, and also inputs on concerns of the Small Business sector into the Action Plan for Jobs process.

“Think Small First” A “Small Business Act” for Europe (COM(2008) 394): The SBA is an overarching framework for the EU policy on Small and Medium Enterprises (SMEs). It aims to improve the approach to entrepreneurship in Europe, simplify the regulatory and policy environment for SMEs, and remove the remaining barriers to their development. The SBA is driven by the “Think Small First” Principle. In 2016 Ireland maintained its competitive environment for SMEs.

In 2017 we are **Developing an easy user friendly SME test:** To assist Irish policymakers to consider the implications of legislation on small business and investigate possible thresholds to alleviate the burden on SMEs. This test should implement the ‘Think Small First’ Principle (Action 107 of the APJ).

SME Envoy Network: the role of SME Envoy was established in 2011. Member States nominate a national SME Envoy to complement the role of the European Commission’s SME Envoy (Commissioner Bienkowska). Together with representatives of EU-level SME business organisations, the Network of SME Envoys make up the SBA advisory group.

The SME Envoy Network focuses on strategic issues related to the SBA implementation and provides an integral view on EU policy, which may have an impact on EU SMEs. The SME Envoy Network also reports to the COMPET Council in relation to progress on the implementation of the SBA across Member States. With the UK’s future withdrawal from the EU, the importance has grown for increased networking and forming new alliances through the SME Envoy Network.

AGSB: Ongoing. Typically about 5 meetings per year.

SBA: Ongoing.

SME Envoy Network: Ongoing. Next meeting of SME Envoy Network will take place in Lisbon in July.

Service Ireland’s EU e-Commerce role and act as DBEI lead in relation to the Digital Single Market

The Unit has responsibility for **eCommerce Directive (2000/31/EC)** and the Statutory Instruments that transposed the Directive – European Communities (Directive 2000/31/EC) Regulations 2003 (SI No 68 of 2003), and European Communities (Amendment of SI No. 68 of 2003) Regulations (SI No 490 of 2004).

Examples of services covered by the Directive include online information services (online newspapers), online selling of products and services (books, financial services and travel services), online advertising, professional services (lawyers, doctors, estate agents), entertainment services and basic intermediary services (access to the Internet and transmission and hosting of information). Also included are services provided free of charge to the recipient and funded, for example, by advertising or sponsorship.

The Unit is the national contact point for the purposes of Article 19(2) of the Directive and represents Ireland on the eCommerce expert Group.

E-Commerce – this Unit will continue to represent Ireland’s interests in the context of the EU eCommerce Directive

Business Unit in the Division	Head of Unit (Principal Officer)
Regional Action Plans and Enterprise Initiatives	Celine McHugh

8 Regional Action Plans for Jobs (RAPJs) are being implemented, with the aim of increasing employment in each region by 10 to 15% and bringing the unemployment rate in each region to within 1 percentage point of the State average. Each Plan is overseen by a Regional Implementation Committee, comprising local authorities, LEOs and other key stakeholders and agencies. Key regional industry figures have been appointed to act as *Enterprise Champions* within each Committee, to bring their business acumen and skills to bear on implementation.

A Regional Enterprise Development Fund of up to €60m was launched on 29th May 2017. Announcements in relation to successful applications under the first call to be made shortly. Second call for applications will be made in January 2018. This funding has been provided by DBEI, through Enterprise Ireland, to 2020. A maximum of up to 80% is available for projects, with the balance to be leveraged from the private, community or public sector. The overarching aim of this fund is to drive enterprise development and job creation in each region. Projects must be impactful, with the principal impact being **jobs**.

In addition, IDA Ireland are investing in a €150m Regional Property Programme to ensure that there is sufficient availability of Strategic Sites, Business Parks and Advance Building Solutions to attract investment to the regions.

- Undertake a refresh and refocussing of the 8 Regional Action Plans, to be informed by an impact analysis of the initiative to be undertaken in Q1 2018.
- Third RAPJ Progress Reports will be published in Q1 2018.
- Announcement under the first call under the Regional Development Fund (€35m) will take place shortly.
- A second funding call for the balance is expected to be launched in the new year.

Support Corporate Social Responsibility (CSR)

Corporate Social Responsibility (CSR) is a concept whereby enterprises integrate social and environmental concerns into their mainstream business operations on a voluntary basis. CSR can bring competitiveness benefits to enterprises and organisations, in terms of attracting talent, reducing energy costs and increasing market share.

Ireland's second National Plan on CSR 2017 – 2020, *Towards Responsible Business*, was launched in June 2017. The CSR Stakeholder Forum, which has been in operation since 2014, will drive the objectives of the new Plan. Ms. Catherine Heaney, Founder and MD of DHR Communications, is the Chairperson and the secretariat is provided by DBEI. The Forum brings together private and public sector organisations and the wider community to work collaboratively to promote CSR. There is significant buy-in to the process from senior business figures and the public sector. A key focus for the Forum will be to raise awareness of the benefits of CSR amongst the SME sector. The Plan is also set against the backdrop of the UN's Sustainable Development Goals (SDGs). A Leaders' CSR event, reviewing the 1st year of progress of the Plan is scheduled for June 26th 2018.

Supporting the Retail Sector

Nearly one in every eight people going to work every day works in the retail and wholesale sector. It is the largest private sector employer in the country and provides employment to people in every town in the country. The sector experienced a considerable number of job losses, almost 50,000, over 2008-2012 and the pace of recovery in the sector since does not reflect the pace of economic recovery in other sectors of the economy.

The retail sector faces significant challenges, in particular with regard to the threat from external online retailers; the impact of Brexit; rising business and regulatory costs; and issues such as concerns regarding the proposed Public Health (Alcohol) Bill (structural separation of alcohol measures).

The Retail Consultation Forum, currently chaired by the Minister for Business, Enterprise and Innovation, provides a platform for engagement between the retail sector and relevant Government Departments and bodies to discuss and identify actions that can be taken to address the challenges that the sector faces.

The Forum met on 20th November and had a focused discussion on Brexit. The next meeting will take place in late Q1 2018.

SME Access to Public Procurement

Accessing Public Procurement benefits Irish SMEs not only in terms of sales but also by acting as an important reference site for SMEs exporting to overseas markets.

Policy responsibility for public procurement rests with the Department of Public Expenditure and Reform. However, DBEI officials engage with the Office of Government Procurement (OGP) to support SME access to public procurement.

Public spend data indicates that SMEs are already relatively successful in securing public service business. The Public Service Spend and Tendering Analysis report for 2015¹¹ indicated that, of the total value of 2015 spend analysed (€4.535 billion), the majority of the spend analysed (52.48%) is with SMEs.

The Department will continue to engage with Office of Government Procurement to drive SME access to public procurement, in partnership with Enterprise Ireland and InterTrade Ireland.

¹¹ Published September 2016

Business Unit in the Division	Head of Unit (Principal Officer)
Finance for Growth and State Aid	Jean Carberry

Access to Finance for SMEs

Finance is needed at every stage of the business development lifecycle, from start-up to growth and expansion. Access to Finance/Finance for Growth has been an issue for Irish business for many years, including well before the economic downturn; of particular note was an almost complete dependence on debt finance from the main banks. From 2011, Government action was targeted at SMEs whose finances were cut off by the collapse in the banks, with key initiatives including:

- The development of the Credit Guarantee Schemes of 2012 and 2015, supporting increased lending by domestic banks and facilitating guarantees through non-bank finance entities for the benefit of SMEs;
- Creation of Microfinance Ireland, to support lending of up to €25,000 to microenterprises;
- Rollout of the Seed and Venture Capital Scheme (2013-2018) to leverage private capital and act as a catalyst to support innovative start-up and growth companies to scale and create jobs;
- Establishment in 2014 of the Strategic Banking Corporation of Ireland (SBCI), a wholesale lending institution, which, to end 2016 had lent €544 million to over 12,500 SMEs employing more than 67,000 people;
- This Department works closely with SBCI in supporting the finance needs of SMEs. Since October 2016, SBCI, on behalf of the Minister, has been the operator of the Credit Guarantee schemes;
- A Counter Guarantee Scheme designed to access EU funding for Irish SMEs has recently been implemented. As with the Credit Guarantee Scheme, the Counter Guarantee Scheme will fall within the remit of this Department, and will be operated by the SBCI.
- Enterprise Ireland use of the €20 million European Investment Fund's (EIF) European Angels Fund, and Development Capital Scheme
- Continuation by Enterprise Ireland and InterTradeIreland of the HALO Business Angels Network to increase investment in early stage Irish companies;
- The creation of the Ireland Strategic Investment Fund (ISIF) in 2014 to operate as a sovereign development fund with the capacity to invest over €7.6 billion

The Department plays a leading role on the SME State Bodies Group (SBG) (chaired by the Department of Finance), engages on implementation, policy innovation, monitoring and learning, and active engagement with a diverse range of public and private actors. In particular, this Department continues to focus in the SBG on broadening the range of bank and non-bank finance mechanisms available to SMEs, as well as on the issue of very high bank interest rates charged to Irish SMEs, in comparison with other countries.

- The objectives for 2017 are to:
- Ensure that viable SMEs continue to access appropriate finance at a reasonable cost from both bank and non-bank sources;
- Develop appropriate supports for financing needs of SMEs in addressing the impacts of Brexit
- Continue to rollout, monitor and evaluate State supports for SMEs, while facilitating the development of alternative sources of finance;

- Enhance awareness amongst SMEs and entrepreneurs of State business supports, both financial and soft, in order to raise their financial capacity in either starting a business, or in growing and expanding an established business;
- Engage with International Funding Institutions, including the EIB and EIF, to optimise returns for Ireland;
- Continue to research and learn in the area of Finance for Growth.

Revision of Credit Guarantee Scheme, and use of counter guarantees to draw down EU Funding for SMEs

The Credit Guarantee Acts 2012 and 2016, and Schemes made thereunder, fall under the Minister's remit. In the lifetime of the 2012 and 2015 Schemes to 31st March 2017, approx. €70 million in credit guarantee scheme loans was sanctioned for 437 SME's, resulting in 1,732 new jobs created and 1,098 existing jobs sustained.

Following on a 2013-14 Review, the Credit Guarantee (Amendment) Act 2016 was enacted in February 2016. Under this legislation, new Schemes will increase the level of Government risk to 80% (from 75%) and cover non-traditional finance sources (not just loans, but also lessors, factors and the like), and empower the Minister and SBCI to work together to draw down EU funding for Irish SMEs.(COSME, Innovfin, Horizon 2020, EFSI etc.).

In March 2017, the Credit Guarantee Scheme 2017 was made by Statutory Instrument under which the SBCI will, on behalf of the Minister, roll out new financial products for Irish SMEs later in 2017.

Another SI has recently been made on the Counter Guarantee Scheme providing for the Minister to share risk with the SBCI in such a way that the SBCI will in turn be able to access and draw down EU funding for Irish SMEs. Both of these 2017 SIs have been made under the revised primary legislation in the 2016 Act.

Promote uptake of the Microenterprise Loan Fund Scheme

Microfinance Ireland (MFI) was established in 2012 under the Microenterprise Loan Fund Act 2012 to provide small unsecured loans (€5,000 to €25,000) to sole traders and micro-enterprises. Following an April 2015 Review, changes were made, including removing the need for a bank refusal before seeking credit from MFI, and these led to a significant and sustained increase in the level of approvals over the period.

From inception, to end Q1 of 2017, MFI approved 1,249 loans, to a value of approx. €18.2m, and from which 2,948 jobs created or sustained

The 2012 Act foresaw a 10 year lifespan for MFI and it was initially funded for the first half of this with €10m in funding from the Exchequer, supplemented by contributions from the 3 pillar banks. At the end of 2016 the Department provided for a second tranche of funding (as per the enacting legislation) in order to ensure that the Fund can continue as a going concern beyond 2017 to 2022. It should be noted that any future policy decision to extend MFI's lifetime beyond 2022 will need to be taken in 2019 or 2020, and would necessitate amendment to the 2012 Act by way of primary legislation.

Review Seed and Venture Capital Scheme 2013-2018

The Enterprise Ireland Seed and Venture Capital (“SVC”) Scheme was launched to improve access to finance for small and medium sized enterprises and to further develop the Seed and Venture Capital industry in Ireland. This 2013-2018 SVC Scheme is the 4th iteration in this area, preceded as it was by 3 comparable Schemes over the periods 1994-1999, 2000-2006, and 2007-2012.

The overall aims of the current SVC scheme (2013-2018, with funding of €175m) were/are:

- I. to increase the availability of risk capital for SMEs;
- II. to support economic growth through the continued development of the Seed and Venture Capital sector in Ireland; and
- III. to achieve a more robust, commercially viable and sustainable sector.

The Department had a detailed review carried out of each of the original 3 SVC Schemes, and is doing the same for this latest 2013-2018 Scheme. The review is currently underway with the aim of determining if the intervention by the State in this market has contributed to the required critical mass of activity, and of ascertaining what (if any) form the next stage of intervention should take. This is to be completed in Q1 of 2018

Late Payments

Late payments are a critical issue for businesses in Ireland, particularly SMEs for which cash flow disruption can mean the difference between solvency and bankruptcy. Initiatives already introduced and supported by this Department, at both national and EU level, to combat this issue include:

- The 2009 rule whereby all Government Departments must pay their suppliers within 15 days of receipt of a valid invoice, extended in 2011 to include the wider Public Sector;
- 2013 implementation of the EU Late Payment Directive;
- 2013 launch of the Late Payment Information Campaign in December 2013,
- Early 2015 launch of the portal www.promptpayment.ie on best practice between businesses and suppliers, improving cash flow, and driving change in payment culture.
- Launch of the Prompt Payment Campaign and the new Prompt Payment Code Portal in March 2017.
- Implementation in 2017 of the APJ 2016 commitment to develop and introduce improved reporting requirement for Public Sector Bodies on prompt payments.

The Department will continue to work with the Business Representative Bodies to promote a prompt payment culture in Ireland and to encourage businesses to sign up the Prompt Payment Code. The Department will explore further the link between prompt payment and public procurement.

State Aid Policy & National Coordination

This Department is the National Contact Point for overarching State aid policy and also acts as a liaison point for all communications issuing to and from DG Competition (DG COMP). State Aid Unit works on an ongoing basis with the enterprise agencies to ensure compliance of this Department's industrial development schemes with EU State aid rules. While each Department (and agency) is ultimately responsible for ensuring that their schemes are in compliance with State aid rules, State Aid Unit does provide guidance and assistance where feasible.

The next round of State Aid Modernisation (SAM) negotiations will take place during 2018 and 2019 in advance of the new system of State Aid rules being implemented in 2020. The State Aid Unit will act on behalf of Ireland Inc in these negotiations. These negotiations are particularly important to smaller countries like Ireland who benefit greatly from State Aid rules.

The Unit is also providing State aid guidance as part of the development of new schemes to support businesses impacted by Brexit. This includes scoping out what is possible within the existing State aid guidelines and engaging with DG Competition to sensitise them to the Irish situation including the need for possible flexibilities to develop other targeted supports for businesses impacted by Brexit. At a November 2017 meeting between the Tanaiste and the Competition Commissioner, Margarethe Vestager, it was agreed that a working group comprising representatives from DG Comp, DBEI, Enterprise Ireland and DAFM would be established to engage on these issues. The Group had its first meeting on 20th November 2017.

The next steps for the Department are:

- Participate in SAM Working Group in preparation for SAM negotiations. Ireland will host the next meeting of the SAM working Group in April 2018.
- Work with the Commission and national stakeholders to ensure the appropriate procedural mechanisms are in place to monitor national performance and compliance with EU State aid rules.
- Provide guidance to Government Departments and public sector bodies in the area of state aid
- Provide guidance on any Brexit related state aid issues.

Brexit Mitigation Measures for SMEs

DBEI has conducted a series of structured engagements with companies of different sizes, across different sectors and across the regions on the current and expected impact of Brexit on exposed companies. Further valuable information has been acquired through a survey of a thousand SME business owners which was completed at the beginning of this year. This was followed up by a further survey in September.

On foot of this evidence base, DBEI has been working closely with D/Finance, DAFM, EI and the SBCI to develop appropriate and targeted supports; and it was agreed at the April meeting of the Cabinet Committee for Economy, Trade and Jobs that 3 measures would be considered further:

- a Brexit Working Capital Guarantee Scheme
- a longer-term Business Development Loan Scheme
- a business advisory hub

The **Working Capital Guarantee Scheme** was announced in Budget 2018 as the **Brexit Loan Scheme**. The scheme will be made available to eligible SMEs and small mid cap companies (i.e. up to 499 employees) who need relatively short term credit to cope with working capital challenges brought about by Brexit.

The Scheme aims to make €300 million available to such eligible businesses at a rate of 4% or less. This rate represents a significant saving compared with the prevailing rates that are otherwise being offered for similar loans on the market.

The total cost of the Scheme to the exchequer will be €23 million. The Department of Business, Enterprise and Innovation will contribute €14 million, while the Department of Agriculture, Food and the Marine will contribute a further €9 million or 40% of overall funding, as it is likely that at least 40% of the fund will be drawn down by food businesses. The maximum loan available under the scheme will be €1.5m and the minimum will be €25,000.

In order to be eligible to avail of the scheme, businesses must be viable enterprises that have been demonstrably exposed to current or future negative impacts resulting from the Brexit vote. This will include businesses whose supply chain will be disrupted by Brexit or which are linked to businesses directly impacted. They must also provide a business plan demonstrating that they plan to innovate, change, or adapt in response to Brexit. The Scheme will be open to both State Agency clients and businesses that do not have any relationship with State Agencies.

The Brexit Loan Scheme will be delivered by the Strategic Banking Corporation of Ireland (SBCI) through commercial lenders. The SBCI will avail of EU guarantees through the European Investment Bank Group in order to leverage the €23m Exchequer funding to a total fund of €300 million.

SBCI recently issued an open call inviting finance providers to participate, which closed on December first. It is hoped that the Scheme may encourage new entrants into our very concentrated business banking sector. Loans written under the Scheme will be for terms of up to three year

The Scheme will be launched in the first quarter of 2018 and will run for two years. It will run on a first come, first served basis, subject of course to eligibility the above-mentioned minimum 40% ring fencing for food businesses.

DBEI is also working with D/Finance, DAFM, EI and the SBCI to develop a **Longer Term Business Development Scheme** which would support access to longer term financing for SMEs to investing for the post Brexit environment. The work is informed by research which was commissioned from the ESRI, and also by the findings of a comprehensive survey of SMEs on their long term investment needs and attitudes.

Regarding the **Business Advisory Hub**, an initial scoping session with stakeholders took place in November. It is proposed that the hub would take the form of a website, but would also be underpinned by a scheme that would facilitate access to individual advisors, to assist SMEs in making informed funding and investment decisions, both in the context of Brexit and more generally. The Hub will be developed and launched in 2018.

The Hub will build on existing supports available and on the guidance offered by Enterprise Ireland, the Local Enterprise Offices, and the Credit Review Office.

Next Steps:

- Work on the finalising the necessary legal and stakeholder agreements to underpin the Brexit Loan Scheme will continue ahead of a Quarter One 2018 launch.
- Work will continue on the development of the longer-term Brexit Investment scheme.
- A working group will be set up to develop the Business Advisory Hub.

Business Unit in the Division	Head of Unit (Principal Officer)
Digital Single Market Policy	John Dooley

Digital Single Market

The **Digital Single Market (DSM)** strategy launched in May 2015 aims to open up digital opportunities for people and business and enhance Europe's position as a world leader in the digital economy. The DSM is one in which the free movement of persons, services and capital is ensured and where the individuals and businesses can seamlessly access and exercise online activities under conditions of fair competition, and a high level of consumer and personal data protection, irrespective of their nationality or place of residence. The Commission considers that the DSM can create opportunities for new startups and allow existing companies to compete and trade across borders in a market of over 500 million people. Ensuring a properly functioning Digital Single Market could contribute €415 billion per year to Europe's economy, create jobs and transform our public services.

A stronger and more coherent DSM is a key enabler of our national digital economy, essential to boost jobs and economic growth and to open new growth opportunities for our SMEs and to ensure our global competitiveness.

The digital economy relates to the network of economic activities enabled by information and communications technology (ICT). The digital economy is an increasingly important driver of economic growth globally as ICT related technological development transform operational and business models. The contribution of the digital economy to the Irish economy was estimated at 6 per cent of GDP, or €21.4 bn, in 2016 up by 40 per cent since 2012. The numbers employed directly in sectors which produce goods and services, the purchase of which are facilitated by the internet rose by 30 per cent in the corresponding period. It is estimated that direct employment in the digital economy could increase by approximately 50% to 107,500 in 2020.

This is a very complex policy environment, which has been with DBEI since just July of this year, involving a large number of Government Departments and agencies across a wide range of large specialist technical issues both at national and EU level. The core objectives of the DSM Strategy over 16 initiatives and 24 associated legislative proposals currently (with more legislative proposals to come in 2018) are to improve access to goods, services and content; to establish appropriate legal frameworks for digital networks and services; and, to maximise the benefits of the data based economy. Our core activities include:

- Leading the IDC on DSM chaired by the Minister and ensuring overall coordination and liaison across government including within DBEI of this complex policy brief.
- Ensuring, as an open economy, that legislation proposed within the DSM is pro trade, innovation and the single market so that the DSM is a key enabler of our national digital economy, essential to boost jobs and economic growth and to open new growth opportunities for our SMEs and to ensure our global competitiveness
- Working closely with relevant Ministers and departments to ensure a coherent and coordinated whole-of-Government approach to Ireland's engagement with the DSM Strategy across the relevant EU Council formations.
- Actively participating in likeminded networks both Brussels based, capital based (e.g. Digital 9 initiative) and bilateral as required due to, inter alia, Brexit in order to influence key council outcomes and the European Council.
- Participation in OECD and EU digital economy policy fora for policy intelligence and benchmarking purposes.

The October European Council, building on the mid-term review of the DSM, the Tallin Digital Summit and the Tallin Ministerial Declaration on e-Government, has been very successful in further raising the profile of the DSM. We are keen to see the completion of the DSM in all its elements and we are strong supporters of the core objectives of the DSM Strategy to improve access to goods, services and content; to establish appropriate legal frameworks for digital networks and services; and, to maximise the benefits of the data based economy.

The Commission's recent initiative on Free Flow of Data is a further vital step in realising the potential of the Digital Single Market and addresses the problem of unjustified data localisation which is a very significant cost for SMEs in operating across MS. The threat posed by cyber-attacks requires a strong and coordinated response at EU level and we welcome the Commission's Cyber Security proposal and call for it to be progressed urgently.

Digital Economy Strategy for Ireland

DBEI will, in collaboration with DCCAE, progress the development of a new National Digital Strategy. The Strategy should have a specific focus on enhancing digital competitiveness and consider international and domestic developments which have occurred since Phase 1 of the previous Digital Strategy was published in 2013. The DSM Unit will ensure DBEI leadership and support DBEI's policy interests priorities in the proposed new strategy.

3.2 Innovation and Investment Division Dermot Mulligan Assistant Secretary

Business Unit in the Division	Head of Unit (Principal Officer)
Inward Investment and North-South	Richard Scannell
Innovation, Research and Development - Policy	Joseph Moore
Innovation, Research and Development - Programmes	Marcus Breathnach
Intellectual Property Unit	Declan Morrin
Offices: Patents Office	Gerard Barrett, Controller of Patents
Agencies: SFI	Prof. Mark Ferguson – Director General
IDA Ireland	Martin Shanahan – CEO
North/South Body Intertrade Ireland	– CEO Position currently vacant

Details of the key issues within each Business Unit of the Division are as follows:

Business Unit in the Division	Head of Unit (Principal Officer)
Inward Investment, North South	Richard Scannell

IDA Financial Resources

The IDA Ireland strategy for the five-year period 2015-2019 sets ambitious targets for the Agency. It is therefore important that the Agency has sufficient operational resources, including staff, to secure new jobs and investments for Ireland and especially for regional areas. It is especially key that the IDA is equipped with the financial and human resources it requires in order to maximise the FDI opportunities that may emerge for Ireland on account of Brexit. It is also important that sufficient capital funding is available to support company investments through grants for R&D, employment and training, especially as the level of grant approvals and the rate at which these grants are drawn down increases.

In February 2015, the Government announced a €150m Regional Property Programme to be delivered by IDA Ireland to attract foreign direct investment across the country over a five year period. The programme is targeted at ensuring the ready availability of an adequate supply of marketable serviced land, office and industrial /manufacturing buildings in advance of demand. This is a multi-annual programme for which sufficient funding from the Exchequer will be required to cover commitments entered into in order to deliver the strategic ambitions set out. The 2018 capital allocation to the Agency means a total of €90m of the €150m commitment has so far been granted to IDA Ireland.

Next steps:

Monitor IDA Ireland's expenditure requirements as the year progresses and engage with D/PER through Corporate Service Division to secure the additional funding already identified for property and any additional funding for grants that may be determined as the year progresses.

Secure an understanding with the Northern Ireland Department of the Economy on the long-term financial resourcing of InterTrade Ireland

There has been uncertainty over the level of financial contribution by the Northern Ireland Government towards the running costs of *InterTrade Ireland*, the North South business development body. There is therefore an added need to ensure that effective arrangements and resources are in place to ensure the ongoing and future operation of the body.

This will entail ongoing engagement at official level with the Northern Ireland Department of Enterprise, Trade and Investment. It will also involve, at Ministerial level, active participation in the North South Ministerial Council (including in the biannual Trade and Business Sectoral meetings with the counterpart Minister from Northern Ireland).

A/Sec: Dermot Mulligan x2182 PO: Richard Scannell x2125

Business Unit in the Division	Head of Unit (Principal Officer)
Innovation, Research and Development - Policy	Joseph Moore

Implementation of *Innovation 2020*, the new Strategy for Research and Development, Science and Technology

Innovation 2020, is Ireland's current Strategy for Research and Development, Science and Technology. It was developed on a whole of Government basis and contains 93 headline actions for implementation up to 2020, of which 75 are to be progressed in 2017. The overarching vision in the strategy is for Ireland to become a Global Innovation Leader driving a strong sustainable economy and a better society. Key to delivering on this vision is a commitment to increasing public and private investment in research to reach 2.5% of GNP by 2020 (currently estimated to be 1.44% in 2016, the most recent figures available). Our low levels of public investment in R&D led to a Commission Country Specific Recommendation (CSR) in 2016, and in 2017 a further CSR has been received recommending better targeted government expenditure by prioritising public investment in innovation in particular in support of SMEs. Reaching this target will mean almost doubling public investment in R&D across the whole system by 2020 (xxxxxxxxxxxxxxxxxxxxxxxxxxxx). More than half of the public investment in R&D is funded through this Department's Vote via IDA, EI, SFI, Programme for Research in Third Level Institutions (PRTL), membership of ESA and International Research Organisations.

A/Sec Dermot Mulligan is chairing an Implementation Group comprising relevant Government Departments and research funding agencies to drive implementation of the strategy.

A key action in *Innovation 2020* is a refresh of Research Prioritisation which is due to be in place by 2018. Its development is currently underway in conjunction with Strategic Policy Division.

Next steps are to:

- -
- put in place a new cycle of Research Prioritisation by 2018. A high level consultation forum took place in November 2017, with a view to the final report going to Cabinet in early 2018.
- Publish the second *Innovation 2020* Progress Report in early December. This has already been agreed by Cabinet.

Horizon 2020 – EU Framework Programme for Research & Innovation

Horizon 2020 (H2020) is the EU's Framework Programme for Research and Innovation. It has a budget of €75 billion and runs from 2014 to 2020. H2020 funding (i.e. grants) is awarded on a competitive basis to researchers and companies across three main pillars: Excellent Science, Leadership in Enabling and Industrial Technologies and Societal Challenges.

In 2013 the Government set a national target to win €1.25 billion over the lifetime of H2020. Implementation of the national strategy for participation in H2020 is led and driven by the H2020 High Level Group, an inter-departmental, cross-agency group, chaired by the Division's A/Sec.

Ireland has secured €475m from Horizon 2020 up to end of September 2017. Higher Education Institutes accounted for €255m of the total. Companies won €160m including €99m for SMEs.

The current main areas of focus for the High Level Group include:

- Preparation for the H2020 Work Programme for 2018-20, for which there will be a EU budget of €30 billion.
- Promoting and progressing Ireland's priorities for a successor programme to H2020, Framework Programme 9 (FP9).

National Innovation Research & Development Sectoral initiatives – Health, Marine & Energy

The establishment of a national Health Innovation Hub was identified as a Disruptive Reform in the Action Plan for Jobs. A joint initiative of DBEI and the D/Health, the aim of Health Innovation Hub Ireland is to drive collaboration between the health service and the enterprise sector leading to the development and commercialisation of new healthcare technologies, products and services emerging from within the health service and/or the enterprise sector. The national Hub, Health Innovation Hub Ireland, involves a consortium led by University College Cork (who hosted the pilot) along with Cork Institute of Technology, National University of Ireland Galway & Trinity College Dublin. Innovation Research & Development (IRD) Policy Unit provides the secretariat to an Oversight Group, chaired by an industry expert with deputy co-chairs from DBEI and D/Health which ensures the ambition and appropriate direction of the Hub. As part of the official launch of the Hub, the first calls for proposals were issued and included a focussed call on Care for Older Persons – this aligns with Ireland's smart ageing agenda.

More recently, EI has been in discussion with the Department of Health around the establishment of a Health Specific Small Business and Innovation (SBIR. Small Business Innovation Research (SBIR) – a mechanism which enables public sector bodies to connect with innovative ideas and technology businesses. The view is that the health sector could provide significant opportunities in terms of innovation based public procurement.

Marine Coordination Group

IRD Policy Unit represents DBEI on the inter-departmental Marine Coordination Group, which is chaired by the Minister for Agriculture, Food and the Marine. The Group monitors and coordinates implementation of Harnessing our Ocean Wealth, the national maritime strategy. DBEI, through our enterprise agencies, has a key role in the strategy in supporting enterprise development in the sector.

Dept. of Communications, Energy and Nature Resources (DCENR) convened an inter-departmental, inter-agency Energy Research Strategy Expert Group to develop a new, national strategy for energy research. Energy research has relevance to the enterprise base and has a key role in meeting the

challenges of security & sustainability of supply and cost competitiveness. Knowledge transfer of publicly-funded energy research can lead to new products and services and energy research capacity can also form part of Ireland's FDI offering. A key issue for the Group is governance and coordination across the large number of public bodies active in the area as a result of the cross-cutting nature of energy research (environment, enterprise, agriculture, consumer) – we need to avoid fragmentation/proliferation of funding. EI & SFI fund substantial energy research centres namely IERC (International Energy Research Centres joint funded by EI and DCENR) and MAREI (Marine Renewable Energy Centre funded by SFI). Next Steps:

Health Innovation Hub Ireland

- Support successful projects emerging from competitive calls (Q2/3)
- Develop and launch a Health Innovation Hub Ireland Health Innovation Education Programme (Q3)
- Issue new call for proposals (Q4)

Marine

- DBEI contribution to HOOW annual progress report & SEAFEST scheduled for end of June 2018 Galway
- EI carrying out needs assessment for marine incubator

Energy

- Participate in DCENR led implementation group

Broader EU Engagement on Research & Innovation

EU Research and Innovation Policy is developed by the European Research Area (ERA) advisory structure and adopted by the Competitiveness Council (Research). The Presidency of the Council will be held by Bulgaria in the first half of 2018 and by Austria in the second half of the year.

The ERA Advisory structure has oversight of the implementation of the ERA Roadmap and the national roadmaps. The national roadmaps identify the actions to be undertaken by Member States to achieve the six ERA priorities which are:

- i. more effective national research systems;
- ii. optimal transnational cooperation and competition;
- iii. open labour market for researchers;
- iv. gender equality and mainstreaming in research;
- v. optimal circulation, access to and transfer of scientific knowledge, including via digital ERA; and
- vi. international cooperation.

Ireland's ERA Roadmap is closely aligned with Innovation 2020.

Nest steps include:

- Supporting the 2018 formal and informal meetings of the Competitiveness Council (Research);
- Ongoing representation of Ireland's interests at the European Research and Innovation Area Committee (ERAC) and its sub-groups;
- Engaging with the Irish research community to ensure that Ireland is well placed to influence the European research and innovation policy agenda;
- Engaging with the National Open Research Forum to inform the development of open science policy in Ireland.

International Innovation Research & Development Policy

Ireland has bilateral IRD agreements with China, Japan and India - bilateral cooperation is closely linked to SFI's international programmes.

IRD Policy collaborates with DFAT on Joint Economic Commissions (JEC) with an R&D dimension. Ireland has four JECs – with China, Russia, Saudi Arabia and Korea.

Following initial discussions by the Irish and UK Research Ministers at the informal Competitiveness Council meeting in July, there has been bilateral engagement between officials to consider direct collaboration between Irish and UK R&I agencies, in particular on the SFI proposal for joint PhD and research appointments.

International Research Organisations

To be a Global Innovation Leader, Ireland must be a member of key International Research Organisations. Ireland is a member of the European Space Agency, the European Molecular Biology Laboratory the European Molecular Biology Conference, EUREKA, COST and CECAM. Ireland has recently joined Elixir and LOFAR and has announced that it will join the European Southern Observatory in 2018. Membership of CERN has also been considered but due to budget constraints is not being actively pursued.

The US-Ireland R&D Partnership

The US-Ireland R&D Partnership is a product of the peace process and involves the governments of the US, Ireland and Northern Ireland working together to advance scientific progress by awarding grants for research on a competitive basis. Areas funded include health, telecommunications and energy. A Steering Group co-chaired by the three jurisdictions guides the collaboration across the three administrations with secretariat support from InterTrade Ireland.

OECD

In association with the Strategic Policy Division in DBEI, the IRD Policy Unit attends a number of IRD related committees at the OECD which allows us to access high-quality analysis and policy and to help shape the EU and international policy agenda.

Next steps include:

- Ireland-Russia JEC in December 2017;
- Progressing discussions with China on a new research and innovation agreement;
- Engaging with the UK to enhance R&I collaboration;
- Conclude membership with the European Southern Observatory in 2018

Programme for Research in Third Level Institutions (PRTL) and the design of a successor to the current programme

The Programme for Research in Third Level Institutions (PRTL) has provided funding for top-class research infrastructure (buildings and equipment) and human capital development across Ireland's Higher Education Institutions (HEIs) in key strategic areas including bioscience, medical technologies; energy, social sciences and humanities and ICT. It was launched in 1998 and there have been five cycles of awards under the Programme to date.

Until 2010, the PRTL was the responsibility of the Department of Education & Skills (DES), and was administered by the Higher Education Authority (HEA). Responsibility for the PRTL transferred to the Department of Business, Enterprise & Innovation in May 2010. The HEA continue to administer the programme on behalf of this Department.

Cycle 5 of the PRTL was launched in July 2010. This was the largest cycle of PRTL to date with total exchequer funding of c. €270m and private funding of c. €60m. Funding under Cycle 5 provided for both capital infrastructural projects (i.e. buildings and equipment) and human capital development (including Structured PhD programmes). Cycle 5 has delivered c.65,000 additional square metres in research space and has provided funding for over 330 PhD student places.

Under the EU Operational Programme 2007-2013, expenditure on the PRTL is co-fundable under the European Regional Development Programme at a rate of 50% in the BMW Region and 40% in the Southern and Eastern Region.

All 33 Cycle 5 projects are now complete. However, there will be an outstanding liability for the exchequer from Cycle 5 projects of approximately €12million at end 2017. The Department's budget line for PRTL going forward needs to cover these existing liabilities as well fund a successor programme.

Focus is now moving to "Cycle 6" or a successor to Cycle 5 of the PRTL. There is a commitment in Innovation 2020 to undertake the planning for such a programme. Initial scoping work was undertaken by DBEI in consultation with DES, SFI and HEA during 2016 and 2017.

A proposal for a new Cycle 6 PRTL was presented to the Cabinet Committee on the Economy, Trade and Jobs at end 2016 and funding was sought to commence Cycle 6 PRTL as part of the Department's submission to the review of the Mid Term Capital Plan. To date sufficient funding has not been secured to launch a new Cycle and DBEI continues to explore funding options for a new Cycle of the PRTL.

Funding was secured in Budget 2018 to commence a new postgraduate researcher programme. This is also an action in Innovation 2020 and was one of the key elements of the PRTL Cycle 5. €5.5m has been allocated to the new programme for 2018. This programme will fund c. 110 new enrolments in PhDs and Research Masters, in disciplines aligned to enterprise and national needs.

It will be rolled out through Science Foundation Ireland (SFI). DBEI intends to grow the programme in 2019 and in subsequent years to ensure a pipeline of researchers is available to meet the needs of industry.

Science Foundation Ireland and actions for SFI in Innovation 2020

With a budget in 2017 of €162.5m and an increased budget of €167m in 2018 Science Foundation Ireland funds academic researchers and teams through a wide range of programmes and initiatives.

SFI funds oriented basic and applied research in the areas of science, technology, engineering, and mathematics (STEM) which promote and assist the development and competitiveness of industry, enterprise and employment in Ireland. The Foundation also promotes and supports the study of, education in and engagement with STEM.

A key objective of SFI's strategy is to develop a set of world-leading, large scale research centres that will provide major economic impact for Ireland. 12 SFI Research Centres are already fully operational. Funding for a further 4 Research Centres was announced by An Taoiseach in September 2017. In addition, Budget 2018 provides that SFI can fund a further Research Centre to bring the total to 17.

The total State investment in the sixteen SFI Research Centres established to date amounts to €429 million and is further complemented by €230 million committed by industry in cash and cash in kind. When it is commenced in 2018, the seventeenth Research Centre will see a further State investment of €26.4M over the next six years. This centre will work with over 45 industry partners, from both SMEs and MNCs, who have together committed a further €16 million to the centre over the same period.

In response to the Brexit challenge SFI proposes a range of immediate measures to:

- Strengthen research funding collaborations with the UK and Northern Ireland with aim of supporting current collaborations and ensuring that we are well-positioned for the post-Brexit scenario.
- Target globally renowned UK based researchers to relocate their research operations to Irish Universities.
- Support Irish researchers to diversify their alliances with other EU based researchers.
- Scope medium and long term post Brexit opportunities for Ireland, with emphasis on identifying H2020 industry/academic consortia in which UK researchers are prominent and Irish researchers could be promoted as replacements and identifying EU research infrastructures based in the UK, which could potentially be relocated to Ireland (e.g. the European Medicines Agency).
- Attract globally renowned researchers to Ireland by adapting some of their current programmes to encourage the relocation of 'star' researchers from the UK to Ireland. This would comprise a twin-track UK-oriented Research Professorship scheme and a new Joint PhD Studentships Programme

The Department continues to work with SFI to ensure implementation of over 40 actions contained in *Innovation 2020*. These actions are targeted at a number of specific areas including human capital where there is an industry demand for increased enrolment of post graduate researchers; and a call by the academic community for greater funding and career development opportunities for post-doctoral researchers.

The Department is represented on the SFI Board by Mr Dermot Mulligan (A/Sec)

other research centres in that it receives core grant funding directly from DBEI of €4.5m per annum which is essential for the continued successful operation of the advanced research infrastructure within TNI and which is used to leverage additional funding and income from a range of sources.

TNI's total budget for 2017 is approximately €34.2 million, with significant income from EU Horizon 2020 and from industry. The Department is represented on the Tyndall Board by Marcus Breathnach.

The agreement between DBEI and UCC that underpins TNI was renewed for a five year period (2016 to 2020).

The key strategic issue being addressed by TNI currently is whether and how it needs to adapt its own strategy in order to deliver on the Government's Innovation 2020 strategy. Included here is the possibility of offering additional services to industry, along the lines of the Research and Technology Organisation (RTO) model, based on a recommendation included in Innovation 2020. A proposal for capital replacement and "Phase 2" building works at Tyndall to double the size of the Institute has been included by DBEI in its submission to the National Investment Plan.

The CEO post at Tyndall has been filled on an acting basis by the Chairman, Mr Eoin O'Driscoll since the departure of Dr Kieran Drain in early 2017. UCC is currently conducting the search process for the CEO position and pending this, an Interim CEO position is to be created from Jan 2018.

Enterprise need for Research Technology Organisations (RTOs) Support

Market-focused research and technology centres are considered a vital part of the system of public support for enhancing the competitiveness of enterprise through innovation and the commercialisation of research. Currently, such centres are funded through SFI and EI/IDA and provide a mechanism through which enterprise can access expertise and technology beyond what they have available in-house to enhance their products and services.

Innovation 2020 commits to addressing an identified enterprise need for additional research technology support, based on the 'close to industry' RTO model in the areas of Advanced Manufacturing.

An inter-agency (EI, IDA, SFI) group has been established to progress proposals for the establishment of an Advanced Manufacturing Centre (AMC) based on the RTO model. It is proposed that the AMC will build on existing R&D supports including those being provided by the IMR Technology Centre, supported by EI and IDA Ireland, as well as the two recently announced SFI Research Centres in the manufacturing research area – Confirm and I-Form.

The objectives of an AMC will be to accelerate advanced technology adoption within industry and build future skills. The delivery of an AMC is seen as a necessary element in the ongoing evolution and transformation of Ireland's important manufacturing base.

The Department's submission to the National Investment Plan includes a proposal for the establishment of an Advanced Manufacturing Centre (AMC) requiring a Capital budget of €60m over a 5-year period.

Next Steps:

- Scaling up of Advanced Manufacturing research and development supports in the IMR Technology Centre.
- Ongoing political engagement around critical need for investment in this area.
- Continued engagement across agencies to ensure coordination and complementarity across the range of existing and planned advanced manufacturing research and development supports.

Ireland's Participation in the European Space Agency (ESA)

Innovation Research & Innovation (IRD) Programmes manages Ireland's annual investment in the European Space Agency (ESA) (currently €17.8m). Funding is paid directly to ESA by the Department under Subscriptions to International Organisations. Enterprise Ireland provides technical and expert support to IRD Programmes in relation to Ireland's ESA participation.

The primary purpose of Ireland's investment in ESA is to participate in European space technology and space mission programmes with a focus on facilitating innovative Irish companies and researchers to develop leading edge space technologies for commercial exploitation in the global space and non-space markets, leading to increased exports, sales and employment.

Ireland's level of investment in ESA continues to be comparatively small at €17.8 million p.a. (ahead of Greece but below all other member States) it nevertheless produces excellent economic and societal returns. The investment in ESA also provides the foundation for maximising the industrial and other impacts of the European space programmes.

Ireland's membership of ESA has contributed to the development of a highly knowledge-intensive industry sector with over 110 Irish technology companies securing ESA contracts since 2006 and with almost 60 companies actively engaged in this sector employing almost 2,000 people. Exports from the Irish space sector amount to over €80m per annum.

The number of Irish companies active in ESA programmes has grown 100% from 30 to 60 in the period 2010 to 2016. In the same period the annual level of investment in ESA programmes increased by just 20%. The number and value of contracts awarded by ESA has also increased significantly, reflecting the quality of Irish industry products.

For 2017 the space sector is expected to continue to expand rapidly with:-

- A further increase in the number of space active companies from 60 to 65.
- Further increases in turnover, exports, employment and Business Expenditure on R&D.
- An expected increase in the value of ESA contracts to ~€15m.
- 5 new start-up companies will be incubated in the ESA BIC.

Securing additional funding for investment in ESA Optional Programmes is among the Department's priorities for increased funding to meet *Innovation 2020* goals, including maximise the leveraging of awards under H2020, procurements under the EU Copernicus and Galileo space programmes and co-funded company investment in space R&D.

It is also hoped to draft on Consultation Paper later this year as a first step towards developing a National Space Strategy.

EU & International Space Industrial Policy

The European Union has a legal competence in space policy since 2010 and has developed a Space Industrial Policy in the intervening years. The EU has initiated two space programmes - Copernicus and Galileo which are providing Earth observation and satellite positioning data on a global basis respectively. These programmes are multi-annual and involve expenditure of almost €10 billion to 2020.

In October 2016, the European Commission published a wide-ranging and comprehensive new Strategy for the Space Sector. A key task for the year will be to ensure that Ireland's interests are reflected in the implementation of this Strategy through engagement with the European Commission ad hoc high level group and the Space Policy Expert Group.

The Estonian Presidency held an informal Space Council on 7 November 2017 which focused on the future of space based Earth Observation. The Space Council is a joint and concomitant meeting of the EU Council and the ESA Council at Ministerial level and so it includes the non-EU ESA member States of Norway and Switzerland. The Estonian Presidency also intends to prepare a set of Council Conclusions on the mid-term review of the EU Copernicus Space Programme to be adopted at the Competitiveness Council (Space) on 1 December.

Specific priorities in 2017 include:

- Further develop and support cross departmental mechanisms to coordinate national positions on Copernicus in association with EI;
- Support/Direct Permanent Representation in Brussels (PRB) – policy input for Space Working Party (SWP), Space Policy Working Group (SPEG), Coreper & Council;
- Explore with EI actions for maximising the benefits of Copernicus, Galileo, H2020 & EUMETSAT programmes' commercial and research opportunities
- Provide input to the negotiation of Competitiveness Council Conclusions on Copernicus;
- Ensure appropriate levels of consultation and input in relation to the implementation of the EU Strategy for Space.

Business Unit in the Division	Head of Unit (Principal Officer)
Intellectual Property Unit	Declan Morrin

Preparations to facilitate ratification by Ireland of an international Agreement setting up a Unified Patent Court to adjudicate on patent litigation

Agreement was reached at EU level to introduce a "patents package" in 2013. This includes a new European unitary patent providing uniform patent cover in up to 26 EU Member States on the basis of a single application process and on payment of a single set of fees. The enforcement mechanism for the unitary patent system will be a new international court: the Unified Patent Court (UPC). The Agreement setting up the Court is not mandated by Ireland's EU membership obligations and, as it involves the transfer from the Irish Courts of jurisdiction for patent litigation in the context of the Agreement, a Constitutional Referendum is required as this runs counter to the current Constitutional position.

In order to progress the ratification process, a Referendum on the issue must be held and carried. UK and German ratification of the Agreement is mandatory for the Agreement to come into force and for the establishment of the Court. UK ratification has been delayed in the aftermath of the Brexit vote and general election 2017 but is likely to be completed in the coming months. German ratification is stalled pending the outcome of a constitution challenge before the German Federal Constitutional Court. A decision on the timing of the referendum will need to be considered when there is greater clarity in relation to the processes in the United Kingdom and Germany. The Court and the unitary patent could come into effect on a provisional basis in mid 2018 and be fully operational in late 2018.

Timing of the referendum

Progressing amending legislation in the copyright area through the Copyright and Related Rights (Amendment) (Miscellaneous Intellectual Property) Bill, 2017

In 2011 the Copyright Review Committee was established to examine copyright legislation to identify any necessary reforms. Following publication of the Committee's Report in 2013 the Department examined the recommendations and obtained Government approval in 2016 for the draft heads of a bill to bring through some of the recommendations in the Report.

Essentially, the Bill aims to:

- create greater Court access for Intellectual Property claims by extending jurisdiction of the Circuit and District courts;
- provide greater clarity around the use of copyright material in scientific and other research and provide a copyright exception to facilitate Text and Data Mining (TDM);
- expand the copyright exceptions applicable to the education sector;
- provide greater access to copyrighted works by persons with a disability.

The Bill is at an advanced stage of drafting and once drafting is completed, the Department intends to engage in a brief consultation and seek Government approval to publish the Bill. It is hoped that this will take place in the first half of 2018.

Examination and negotiation of EU proposals on Copyright Reform

Under the EU Commission Digital Market Strategy (DSM) a number of proposals for copyright modernisation are included.

The first proposal, now adopted, was a Regulation on cross-border portability of online content services to ensure that EU consumers have access to their online content services (e.g., Netflix, RTÉ Player, when travelling temporarily within the EU. This will enter into force across the EU on 1st April 2018.

Four further copyright proposals were published by the Commission in early 2016. These include:

- a proposal for a Directive on copyright in the Digital Single Market (the copyright Directive);
- a proposed Regulation on the cross-border of accessible format copies of certain works for persons who are blind, visually impaired or print disabled (Marrakesh Regulations);
- a proposal for a Directive on permitted uses of works and other subject-matter protected by copyright and related rights for the benefit of persons who are blind, visually impaired or print disabled (Marrakesh Directive); and
- a proposal for a Regulation laying down rules on the exercise of copyright and related rights applicable to certain online transmissions of broadcasting organisations and retransmissions (SatCab Regulations).

The Marrakesh proposals for both a Directive and a Regulation pave the way for the EU to ratify the Marrakesh Treaty, an international agreement aimed at allowing authorised entities to make accessible format copies for persons who are blind, visually impaired or have a print disability. The Regulation will enter into force on 12th October 2018, and the deadline for national transposition of the Directive is the same date. The Department will work with the OPC to meet that transposition deadline.

The copyright directive proposes a number of mandatory copyright exceptions in the fields of education and research and includes also measures aimed at ensuring authors and right holders receive a fair share of the value that is generated by the use of their works, particularly by online platforms that give access to user-uploaded content. This proposal provides for measures aiming at improving the position of right holders to negotiate and to be remunerated for the exploitation of their content online. The Department continues to be actively involved in Council discussions at EU level on the Copyright Directive, that will likely feature on the agenda of the Competitiveness Council in 2018.

The SatCab Regulation is also being negotiated within the Working Party on Intellectual Property but falls within the policy remit of the Department of Communications, Climate Action and Environment and officials of that Department are servicing these negotiations.

Defence of case against a Collective Management Organisation (CMO) the Minister, Ireland & the Attorney General taken by a separate CMO

In August 2016, a plenary summons was served on the Minister as one of 4 parties in a case taken by a CMO relating to a commercial dispute with another CMO and involving State parties on the transposition of EU law into national law.

The State defence in the case is that Ireland has correctly transposed the relevant copyright directive (the Rental and Lending Directive) which dates from 2006.

This case is currently being progressed through the Commercial Court and further progress is anticipated in the Michémas Term (2nd October to 21st December) 2017.

Examination of legislative commitments in the Intellectual Property (IP) area to facilitate Ireland's bid for upcoming major sporting events.

In 2014, Government supported the Football Association of Ireland's bid to host games in the UEFA EURO 2020 finals. Dublin was selected as one of the host cities. UEFA sought assurances from applicant countries that legislation to cover particular aspects would be in place prior to the games.

This Department has guaranteed to have legislation enacted in specific areas for which the Department has responsibility in advance of the UEFA event. The Controller of Patents, Designs and Trade Marks has provided guarantees in relation to facilitating the registration process of IP applications e.g. logos, emblems etc., subject to compliance with the provisions of the Trade Marks Act 1996 (as amended) and the Trade Marks Rules 1996 (as amended).

The issues for consideration for both bids are overseen by an Interdepartmental Committee (IDC) to ensure appropriate co-ordination as they extend across the responsibilities of a few Government Departments/agencies. The IDC has identified legislative gaps and plans are underway to address this.

Further discussions are required by the IDC before deciding how best to fill the legislative gaps and discharge our obligations in a timely and co-ordinated manner. The project is lead by the Department of Transport and Tourism and composite legislation for these major sporting events will be the responsibility of that Department.

Examination of proposals arising from the EU Commission Single Market Strategy in the Intellectual Property area.

In October 2015, the EU Commission published its Single Market Strategy (SMS) -focused on practical measures to help SMEs and start-ups to grow and also to promote innovation, unlock investments and empower consumers.

In 2017 the Commission is expected to develop initiatives to consolidate and modernise the intellectual property (IP) framework, including supports for the use of IP by SMEs. The Commission will develop initiatives to improve IP awareness, mediation and arbitration networks; the creation of SMEs insurance schemes for litigation and IP theft, and improved coordination of research and innovation funding schemes and IP supports.

An IPR Enforcement network across departments and agencies has been set up, to improve co-ordination of future IPR enforcement initiatives. The Department has engaged with Enterprise Ireland (EI) for the first IP awareness pilot schemes for SMEs.

The Department will continue to examine and consult on all proposals from the Commission's SMS and actively engage in negotiations at EU Council. The Department will also continue to engage with EI and the EU Commission so that Irish SMEs can benefit from any new initiatives.

Transposition of EU Directive 2016/943 on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure.

The objective of EU Directive 2016/943 is to achieve a smooth functioning internal market by establishing a sufficient and comparable level of civil redress measures across the internal market in the event of the unlawful acquisition, use or disclosure of a trade secret.

Essentially the Directive provides for measures, procedures and remedies necessary to ensure the availability of civil redress against the unlawful acquisition, use and disclosure of trade secrets.

If competitors steal or otherwise unlawfully acquire or use this information, the victim will be able to defend his/her rights in court and have access to sufficient and comparable civil redress across the EU.

A draft was sent to the Office of Parliamentary Counsel (OPC) in July 2017 and the Department will work to with the OPC to ensure the June 2018 transposition deadline is achieved.

Transposition of EU Directive 2015/2436 to approximate the laws of the Member States relating to trade marks.¹²

Directive 2015/2436 modernises and improves the existing provisions of the Directive by amending outdated provisions, increasing legal certainty and clarifying trade mark rights in terms of their scope and limitations;

¹² The laws of the Member States relating to trade marks were previously partially harmonised by Council Directive 89/104/EEC of 21 December 1988 and codified as Directive 2008/95/EC.

It achieves greater approximation of national trade mark laws and procedures to make them more consistent with the EU trade mark system, by introducing (a) further substantive rules and (b) procedural rules in accordance with principles contained in the EU Trade Marks Regulation; and It also improves cooperation between national Intellectual Property Offices and the EUIPO for the purpose of converging practice and developing common tools, by putting in place a legal basis for this cooperation.

A public consultation exercise was completed on 10 November 2017 and will feed into the secondary legislation which is currently being prepared to transpose the Directive

3.3 Commerce, Consumers and Competition Division Breda Power, Assistant Secretary

Business Unit in the Division	Head of Unit (Principal Officer)
Competition and Consumer Policy Section	Kieran Grace
Company Law Development & EU	Helen Curley
Company Law Audit & Accounting Policy & Enforcement Legislation	Sabha Greene
Company Law Policy and Agencies/Offices	Eadaoin Collins
Business Regulation	Eadaoin Collins
Cooperative Legislation & PIAB Liaison Unit	Eadaoin Collins
Internal Audit Unit	Malachy Quinn

Offices:	
Office of the Director of Corporate Enforcement (ODCE)	Ian Drennan – Director of Corporate
Company Registrations Office, Registry of Friendly Societies (CRO/RFS)	Maureen O’Sullivan – Registrar of Companies and Registrar of Friendly
Agencies:	
Competition & Consumer Protection Commission (CCPC)	Isolde Goggin - Chairperson
Personal Injuries Assessment Board (PIAB)	Conor O’Brien - CEO
Irish Auditing and Accountancy Supervisory Authority (IAASA)	Kevin Prendergast – CEO

Details of the key issues within each Business Unit of the Division are as follows:

Business Unit in the Division	Head of Unit (Principal Officer)
Competition and Consumer Policy Section	Kieran Grace

Scheme of Proposed Consumer Rights Bill

In its final report, the Sales Law Review Group concluded that the legislative framework governing consumer contract rights, with its mix of primary and secondary legislation of domestic and European Union origin, had resulted in a confusing, complex and, in some respects, contradictory body of statutory rules. The Group recommended accordingly the enactment of a Consumer Rights Act that would consolidate and update the key statutory provisions applicable to consumer contracts. The (then) Minister for Jobs, Enterprise and Innovation endorsed this recommendation, stating that a comprehensive Act along the lines recommended by the Review Group would create a legislative framework more appropriate to 21st century conditions and requirements, create clearer rules for businesses, and bring about substantial improvements for consumers.

Following an earlier, more general consultation undertaken in August 2014, the draft Scheme of the proposed Bill was issued for public consultation in May 2015. The main parts of the draft Scheme deal with rights and remedies in consumer contracts for the supply of goods, the supply of digital content, the supply of services together with unfair contract terms and gift voucher contracts. Responses to the consultation generally supported the proposal to consolidate and update all of the main statutory provisions on consumer contracts.

In December 2015 when a draft Memorandum for Government was being prepared on the scheme of the proposed Consumer Rights Bill, the European Commission published proposals for full harmonisation Directives on consumer contracts for digital content and for the online and other distance sale of goods. These proposals covered largely the same ground as two of the four main parts of the Scheme. In view of the substantial overlap between the draft Scheme and the EU legislative proposals, further action on the draft Scheme had to consider the advisability of bringing forward a legislative proposal to the Oireachtas when directly related and fully harmonised legislative proposals are proceeding through the European Union legislative process. The progress of the proposed Directives continues to be monitored with a view to deciding the best course of action to take with regard to the Scheme of the Bill.

A general approach on the proposed digital content Directive was adopted by the Justice and Home Affairs Council in June 2017. Trilogue discussions on the proposal between the Council, the European Parliament and the European Commission are due to commence in December 2017. In response to concerns expressed by Member States about the need to avoid separate legislative regimes for online and offline consumer sales, the European Commission published an amended proposal on 31 October 2017 covering all consumer sales contracts. Working party discussions on the proposal commenced on 27 November 2017.

Depending on the progress of these discussions, it could be possible to make the necessary adjustments to the Scheme of the Consumer Rights Bill in the first half of 2019 with a view to bringing it to Government.

Proposed EU Directives on (i) Consumer Contracts for the Supply of Digital Content and (ii) Consumer Contracts for the Online and Other Distance Sales of Goods.

As with the proposed digital content Directive, Departmental officials will participate in Working Party Discussions on the proposed Sales Directive with a view to ensuring as far as possible that its provisions strike a fair balance between the need for a high level of consumer protection and the need to remove barriers to cross-border trade in digital content in order to enhance export opportunities for Irish businesses in this area.

In December 2015, the European Commission published proposals for Directives, containing provisions on consumer rights and remedies in contracts for digital content and online and other distance sales of goods. Member States and stakeholders generally welcomed the digital content proposal in view of the relative absence of both EU and national legislative provisions in this rapidly growing area.

The proposal for a separate Directive on online and other distance sales received a less positive response with Member States and consumer and business groups taking the view that this would create undesirable fragmentation with the rules for in-store consumer sales in the existing Consumer Sales Directive. It was agreed accordingly to focus on the digital content proposal and to await the outcome of a review of the Consumer Sales Directive before proceeding with the proposal on online and other distance sales. Intensive Working Party discussions took place on the digital content proposal during the Dutch and Slovak Presidencies in 2016.

A general approach on the proposal submitted by the Maltese Presidency was adopted by the Justice and Home Affairs Council in June 2017. While a different outcome would have been preferable on certain provisions, the proposed compromise text is reasonably satisfactory on the whole and represents a fair and balanced compromise between both the positions of different Member States and the interests of consumers and suppliers.

Trilogue discussions with the European Parliament on the proposed Directive are due to commence in December 2017.

In response to concerns expressed by Member States about the need to avoid separate legislative regimes for online and offline consumer sales, the European Commission published an amended proposal on 31 October 2017 covering all consumer sales contracts. Working party discussions on the proposal commenced on 27 November 2017 and are expected to intensify during the Bulgarian Presidency in the first half of 2018. As with the digital content proposal, Departmental officials will participate in Working Party Discussions on the proposed sales Directive with a view to ensuring as far as possible that its provisions strike an appropriate balance between the need for a high level of consumer protection and the need to remove contract law barriers to cross-border trade in order to enhance export opportunities for Irish businesses.

Legislation on gift vouchers

The draft Scheme of the Consumer Right Bill (mentioned above) included provisions prohibiting the inclusion of an expiry date in contracts for gift vouchers and specifying certain information requirements for such contracts. Stakeholder responses to the gift card provisions of the draft Scheme raised a substantial number of issues, in particular, concerns about the impact of a complete prohibition on expiry dates as opposed to a prohibition on expiry dates below a specified period such as five years.

There was a need also to clarify the relation between the proposed provisions and the provisions applicable to gift cards that come within the scope of the European Communities (Electronic Money) Regulations 2011 – i.e. gift cards which can be used to purchase a broad range of goods and service from a large number of retailers and service providers.

Two Private Members' Bill on gift vouchers have recently been introduced in the Dáil. The first Bill, the Consumer Rights (Gift Vouchers) Bill 2017 was introduced by Deputies Catherine Murphy and Róisín Shortall on 21 November 2017. It provides that gift voucher contracts shall not have an expiry date of less than five years from the date of purchase and shall not include fees for the issue of a gift voucher, for an inactive balance on the voucher, or for the repayment of any credit balance on the voucher.

The second Bill, the Consumer Protection (Amendment) Bill 2017 was introduced by Deputy Niall Collins on 28 November. It provides that gift voucher contracts shall not have an expiry date of less than five years from the date of purchase and also contains a number of information requirements.

Hallmarking (Amendment) Bill 2016

The Bill is required to amend the Hallmarking Act 1981 to include palladium and mixed precious metal in the definition of articles of precious metals that will be hallmarked by the Assay Office and to enable the Assay Office to strike hallmarks outside the State and for items bearing those hallmarks to be treated in the same way as items bearing hallmarks struck in the State. It will also provide for the updating of offences and penalties.

The Bill was published in December 2016 and passed Second Stage in Dáil Éireann on 6 April 2017. Committee Stage is now scheduled for 15 June 2017. The previous Minister indicated that the Government would be introducing amendments at Report Stage and these are currently being drafted in consultation with the OPC. No date has been set for Report Stage but it is likely to be in Q1 2018.

Whilst there has been no issues raised to date with the contents of the Bill, jewellery wholesalers have requested that exemptions from hallmarking be introduced for items below a certain weight: this has been met with strong resistance from jewellery retailers, Irish jewellery manufacturers, the Design & Craft Council of Ireland and the Assay Office.

Enactment of an Amendment to the Casual Trading Act 1995 to bring it into line with the requirements of the Services Directive

The basis of this proposal is to ensure that the Casual Trading Act 1995 is not in conflict with EU legislation, specifically the Services Directive which was transposed in November 2010 by the European Union (Provision of Services) Regulations 2010 (S. I. No. 533 of 2010).

In order to avoid the necessity for the European Commission to initiate infringement proceeding against Ireland, the 1995 Act requires to be amended in respect of the three areas that are in direct conflict with the Services Directive, i.e.; (i) selection procedures, (ii) charges and fees and (iii) duration of a casual trading license. A Statutory Instrument is being drafted with the OPC to give effect to these changes and this is nearing completion.

Monitoring implementation and operation of the provisions of the EU Directive on Alternative Dispute Resolution (ADR) and EU Council Regulation on the Online Dispute Resolution platform (ODR) in Ireland

The aim of the EU Directive on ADR is to ensure that consumers have access to efficient, fast, non-judicial and low-cost ways of resolving domestic and cross border disputes which arise from sales or service contracts. The EU legal instruments have been transposed into domestic law through SIs 343 of 2015, 368 of 2015, 500 of 2015 and 32 of 2016. The Competition and Consumer Protection Commission (CCPC) has been designated as the competent authority for ADR in Ireland under the legislation and the European Consumer Centre (Ireland) will act as the national contact point for the ODR platform.

The imperative now is to ensure that consumers seeking to resolve disputes in Ireland and cross border disputes using ADR procedures can do so through the ADR legislation and the structures that have been put in place on foot of that legislation. The Department will liaise closely with the CCPC, European Consumer Centre, EU Commission and interested stakeholders to ensure that these provisions and structures are serving consumers and businesses in Ireland in the required manner.

Monitoring implementation and operation of the new Grocery Goods Regulations

The grocery goods regulations were signed into law on 27 January 2016 and came into operation on 30 April 2016. The Competition and Consumer Protection Commission has responsibility for enforcing compliance with the regulations. The regulations will apply to retailers and wholesalers with gross annual turnovers in excess of €50 million who have grocery goods contracts with direct suppliers for the sale or supply of food and drink products to their premises. Guidelines, which are intended to assist relevant parties with the implementation of the regulations, were published on 18 March 2016.

The farming lobby (especially the IFA) is still unhappy with these Regulations as they do not guarantee price (this was never intended to be covered by the Regulations) and the desire for an independent

Ombudsman (as opposed to the Consumer Protection Commission (CCPC) who the IFA do not consider to be independent)..

The Department will work closely with the Competition and Consumer Protection Commission to ensure that the new regulations are properly understood and applied in the grocery goods sector and to keep under review the case for the extension of this initial set of regulations to the other classes of grocery goods and grocery goods undertakings which are provided for in the Consumer Protection Act 2007.

A Fianna Fáil Private Members' Bill on the creation of a National Food Ombudsman was published on 1 March 2017. No date set for Second Stage as yet.

Ticket resale

There has been public concern about the secondary sale of tickets for entertainment and sporting events. A public consultation document was issued by Minister Mitchell O'Connor on 20th January 2017 along with the Ministers for Transport, Tourism and Sport and Tourism and Sport. The deadline for submissions was 31st March 2017. Twenty four responses were received, including submissions from the major stakeholders involved in the primary and secondary ticket markets. The submissions were made public in early May on the Department's website. The issues around ticket resale are not straightforward. Therefore, it is important that any possible legislative or other response is based on a thorough examination of the secondary ticket market and its relationship to the primary ticket market.

A Sinn Féin Private Members' Bill on ticket resale was taken at Second Stage in Dáil Eireann on 11 May 2017 and was passed with a deferral motion until 11 February 2018 to allow for scrutiny by the Select Committee on Jobs, Enterprise and Innovation. A separate Private Members' Bill on ticket resale was published on 31 January 2017 by Deputies Noel Rock (Fine Gael) and Stephen Donnelly (then Social Democrats, now Fianna Fáil). No date set for Second Stage as yet.

The Consumer Protection Commission (CCPC) has opened an investigation into possible competition issues in the primary and secondary ticket markets.

The responses to the public consultation are being assessed with a view to identifying possible options for future action and the ways in which these might best be pursued. The Department is also assessing the experience with legislative restrictions on ticket resale in other countries.

A commitment to prohibit the unauthorised resale of tickets was also made in relation to the UEFA 2020 soccer tournament: the exact mechanism to give effect to this commitment has yet to be finalised.

Proposal for an EU Directive to empower the competition authorities of the Member States to be more effective enforcers and to ensure the proper functioning of the internal market.

Under the Treaty on the Functioning of the EU, the EU Commission has exclusive competence in the area of competition. In 2013/2014, the EU Commission conducted an assessment of the functioning of the Council Regulation (EC) No 1/2003 of 16 December 2002 on the implementation of the rules on competition laid down in Articles 81 (now 101) and 82 (now 102) of the Treaty. Based on the results of this analysis, the 2014 Commission's Communication on Ten Years of Council Regulation No 1/2003

found that there is scope for National Competition Authorities (NCAs) of the EU Member States to be more effective enforcers.

Thus, the main objective of this legislative initiative is to make sure that the full potential of the decentralised system of enforcement of EU competition rules put in place by Regulation (EC) No 1/2003 is realised thus boosting effective enforcement of the EU competition rules. It also aims to underpin close cooperation in the European Competition Network (ECN).

The proposed Directive is aimed at ensuring that NCAs:

1. have effective investigation and decision-making tools
2. are able to impose effective deterrent fines
3. have a well-designed leniency programme in place which facilitates applying for leniency in multiple jurisdictions, and
4. have sufficient resources and can enforce the EU competition rules independently.

The initial Irish view of the proposal is that many of those elements do not pose any substantive problems under Irish law. The legal and Constitutional impact of some elements of the proposal (e.g. imposition of fines on undertakings and associations of undertakings, maximum amount of the fine, periodic penalty payments, the reduction of fines and the suspension of limitation periods for the imposition of penalties) are currently being explored.

The proposal is currently being debated at the Council Working Group on Competition and is also being considered by the European Parliament. Agreement at Council level is expected to occur in 2018 with trilogues with the Parliament commencing in late 2018.

Transposition of Commission Directive (EU) 2016/2037 of 21 November 2016 amending Council Directive 75/324/EEC as regards the maximum allowable pressure of aerosol dispensers and to adapt its labelling provisions to Regulation (EC) No 1272/2008 of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures.

This is a technical amendment to the aerosol directive, which will be implemented by way of a Statutory Instrument. This has to be transposed by 12 December 2017.

Transposition of Council Directive (EU) 2017/738 of 27 March 2017 amending, for the purpose of adapting to technical progress, Annex II to Directive 2009/48/EC of the European Parliament and of the Council on the safety of toys, as regards lead.

This is a technical amendment to the toys directive which will be implemented by way of a Statutory Instrument. This has to be transposed by 28 October 2018.

Implementation regulations arising from Regulation (EU) 2016/426 of the European Parliament and of the Council of 9 March 2016 on appliances burning gaseous fuels.

This will be done by way of a Statutory Instrument. The elements that have to be implemented refer to Articles 43 (Penalties), 44 (Transitional provisions) and 45 (Repeal).

This has to be implemented by 21 March 2018 (in respect of article 43) and 21 April 2018 (in respect of articles 44 and 45).

Business Unit in the Division	Head of Unit (Principal Officer)
Company Law Development & EU	Helen Curley

Provide Secretariat support to the Company Law Review Group (CLRG) and progress the CLRG Work Programme 2016 - 2018

The Company Law Review Group (CLRG) is an expert advisory group charged with advising the Minister on company law matters. Its current 2 year work programme was approved by Minister Mitchell O'Connor in June 2016 to run to the end of May 2018 and contains the following matters:

- Examine and recommend ways in which company law could be potentially amended to ensure better safeguards for a company's employees and unsecured creditors.
- Review the provisions in relation to the winding up under of the Companies Act 2014.
- Whether amendments are required to the law relating to company representation before the courts.
- Examine and recommend whether the UNCITRAL Model Law on Cross-Border Insolvency should be adopted by Ireland.
- Review the enforcement of company law.
- Advise the Department on EU company law proposals including the harmonisation of national insolvency laws.
- Examine provisions of the Companies Act 2014 to determine whether recent case law and submissions from stakeholders justify amendments to the Act in the future.

Meetings of the 10 sub-committees as well as plenary meetings of the CLRG are ongoing. The secretariat is provided by the Company Law Development and EU Unit of the Department.

The CLRG has completed a number of items on its work programme and reports have been submitted to the Minister and published:

- The provisions of the Companies Act 2014 relating to shares and share capital were reviewed by the Shares and Share Capital subcommittee and the resulting report (*The Recommendations of the Company Law Review Group relating to Shares and Share Capital in the Companies Act 2014*) was adopted by CLRG at Plenary.
- The Report of the Company Law Review Group on Protections for Employees and Unsecured Creditors was adopted at the CLRG Plenary meeting on 13th June 2017 and submitted to the Minister.
- The provisions of the Companies Act 2014 relating to corporate governance were reviewed by the Corporate Governance subcommittee and the resulting report (*The Recommendations of the Company Law Review Group relating to Corporate Governance in the Companies Act 2014*) was adopted by CLRG at Plenary on 30 November. This report forms part of the suite of measures announced by the Government aimed at enhancing corporate governance, increasing transparency and strengthening Ireland's response to White Collar Crime.

There is a strong focus on insolvency in the CLRG Work Programme 2016-2018 and the secretariat is preparing a discussion document regarding winding up in the Companies Act 2014 and the regulation of liquidators. The Corporate Insolvency subcommittee, along with the participation of officials from the Insolvency Service of Ireland and the Department of Justice, has met to commence the consideration of the current EU proposal for a Directive on insolvency (second chance proceedings) as well as consideration of the UNCITRAL Model Law on Cross-Border Insolvency.

Participate in negotiations on EU Proposals in the area of Company Law

(a) Shareholders Rights Directive

The main purpose of the Directive is to encourage and facilitate shareholders to take a longer term view of their investments. The Directive does this by amending the existing Shareholders Rights Directive (2007/36/EC) to introduce new obligations on institutional investors, asset managers, certain companies, proxy advisors and investment intermediaries.

The Directive was signed on 17 May 2017 and must be transposed by June 2019

The Department will invite submissions on a consultation on the transposition of Directive (EU) 2017/828 in early December 2017, with a closing date for receipt of submissions in early February 2018.

(b) Business Insolvency Directive

Participate in negotiations on a proposal to harmonise aspects of Member States national frameworks for preventive restructuring (companies) and second chance (unincorporated entrepreneurs).

The aim of this proposal is to ensure distressed businesses have early and easy access to preventive restructuring procedures that can allow them negotiate with creditors as they seek to avoid any unnecessary liquidation (company) or bankruptcy (non-company entrepreneur).

(This dossier is shared with the Department of Justice and Equality who handles personal insolvency of entrepreneurs and access to the courts, while this Department deals with company insolvency regimes and directors duties)

The Department will continue to consult national stakeholders and participate in EU working groups meetings as required.

Measures required to implement EU law: Insolvency

Follow on actions arising from recast and amended EU Insolvency Regulation. The Regulation aims to:

- codify European Court of Justice decisions on the concept of centre of main interest – or COMI- which is the determinant of which Member States' courts have jurisdiction
- increase the focus on insolvency proceedings which allow companies survive temporary crises rather than rushing to liquidate it unnecessarily
- increase cooperation between all parties (courts and insolvency practitioners) involved in related proceedings
- increase transparency of proceedings by linking national insolvency registers
- provide a structure to assist in insolvent group situations.

This regime is mainly directly applicable. In cooperation with the Department of Justice consult the Courts Service, to verify that all national rules cater for the enhanced cooperation to be introduced by the EU Regulations. Draft statutory instrument, if necessary, to facilitate the smooth operation of the Regulation.

The Department will support CRO, if required, as they engage with the European Commission's initiative to access insolvency data about Irish companies from the CRO company register. This interconnection is to be completed by the EU Commission by mid-2019.

Ongoing Review of the Operation of the Companies Act 2014

The Companies Act 2014 came into operation on 1 June 2015 providing significant benefits to companies by reducing unnecessary bureaucracy and making company law obligations easier to understand.

Submissions from interested parties regarding perceived anomalies in the operation of the Companies Act 2014 as well as further proposals for amendment of the Companies Act 2014 are received by the Department of Business, Enterprise and Innovation. These submissions include matters relating to the operation of some of the reforms introduced in the 2014 Act. These submissions are reviewed by the Department and if necessary referred to the Company Law Review Group for consideration.

The Department is currently reviewing the recommendations contained in:

- The Report of the Company Law Review Group relating to Shares and Share Capital in the Companies Act 2014.
- The Report of the Company Law Review Group on Protections for Employees and Unsecured Creditors
- The Report of the Company Law Review Group relating to Corporate Governance in the Companies Act 2014.

The Department considers all submissions and recommendations, bringing forward any necessary proposals for legislative change, as appropriate.

Business Unit in the Division	Head of Unit (Principal Officer)
Company Law Audit & Accounting Policy & Enforcement Legislation	Sabha Greene

Regulations following from enactment of Companies (Accounting) Act 2017

The Companies (Accounting) Act 2017 was signed into law on 17 May and came into operation on 9 June.

The main features of the Companies (Accounting) Act 2017 are:

1. Provide significant simplifications and reductions of administrative burdens for enterprises, notably SMEs,
2. Introduce new transparency measures such as reporting on public disclosure of payments to Governments by enterprises in the extractive and logging of primary forest industries and for companies that are registered as unlimited but have in fact limited their liability.

Following on from enactment it will be necessary for the Minister to make Regulations to apply some of the provisions in the Act to partnerships, in line with the requirements of EU law.

Draft Regulations are with the OPC and will be submitted to the Minister as soon as possible for her consideration and signature.

Companies (Statutory Audits) Bill 2017

The main elements of the EU legislation (Directive 2014/56/EU and Regulation EU No 537/2014) relating to statutory audit have already been transposed by SI No. 312 of 2016. The discretionary elements which require primary legislation primarily relate to new powers for IAASA, as the competent authority with oversight of statutory audit, in relation to enforcement and sanctions and the delegation of oversight tasks. Elevating S.I. 312 of 2016 to primary legislation will create a clear, comprehensible framework for statutory audit. The Bill also contains provisions on the abolition of the term public auditor and miscellaneous amendments to the Companies Act 2014.

The Bill was published on 6 November 2017 and is scheduled for Second Stage in Dáil Éireann on Friday 8 December 2017.

Accounting Standards

The Department intends to prescribe the Financial Reporting Council (FRC), which is based in the UK, as the standard setter for Ireland. Up to now, the FRC has set the accounting standards for the UK and Ireland, which accountants here are obliged to follow, but without being a prescribed body for those purposes.

Changes introduced in the Companies Act 2014 have made it necessary for technical reasons to prescribe the FRC as the standard setter, by Regulation. The recently enacted Companies (Accounting) Act 2017 has helped to prepare the ground for this by providing a statutory exemption from liability for the FRC in its role as standard setter.

Following the recent enactment of the Companies (Accounting) Act 2017, the Department will shortly submit draft Regulations to the Minister for her consideration and signature into law.

Directive 2014/95/EU as regards the disclosure of non-financial and diversity

The Directive contains two parts:

- The first part requires large public interest entities with more than 500 employees to disclose certain non-financial information, such as environmental and employee-related policies, on an annual basis. Public interest entities are credit institutions such as banks, insurance undertakings, listed companies and companies designated as public interest entities by Member States.
- The second part applies to large traded companies. These will be required to include in the corporate governance statement a report on the company's diversity policy in respect of the board of directors.

The deadline for transposition was 6 December 2016.

Regulations came into force in August 2017. However, since then, a few technical issues have arisen and it is necessary to prepare amending Regulations. A draft is with the OPC and will be submitted to the Minister for her consideration and signature as soon as possible.

Proposal for an EU Directive regarding disclosure of income tax information by certain undertakings and branches

The European Commission adopted in 2016 a Proposal for a Directive to amend the Accounting Directive and to provide for disclosure of income tax information by certain undertakings and branches on a country by country basis. This Proposal would apply to large multinational corporations operating in the EU and with a consolidated net turnover of more than €750 million a year. Such corporations will be obliged to publish annually information on the profit made and taxes paid in each EU Member State on a country by country basis. A similar 'country by country' breakdown of this information will be published with respect to activity in so-called tax havens, while aggregate figures will be provided for other tax jurisdictions outside the EU.

The Proposal is being considered by the Council and by the European Parliament with a view to agreement at First Reading. The Council has not yet agreed its own General Approach and there is a difference of opinion within Council on the legal base. The Department is working closely with Department of Finance on the Irish position.

The proposed Directive is cast as an amendment to the Accounting Directive, which is a company law instrument. Therefore, this Department takes the lead in the EU negotiation and we are cooperating with the Department of Finance as this relates to tax matters. It is difficult to speculate as to when the Council will reach agreement. As things stand, some Member States (including Ireland) consider that the legal base should be changed from company law to taxation.

Business Unit in the Division	Head of Unit (Principal Officer)
Company Law Policy and Agencies/Offices	Eadaoin Collins

Follow up to comments by Judge Aylmer in directing the jury to acquit Mr Seán Fitzpatrick

On May 24th 2017 in the Dublin Circuit Criminal Court, Judge John Aylmer directed the jury to acquit Mr Seán Fitzpatrick of all charges.

Under the proceedings initiated by the Director of Public Prosecutions (DPP), Mr. Seán Fitzpatrick, the former Chairman and Chief Executive of Anglo Irish Bank Corporation plc, had been charged with 21 alleged breaches of section 197 and 6 alleged breaches of section 242 of the Companies Act 1990.

It is clear from Judge Aylmer's comments that there were serious deficiencies in the investigative practices used by the ODCE in this case. In particular, the manner in which two witness statements were obtained and the shredding of documents were cited. The strongest criticisms of the Judge related to the investigative procedures undertaken by the ODCE in compiling the file that was sent to the DPP in early 2012.

The then Minister, with her officials, met with the Director of Corporate Enforcement, Mr Ian Drennan, on Tuesday evening, May 23rd 2017, after Judge Aylmer had made his ruling. The current Director, who took up office in August 2012, provided background to the case and the circumstances that led to the acquittal. The Director fully accepted the criticisms directed at the ODCE by Judge Aylmer. He outlined

the organisational review he had undertaken following his appointment, which resulted in a changed organisational structure and management system within the ODCE, as well as a focus on the staffing and skills mix available. That review identified, in particular, a significant skills deficit in the area of accountancy expertise. Following that review, the Director sought, and was granted, sanction to recruit seven forensic accountants. Five accountants are now in place¹³ and the process of recruiting a further two is in progress. A digital forensics specialist is also now in place. Additionally, a competition was held recently to recruit 2 Enforcement Portfolio Managers. One of those posts has recently been filled and the other successful candidate is due to take up the role shortly.

Another fundamental outcome was the overhaul of criminal investigations, to ensure that all investigations now carried out by the Office are led by An Garda Síochána.

On May 24th, the then Minister wrote to the Director requesting a report under section 955(1)(a) of the Companies Act 2014. In her letter, the then Minister asked for the report to address the criticisms raised by Judge Aylmer which include:

- the coaching of witness statements;
- late disclosure of documents;
- a perceived bias by ODCE investigators;
- the shredding of documents; and
- any other relevant matters.

This report was delivered on June 23rd and has been the subject of detailed consultation with the Office of the Attorney General. On advice received in November from the Attorney General, the Minister for Business, Enterprise and Innovation does not have a legal power to publish reports/information prepared pursuant to section 955 of the Companies Act, 2014.

However, given that the shortcomings identified by Judge Aylmer in his ruling in the case of DPP v Sean Fitzpatrick have been the subject of significant concern, while it is not possible to publish the Report itself, it is intended that an account will be published of the investigative failures identified by Judge Aylmer and the steps that are being taken to address them.

It is important to understand the factors that led to such mistakes being made and to take appropriate steps to address these shortcomings and ensure that they are never repeated. These steps include ongoing reforms within the ODCE and the establishment, as announced by Government on 2nd November, of the Office of the Director of Corporate Enforcement as a new independent company law enforcement agency, to provide greater autonomy to the agency and ensure it is better equipped to investigate increasingly complex breaches of company law. Work on the drafting of the necessary General Scheme of a Bill to give effect to this decision has commenced.

The Department will engage with the Organisation for Economic Co-operation and Development to advise on international best practice in the establishment of the Agency, in terms of internal controls, staffing, budget and corporate governance.

¹³ Six were recruited but one has since been promoted.

Business Unit in the Division	Head of Unit (Principal Officer)
Business Regulation	Eadaoin Collins

Communications: BusinessRegulation.ie Portal & Taking Care of Business

A key part of reducing regulatory burdens is better communication. Making it easier for small businesses and start-ups to identify the regulations that apply to them is important.

We monitor, maintain and seek to improve the www.businessregulation.ie web Portal, which was set up by the Department to bring together in one place the many strands of regulatory and compliance information applicable to business, along with links to supports for small businesses and start-ups.

The Department and the HAS are also organised in November 2017 a Taking Care of Business event in cooperation with 30 Public Bodies, Offices and Agencies, who along with six private-sector business representative bodies engaged with nearly up to 500 small businesses entrepreneurs and start-ups to explain what help and supports are available and how best to deal with regulations in their area. First run in 2013, the "Taking Care of Business" events have seen, to date, approximately 2,500 small businesses attend concise presentations from regulators and support agencies, and where they can ask questions and seek advice during a half-day free event. (Events have to date been held in Dublin, Cork, Limerick, Galway, Waterford and Drogheda.)

The portal will be reviewed in the coming months.

Represent Ireland at EU and International Fora in relation to Better Regulation issues

The Unit continues to Monitor Better Regulation developments at EU level and in key Member States, in order to ensure Ireland's position is effectively represented

This means (1) cooperation with D/Taoiseach and D/PER to ensure policy coherence across the Better Regulation agenda, (2) coordination of Ireland's response to various requests for information, etc., from the EU Commission, the REFIT Platform, OECD, etc., and (3) participating in relevant meetings and conferences including: the EU REFIT Platform, the OECD Regulatory Policy Committee, the Better Regulation Network the EU Directors and Experts of Better Regulation, and other relevant international events.

A major study of Regulatory Practice and oversight is currently being undertaken by the OECD. This has involved detailed engagement with D/Taoiseach, D/PER, and the Office of the Attorney General D/Taoiseach facilitated an initial meeting and a second meeting prior to the furnishing of data to the OECD. Further contacts with these and other bodies has taken place, including, for example, the Oireachtas Bills Office and the Law Reform Commission. Data supplied will be checked by the OECD over the coming months prior to publication, which will probably be in Q2, 2018.

Review the Industrial and Provident Societies (I&P) Acts 1893-2014

The Industrial and Provident Societies Acts date back to 1893 with various amendments over the years, most recently amended in 2014. The legislation provides a statutory legal framework for the vast majority of co-operatives in Ireland. That framework, by facilitating statutory incorporation and providing a public register service and other supports, has made a positive contribution to the development of co-operatives.

The legislation is being reviewed in consultation with the Irish co-operative movement. As well as focussing on technical aspects of the current legislation, the review will involve a root and branch review of the legislation with a view to its modernisation, reform and consolidation.

A public consultation commenced at the end of November 2016 on the implementation and operation of the Industrial and Provident Societies Acts with a closing date of 31 January, 2017. 10 submissions were received. Focused consultation with key stakeholders was undertaken earlier this year and further consultation will take place when the General Scheme of the Bill has been prepared.

Provide Secretarial support to the Personal Injuries Commission (PIC)

The establishment of the Personal Injuries Commission was one of the key recommendations in the Cost of Insurance Working Group (CIWG) Report on the Cost of Motor Insurance published on the 10th January, 2017.

The PIC is chaired by Mr. Justice Nicholas Kearns and other members were appointed from the legal, medical, insurance sectors and relevant Government Departments and Agencies.

The terms of reference for the PIC are set out in the CIWG Report and include assessing the potential for the use of severity scales by medical professionals in the assessment of soft tissue injuries, and the use of standardised reporting, - benchmarking of international awards for personal injury cases, and analysing and reporting on international compensation levels and compensation.

The first meeting of the PIC took place on 10 February, 2017 and monthly meetings have taken place since and will continue for the duration of the PIC.

The work of the PIC is phased over 18 months up to 30 June 2018. The first Report was submitted to the former Tánaiste and Minister for Business, Enterprise and Innovation for approval on 16 November, 2017.

The Report is being submitted to the Government meeting of 5th December, 2017 for approval. It will then be published. The second Report is due in March 2018 and the Final Report and Recommendations are due in June 2018.

Represent the Department of Jobs, Enterprise and Innovation on the Cost of Insurance Working Group (CIWG)

The CIWG, chaired by Minister of State Eoghan Murphy T.D., was established in July 2016 in response to the rising cost of insurance and a Dáil motion. The CIWG brings together all the relevant Departments and Offices involved with the process.

Its objective is to identify immediate and longer term measures which can address increasing insurance costs, while bearing in mind the need to maintain a stable insurance sector. Officials from the Department of Jobs, Enterprise and Innovation are an integral part of the Working Group since its establishment.

The first phase of the Group's work involved an examination of the Motor Insurance sector. Following approval from Government, a Report was published on the Cost of Motor Insurance on 10 January 2017 which contains 33 recommendations. A number of the recommendations come under the responsibility of DBEI/PIAB including the establishment of the Personal Injuries Commission

The Working Group commenced the second phase of its work earlier in 2017 which involves an examination of Employer Liability and Public Liability Insurance. Their Report is due to be published shortly.

3.4 Workplace Regulation & Economic Migration Division Clare Dunne, Assistant Secretary

Business Unit in the Division	Head of Unit (Principal Officer)
Workplace Relations Liaison Unit Industrial Relations Unit Employment Appeals Tribunal	Anne Coleman-Dunne
Economic Migration Policy Unit, Employment Permits Units and International Labour Organisation Unit	Fiona Ward
Safety Health & Chemicals Policy Unit	Stephen Curran
ICT Unit	Pat McCourt

Offices: Workplace Relations Commission ¹⁴ Labour Court Agencies: Health & Safety Authority	Oonagh Buckley – Director General Kevin Foley - Chairman Martin O'Halloran Chief Executive Officer
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Details of the key issues within each Business Unit of the Division are as follows:

Business Unit in the Division	Head of Unit (Principal Officer)
Workplace Relations Liaison Unit Industrial Relations Unit Employment Appeals Tribunal	Anne Coleman-Dunne

Ensuring effective oversight of the WRC and expanded Labour Court

The Workplace Relations Commission (WRC), established on the 1st October 2015 incorporates the former LRC, Equality Tribunal, NERA and first instance functions of the EAT. The Labour Court has become the single appellate body for all employment rights and equality cases in addition to renewed IR activity and expanded by the addition of an additional Division.

The WRC is to provide a world-class workplace relations service which is simple to use, independent, effective, impartial and cost-effective, to provide for workable means of redress and enforcement within a reasonable period and to reduce costs to business. The effective oversight of the new Body includes the setting of targets which are related to the vision set.

A strategy for the WRC was presented to the Minister in early 2016. A 2017 Work Programme was approved by the Minister and progress is monitored.

¹⁴ The first instance functions of the Employment Appeals Tribunal (EAT) were taken over by the Workplace Relations Commission on 1st October 2015. The EAT appellate functions were transferred to the Labour Court. However, The Employment Appeals Tribunal (EAT) cannot be wound up until it has disposed of its legacy caseload. It currently has c.95 cases outstanding.

Dissolution of the Employment Appeals Tribunal

In the context of the Workplace Relations Reform process, the Employment Appeals Tribunal (EAT) will be dissolved. The Workplace Relations Act 2015 transferred the first instance jurisdiction and appellate jurisdiction of the EAT to the Workplace Relations Commission (WRC) and the Labour Court (LC) respectively. However, all cases submitted to the EAT before 1 October, 2015 must be disposed of by the EAT.

The EAT will be dissolved after it has disposed of all complaints and appeals referred to it before the commencement date. However, the EAT cannot be dissolved as an entity until all of the legacy cases have been dealt with. Currently there are c. 95 cases outstanding.

Joint Labour Committees (JLCs) and Legal Challenge

The Industrial Relations (Amendment) Act 2012 was enacted to reform the Joint Labour Committee wage setting framework. The Act provides that a review of existing JLCs be carried out by the Labour Court every 5 years. The first of such Reviews was completed in April 2013. In January 2014, Ministerial Orders to give effect to recommendations of the Review were signed, including the Order reconstituting the JLC for the Security Sector.

A Joint Labour Committee (JLC) comprises equal numbers of representatives of employers and workers in a sector and chaired by an IRO from the Labour Court appointed by the Minister. JLCs meet to negotiate and agree proposals for terms and conditions to apply to specified grades or categories of workers in their sector. If the Committee, following a public consultation process, adopts proposals it will submit them to the Labour Court for consideration. If the Court accepts those proposals it will forward them to the Minister with a recommendation and if the Minister considers it appropriate, will make an Order (Employment Regulation Order) giving effect to the proposals.

There are JLCs for the following sectors – Agriculture; Security; Retail Grocery and Allied Trades; Hairdressing; Contract Cleaning and Catering. The first two Employment Regulation Orders under the new legislation came into effect on 1st October 2015 and relating to the Security and Contract Cleaning Sectors.

In April 2017, the Security Industry JLC agreed proposals for an amended Employment Regulation Order which were adopted by the Labour Court and subsequently sent to the Minister for consideration. The Minister signed the Employment Regulation Order to have effect from 1 June 2017.

Legal Challenge

A legal challenge on behalf of Top Security Ltd, Morbury Ltd, Guardex Ltd, Carnito Ltd and LAS Security Ltd was entered in December 2015. Defendants are the Security Industry JLC, the Labour Court, the Minister for Jobs, Enterprise and Innovation, Ireland and the Attorney General.

The Chief State Solicitors Office filed a Memorandum of Appearance in the High Court in January. The Plaintiffs served a Statement of Claim in the case and the Chief State Solicitors Office is engaged with the Department and has retained legal counsel in the preparation of the State's defence. No date has been set for the hearing at the High Court. In April 2017 the Security Industry JLC agreed proposals for an amended Employment Regulation Order which were adopted by the Labour Court and subsequently sent to the Minister for consideration. The Minister signed the Employment Regulation Order to have effect from 1 June 2017.

Sectoral Wage Setting (post McGowan)

In May 2013 in the *McGowan* case, the Supreme Court found parts of the Industrial Relations Act 1946 unconstitutional. The Industrial Relations (Amendment) Act 2015 addressed the ruling and provides a revised legislative framework that is fully informed by the Supreme Court judgment and expected to withstand constitutional challenge in the future.

Since the introduction of the legislation, one Sectoral Employment Order has been signed into law for the construction sector in October 2017 and received the approval of both Houses of the Oireachtas. A further similar Order for the Mechanical Sector is pending. The Labour Court recommendation in this case is expected to be submitted to the Minister in December 2017. If the Minister accepts the Labour Court recommendation the Order confirming the recommendation in law will need to be submitted for the approval of both Houses within six weeks of receipt.

We will monitor single enterprise agreements, assist with any submission from the Court for SEOs to the Minister, advise the Minister and manage the legislative process if such proposals are accepted by the Minister.

Access of Garda Representative Bodies to WRC and Labour Court

The first Murphy Report on Industrial Relations Structures for An Garda Síochána was published in July 2017 and brought to Government in September 2017. Government approved, inter alia, the heads of a Bill to amend Industrial Relations legislation to allow access to the WRC and the Labour Court by the Garda Representative Associations.

Government approved also recommendations in relation to retaining the status quo of the associations and not allowing for trade union status or the right to strike. Government gave a mandate for the commencement of phase II of its work which kicked off in November 2017.

The Department is fully involved with this process.

Advise the Minister on IR developments generally and specific disputes. Advise as required on the consideration of any new structural arrangements Government may require to help manage industrial relations tensions that may emerge as pay pressures intensify in a rapidly recovering and growing economy.

The Minister for Public Expenditure and Reform, the Minister for Finance and the Minister for Jobs Enterprise and Innovation jointly submitted a proposal to cabinet in July 2016 seeking approval for the establishment of a Labour-Employer Economic Forum. Approval was given to the Ministers to proceed with the formation of the Forum.

The Labour-Employer Economic Forum (LEEF) is a formal structure for dialogue between representatives of employers and labour to discuss economic and social policies insofar as they affect employment and the workplace. LEEF meets on a quarterly basis and is jointly chaired by the sponsoring Ministers with the Taoiseach chairing the first meeting annually. A number of meetings of LEEF have taken place over the course of 2016 and 2017 on issues ranging from the macro-economic outlook, Brexit, pensions and the Social Welfare Pensions Bill 2017 and housing.

Business Unit in the Division	Head of Unit (Principal Officer)
Economic Migration Policy, Employment Permits, International Labour Organisation	Fiona Ward

The focus of the employment permits regime in recent years has been to ensure that the skills requirements of enterprise in the State can be met through economic migration where necessary; as we approach full employment, labour as well as skills needs are beginning to manifest. It is critical that our economic migration/employment permit system can continue to respond to emerging needs.

Review of rationale for economic migration policy

As the economy improves, the Department is being put under pressure to open up the employment permit regime to lower skilled workers in certain sectors.

While there is some anecdotal evidence of a tightening labour market in some sectors, the fact remains that there are 249,000 on the live register, and with a potential pool of 18.5 million unemployed in the EU 28. Thus, DBEI needs to be prudent in considering whether to open up the labour market to unskilled non-EEA workers; on the one hand DBEI needs to ensure that labour shortages in key sectors do not stall economic growth; conversely it also needs to ensure the Irish labour market is not disrupted.

It is timely to fundamentally review the policies underpinning the current employment permits regime, to ensure that it is fully supportive of Ireland's emerging labour market needs, be they skills or labour shortages in certain sectors.

DBEI is to establish and Chair an IDG made up of relevant State actors eg D/AFM, D/Health, DTTAS, D/Finance, DPER, D/Justice & Equality, and D/EASP. Its principle objective will be to consider the rationale for an employment permit system where the economy is improving and the labour market is tightening. Draft terms of reference for the IDG are currently being drawn up.

Employment Permit Applications Service Delivery

In support of the Department's objective to improve service to businesses, the Employment Permits Online System (EPOS) was launched in September 2016 which provides an intuitive, user friendly facility to submit online permit applications, supporting documents and secure online fee payment service. The system has supported faster turnaround of applications by removing the requirement for applicants to fill out application forms by hand and reducing errors and rejected applications.

Currently, over 95% of employment permit applications received are being submitted online. The Average Wait Time for processing employment applications from January 2017 up to the end of October 2017 is 13 days compared to 22 days for the same period during 2016, which represents a reduction of 41% in the Average Wait Time. The number of employment permits that issued during 2017 up to end of October increased by 19% compared to the end of October 2016. In the same timeframe, there was also a 16% increase in the number of permits applications received compared to the same period last year.

This service enhancement along with other initiatives such as the introduction of the Trusted Partner Initiative in 2015 will be followed by further developments to make additional associated application forms available for submission online.

Bi-annual review of Highly Skilled Eligible Occupations List and Ineligible Categories of Employment List

The Employment Permits Acts provide flexibility to deal quickly with changing labour market, work pattern and economic development needs

The employment permits system is managed in part through the operation of the highly skilled and ineligible lists for the purpose of grant of employment permits. The Highly Skilled Eligible Occupations List (HSEOL) lists occupations in high demand in the Irish labour market and the Ineligible Categories of Employment List (ICEL) lists occupations for which there is ample capacity already in the Irish/EEA labour market. Occupations not included on either list are considered eligible occupations but are subject to a Labour Market Needs Test (ie advertising).

This review process involves obtaining and considering advice from the Expert Group on Future Skills Needs (EGFSN) and Skills and Labour Market Research Unit (SMLRU - SOLAS). It also involves input from relevant Government Departments, Agencies, and industry as necessary

The first review of the highly skilled and ineligible lists of employment was concluded by APJ deadline of Q2 2017 (APJ Action 75). No changes were made to the lists

The second review for 2017 has commenced; it is expected that the Department will remain under pressure to remove a number of lower skilled occupations from the ineligible list. The HSEOL and ICEL have a legal basis in the Employment Permits Regulations.

Review employment permit fees

In 2015 the Department's review of employment permit fees established an appropriate cost recovery model and confirmed the system was recovering its costs.

It is imperative to ensure the employment permits system continues to recover its costs, is fair to business and that fees are applied proportionately

A second review of employment permit fees will commence in Q4 2018.

Implementation of the Supreme Court Judgement in NVH v MJE on the right to work of International Protection (IP) Applicants.

The Department of Justice and Equality convened a taskforce to examine the implications of the Judgement and propose solutions to Government. Ireland has decided to opt into the EU (recast) Reception Directive which give applicants access to the labour market no later than 9 months from the date when the application for international protection is lodged. It is proposed that IP applicants will have access to all eligible employments and in respect of ineligible employments those sectors where there is a tightening of the labour market. Officials from Economic Migration Policy worked proactively on the Taskforce and will continue this engagement on the Implementation Group to over-see the opt-in process and the practical arrangements for facilitating temporary access to the Labour market

Review and monitor ongoing occupational health and safety policy and legislative requirements and initiatives with particular reference to the construction and farming sectors

Both the construction and farming sectors are high-risk sectors from a workplace health and safety perspective. The operation, governance and accreditation of safety awareness and competence schemes for the **Construction sector** are under review in light of the establishment of SOLAS and the Education and Training Boards and a recent High Court judgement in respect of the power of SOLAS to require card holders to undergo reassessment before renewal of their card. Consideration is being given to legislative changes, if deemed necessary, to address the immediate outcome of the High Court Judgement. The Department will continue to work with D/Education and Skills, SOLAS and the HSA in relation to the satisfactory future operation, governance and delivery of safety awareness training for construction sector and to determine the best regime going forward.

Rate of farm accidents and fatalities remain disproportionately high and is a priority area of action by DBEI/HSA.

there are many HSA led initiatives to improve **farm safety** but there is a need to proactively further involve, and engage with, the farming community itself to instil the safety message in a practical way. In this regard, additional funding has been made available to the HSA in 2017 to undertake a more focussed farm safety promotion campaign.

Ongoing Chemicals Policy and Legislative Development and Implementation

Responsibility for the national chemicals regulatory framework is shared among a number of Government Departments and Agencies. The Safety, Health and Chemicals Policy Unit chairs an Inter-Departmental/Agency Group, which is aimed at ensuring good communications and co-ordination among the various Departments/Agencies with a role in the area of chemicals regulation and especially for those with particular responsibilities under the Chemicals Acts 2008 and 2010. The chemicals regulatory regime as set out in EU Regulations such as "REACH" (Registration, Evaluation, Authorisation and Restriction of Chemicals) and "CLP" (Classification, Labelling and Packaging) is complex and requires work at EU level on implementation, review and amendment. The Department, with expert support from the HSA services these demands. The Unit supports the HSA in fulfilling its obligations as the lead Competent Authority in Ireland for the EU REACH, CLP, Detergents and Rotterdam Regulations, and the Seveso III Directive, and in helping industry to comply with the demands of EU regulatory regimes.

Next Steps

- Development of Irish position on various European Commission Proposals to amend the Annexes of the REACH and CLP Regulations which are discussed and voted upon at the REACH Committee;
- Development of Irish position on European Commission Proposals to amend the Carcinogens & Mutagens Directive 2004/37/EU and an assessment of the national legislative framework for carcinogens and chemical agents;
- Legal settlement of draft Regulations in relation to Rotterdam and Detergents (Chemicals Act)
- Transposition of Commission Directive 2017/164 on establishing a fourth list of indicative occupational exposure limit values (Carcinogens);
- Agreement with stakeholders on two outstanding issues relating to the implementation of the SEVESO III Regulations as follows:

- a. Non designation of the Harbour/Port Authorities as a competent authority with the result that they remain formally outside of the emergency planning aspects of the Seveso regime which presents a safety risk in the event of the release of a dangerous substance/fire/explosion.
- b. Implementation of the land-use planning controls required by the Seveso Directive in Ireland.

In addition, there is a potential impact arising from Brexit on how industry in Ireland manufactures chemicals or uses, transports or places on the market chemicals as depending on how and where Irish industry sources chemicals.

Ensure appropriate liaison mechanisms are in place between DBEI & the Health and Safety Authority with particular reference to governance matters

The Authority was established in 1989 under the Safety, Health and Welfare at Work Act, 1989. The Authority has a number of major roles including responsibility for ensuring that workers and those affected by work activity are protected from work related injury and ill-health, it enforces occupational health and safety law and promotes accident prevention in the workplace.

It is the lead National Competent Authority for a number of chemicals regulations and is a key agency involved in market surveillance, ensuring the safety of products and enabling the international movement and trade of goods manufactured in Ireland. The National Accreditation Board is a committee of the Health and Safety Authority.

Next steps:

- Ongoing liaison & governance through regular formal liaison meetings, informal day-to-day contact as well as analysis of material from HSA in respect of PQs, financial reports etc.
- Commence discussions with HSA on agreeing the new Oversight and Performance Delivery Agreement for 2018 once final template and instructions received from MSU;
- Progress Ministerial approval for HSA 2018 Programme of Work;
- Analyse HSA Workforce Plan when formally received.

3.5 EU Affairs, Trade Policy and Export Licencing Division Philip Kelly – Assistant Secretary

Business Unit in the Division	Head of Unit (Principal Officer)
Brexit Unit	Pauline Mulligan
EU Affairs and Single Market Unit	Conor Verdon
Trade Policy Unit	John Hughes
Export Licensing Unit	Eamonn Cahill
Permanent Representation Brussels	Tommy Murray Anne Marie Finlay
Permanent Representation Geneva	John Newham
Irish Embassy, London	Páraig Hennessy

Details of the key issues within each Business Unit of the Division are as follows:

Business Unit in the Division	Head of Unit (Principal Officer)
Brexit Unit	Pauline Mulligan

Coordination of DBEI and Agency operational and policy response to Brexit

Brexit Unit leads on the coordination of DBEI & Agency analysis and policy and operational response to Brexit as part of the overall Government response being led by the Department of Foreign Affairs and Trade. The Unit supports the Minister and Management Board in relation to all aspects of impacts – risks and opportunities - arising from the UK referendum result. It also leads, coordinates and supports DBEI representation at external Brexit related groups in addition to the Minister's participation in the Cabinet Committee on EU Affairs and Brexit.

DBEI Brexit Response Plan – Building Stronger Business – *Responding to Brexit by competing, innovating and trading* – published on 9 November 2017

DBEI published a point in time paper outlining what the Department and its Agencies are doing in response to Brexit. It summarises the policy measures we have already taken, those we plan to take, our research programme designed to inform these policies, and the Departmental structural reforms put in place to ensure that we can work as efficiently and effectively as possible to support our companies. The Paper outlines our strategy to minimise risks and maximise opportunities by ensuring the growth and resilience of Irish enterprise working across four pillars which are;

- **Helping Firms to Compete:** We are working across Government to create the best environment for business to grow, export and create jobs. Key elements include ensuring that: firms have access to finance; our tax regime and infrastructure spend promote national competitiveness and the agencies are appropriately resourced to help business focus on competitiveness at firm level.
- **Enabling Firms to Innovate:** As part of our strategy to become a Global Innovation Leader, we are targeting R&D funding through our agencies to support innovation in new products and processes which firms need to compete and grow and to invest in the pipeline of the next generation innovators through a new postgraduate researcher programme.
- **Supporting Firms to Trade:** We are supporting firms to start exporting, to grow their exports in existing markets and to diversify into new markets and regions. We will continue to attract overseas investment while working with EU partners to expand the portfolio of Free Trade Agreements.

- **Negotiating for the Best Possible Outcome:** We are working across government to ensure we get the best outcome possible for business from Brexit negotiations. DBEI is leading a range of Brexit research projects which will provide an extensive evidence base and valuable analysis to inform and guide Ireland's position within the EU-27.

Brexit groups managed by DBEI Brexit Unit

Brexit Unit provides secretariat to a number of internal DBEI groups to consider the impacts and implications of Brexit, develop policy responses and oversee implementation. The DBEI Brexit Co-Ordination Group is chaired by the Minister and membership consists of the CEOs of EI and IDA along with senior DBEI officials. The Cross Divisional Senior Officials Group is chaired by the Secretary General. The Brexit Trade and Investment Group is led by the A/Secretary in the Division and includes membership at that level from the Departments of An Taoiseach; Foreign Affairs & Trade; Agriculture, Food & the Marine; Transport, Tourism & Sport; Public Expenditure & Reform; Finance; and the Revenue Commissioners. To ensure that the Department engage in more in-depth and frequent dialogue with our stakeholders Brexit Unit also supports a newly established DBEI Enterprise Forum on Brexit and Global Challenges. Chaired by the Secretary General with Minister attending quarterly this Group is comprised of senior officials from DBEI, EI, IDA, and SFI along with a number of Business Representation Groups such as ISME, Ibec, Chambers & Retail Ireland.

External Brexit groups on which DBEI is represented

Brexit Unit represents DBEI on the Senior Officials Group led by D/Taoiseach which prepares the Cabinet Committee on EU Affairs & Brexit. We also participate on an Inter-Departmental Group on EU & Brexit led by the Department of Foreign Affairs & Trade which meets every fortnight and oversees the work of a myriad of cross Government working groups established on a sectoral basis. DBEI leads the Brexit Trade & Investment Group which considers the trade impacts of Brexit and our trade priorities in the context of the negotiations. The working groups analyse impacts and implications of Brexit and identify appropriate policy responses which by way of contingency actions and/or policy positions to be taken in negotiations.

The next meeting of the IDG on EU & Brexit Coordination Group is scheduled for **Friday 8 December**. The next meeting of the Enterprise Forum on Brexit and Global Challenges is due to take place in December. The Senior Officials group meets in advance of the Cabinet Committee and the Brexit Trade & Investment Group every 2/3 weeks with the next one due to take place in mid-December.

Engagement with Stakeholders

Brexit Unit leads on engagement with the Department's stakeholders to inform our approach and policy positions on Brexit in consultation with relevant Divisions. Dialogue is happening through existing channels of communication with stakeholders, via APJ National & Regional Implementation Groups, Retailers Forum, Horizon 2020 High Level Group and the Enterprise Forum on Brexit and Global Challenges. The Unit coordinates Brexit meetings with stakeholders with broad based interest across the Department.

Since the UK vote to leave the EU Ministers and officials have been engaged in extensive bilateral engagement with EU counterparts. Most recently An Tánaiste met with Commissioner Vestager in Brussels to discuss the unique challenges that Irish companies are facing as a result of Brexit and flexibilities within State Aid rules. At that meeting they agreed to establish a working group on how

to help Irish business deal with Brexit to consider with Commission officials on an ongoing basis potential future supports for Irish business.

Brexit Unit has led in the preparation of 2 large stakeholder engagement events to feed into the Plenary Meetings of the All-Island Civic Dialogue process on Brexit – the first was in Leitrim in January involving all DBEI stakeholders and the second was a joint event in July in Dublin with the Department of Education & Skills focussing on enterprise skills needs and Brexit. We are now planning the next event which will focus on the Trade Implications of Brexit to share key findings from an econometric modelling study assessing the impact of Brexit on a range of different short and long term scenarios. It is hoped to have the event in January/February subject to Minister's diary availability. In addition we are in consultation with the Department of Education & Skills in relation to a further joint event in the New Year to focus on research and innovation implications of Brexit.

Research & analysis to inform policy response to Brexit

Brexit Unit oversees research and analysis being undertaken by the Department and its Agencies and monitor research published by external bodies to better inform our policy response-

Two pieces of research have been completed and are due to be published in the coming weeks:

- i. A study on **Cross-Border Trade and Supply Linkages** which InterTrade Ireland (an Agency funded by DBEI) has commissioned ESRI to complete. This follows on the first phase of work which focussed on the Potential Impact of WTO Tariffs on Cross-Border Trade published earlier in the year. This second phase of work examines the patterns of cross-border trade on the island of Ireland, focusing on the role of supply chain links, measured by the extent of trade in intermediate products and the contribution to overall trade of two-way trading firms (those simultaneously importing and exporting).
- ii. A repeat of a **survey of over 1,000 SMEs** carried out earlier this year to capture their views of the impacts of Brexit particularly in light of currency fluctuations but with regard generally to financing and investment.

Five current pieces of research and analysis include:

1. A major study examining the **Strategic Implications arising from EU-UK Trading Patterns** is close to completion. This study will provide an evidence base on key trade and investment questions to inform Ireland's position as part of the wider negotiation on the UK's future relationship with the EU. Using a computable general equilibrium model to quantify new barriers to trade in goods and services which might emerge as a result of Brexit, this study will:
 - Quantify impact of seven possible Brexit outcomes scenarios on trade and investment – the impact of these outcomes on metrics such as GDP and employment will be considered, and analysis of both medium and long term impacts will be examined;
 - Provide in-depth analysis of key sectors. The study will decompose the potential trade and investment impacts for key sectors and in each scenario to identify which elements contribute to the results (i.e. tariffs, non-tariff barriers, transit costs, other trade costs), leading to sector-by-sector understanding of solutions;
 - Develop policy options for Ireland in relation to the EU-UK negotiations and in terms of the development of enterprise (mitigation) policies;
 - Profile trade and investment patterns in other EU countries to better understand their interests and to identify potential allies for Ireland.
 - In summary, this study will provide an evidence base on key trade and investment questions to inform Ireland's position as part of the wider negotiation on the UK's future relationship with the EU and will inform the development of sectoral mitigation measures.

2. A study examining the **Sectoral implications arising from Brexit** focused on those sectors most exposed to the UK is also due to be completed in coming weeks.
 - This qualitative research examines the implications at firm-level for Ireland's most exposed enterprise sectors of the UK being outside of the European Single Market and Customs Union. A pilot exercise to assess the impact on three sectors (food/drink, wholesale/retail, and computer consultancy) was completed, and based on the results from the pilot study, the project has been extended to another 15 sectors. The study is expected to be completed by end 2017.
3. A study examining the **Import Content of Irish Exports: Implications of Brexit for Inputs and Competitiveness** and the extent to which Irish firms source intermediate inputs from the UK is due to be completed by Q1 2018. This research will provide empirical evidence on the import content of Irish firms' exports, how firms may be exposed to changes in the trading environment after Brexit and the impact of Brexit on inputs, and competitiveness.
 - This analysis is based on the detailed firm-level trade transactions data on imports and exports at the product level. As services trade data is not available at the same level of detail, a sector-level approach on the sourcing of services inputs is planned, using information from input-output tables.
4. A study examining the **Skills needs arising from the Potential Trading and Regulatory Implications of Brexit** is also due to be completed in Q1 2018. This research, undertaken by the Expert Group on Future Skills Needs (EGFSN), will seek to establish the readiness of the Irish enterprise base to navigate the potentially more restrictive and complex trade and regulatory environment post-Brexit, by way of access to and availability of relevant skillsets.
 - This study is partly an update on two previous EGFSN reports on skills for enterprise to trade internationally and those in the freight transport, distribution and logistics sector. This piece of contingency analysis will seek to establish whether the current associated skills supply and provision is fit for purpose in offsetting the potential trading and regulatory challenges of Brexit. Where required, it will establish and propose skills-related actions to boost this capacity in the Irish enterprise base.
5. A study by the Competition and Consumer Protection Commission (CCPC) in conjunction with the ESRI analysing the **Financial Impact of Brexit on Consumers in Ireland** is due to be completed before the end of this year. This research project will identify the potential financial impacts of Brexit on Irish consumers arising from the potential for price increases on goods imported from the UK, under a number of potential post Brexit trade scenarios.
 - The project will consider a range of specific post Brexit trade scenarios and will include detailed modelling of the price implications of each of the scenarios assessed for a variety of consumer product categories taken from the most recent household budget survey. The project will also take account of various household types by income.
 - A range of other impacts will also be considered including: the potential implications of a sterling depreciation; whether imported goods were produced in the UK or trans-shipped through UK, and the potential for new distribution channels for the latter; the impact of intermediate good import costs on the price of domestically produced consumer goods; the impact that import price increases may have on demand for a range of consumer product categories. It is expected that this will be completed by year end.

Brexit impacts across DBEI

Brexit Unit coordinates on impacts and implications of Brexit on policy areas across DBEI and feed these into the central groups led by the Department of Foreign Affairs & Trade. Brexit will have significant impact across practically all policy and operational areas of the Department and our family of Agencies.

Key risks exist in trade and enterprise policy given our reliance on the UK as an export market with some sectors, particularly in the indigenous enterprise base, more exposed and having a heavy regional and rural footprint. The with most immediate impacts has being felt as a result of currency fluctuations. Impacts will be pronounced on north/south trade and INTERREG funding and there are also risks associated with potential for regulatory divergence in the medium term and the loss of the UK as a strong like-minded ally in EU negotiations more generally. On the other hand there are opportunities in Foreign Direct Investment and in research and innovation.

Given Brexit is likely to represent a structural shift in the **UK trading relations** with partners, short, medium and long term responses are needed for Irish business. These include market diversification, cost reduction, innovation and price repositioning. EI in particular is focusing its support on measures to address these issues for client companies. DBEI has been and will continue to play a critical role in identifying what our strategic trade priorities should be in approaching the Brexit negotiations. Key issues already highlighted and taken into account in the Negotiating Guidelines agreed by the European Council and Directives agreed by the General Affairs Council include the need for **transitional arrangements** and the issue of **transit** both of which will now be addressed in the exit agreement. DBEI will continue to provide policy direction and advice to the centre in relation to the negotiations between the EU and the UK on the trade deal and on other areas of policy for which DBEI has responsibility.

The issue of **currency fluctuation** between the euro and sterling has been identified from an early stage as a factor liable to have an effect on the competitiveness of Irish exports to the UK. Policy responses are being developed based on surveys of SMEs impacted by Brexit conducted by DBEI earlier this year and repeated in August/September.

Micro-enterprises and start-ups with **cross-border trade** relationships are particularly vulnerable to the effects of Brexit, and the impacts will be more keenly felt in the Border counties. InterTrade Ireland is supporting companies engaged in cross border trade through a range of enterprise support programmes to build capacity in research and innovation and sales and marketing to better prepare for Brexit.

Brexit provides an opportunity for Ireland to increase its **FDI** stock. Particular sectors from which investment opportunities may emerge include international financial services, technology, consumer and content business and life sciences. IDA is currently focusing its efforts on maximising these opportunities. However, the UK will also emerge as a stronger competitor for investment post-Brexit. The anticipated negative impact Brexit will have on the international commercial climate would also be likely to affect investor confidence, with the potential result of fewer projects coming to Ireland.

Ireland is well diversified in terms of our international research collaboration including through the EU Framework Programme for Research & Innovation – **Horizon 2020**. While the UK is an important partner for Ireland in research we are not overly dependent on the UK. There are opportunities for Ireland now to build further bilateral collaboration with the UK outside the EU and to further diversify our collaborations with other EU Member States in Horizon 2020. SFI has a number of programmes in place to deliver on this strategy.

The EU Guidelines also acknowledge the need for the EU to recognise existing bilateral agreements between the UK and Ireland – one of these is the Common Travel Area. If the CTA is upheld UK citizens would not require work permits to work in Ireland. However, the potential for 3rd country nationals who

might look to Ireland rather than the UK could place additional demands on the **employment permit regime**. This too presents an opportunity for Ireland, enhancing our attractiveness to a mobile, highly skilled pool of workers, both from within and without the EU/EEA – the challenge is to ensure that our offering to attract such talent remains competitive.

Potential impacts on a number of policy areas within DBEI fall into the category of **regulatory divergence**. These are areas where potential impacts emerge depending on the extent to which the UK align post Brexit with existing regulations and legislation underpinning these areas which include: company law, intellectual property, state aids, standards, social rights for workers. Securing a deep and Comprehensive Free Trade Agreement between the UK and the EU could serve to address some of these issues.

Another horizontal issue which arises across the range of policy areas within DBEI remit is the **loss of a like-minded ally** in the UK in terms of our policy approach to EU negotiations. Efforts are already underway to build stronger alliances with like-minded Member State to counteract the loss of the UK voice in negotiations at EU level across the broad range of policy areas within the remit of DBEI.

The work of our various groups, the research being undertaken by DBEI and the results of our stakeholder dialogue will ultimately inform policy positions to be taken during Brexit negotiations and contingency action required to mitigate risks and maximise opportunities.

Business Unit in the Division	Head of Unit (Principal Officer)
EU Affairs Unit	Conor Verdon
Single Market Unit	

EU Competitiveness Council – Internal Market and Industry Issues

The EU Competitiveness Council is normally held over two days, with the Industry and Internal Market agenda items on day one, and the Research element on day two. This Department co-ordinates, prepares and develops policy inputs to the EU Competitiveness Council on both horizontal and sectoral issues.

The focus of the Competitiveness Council is on enhancing and sustaining competitiveness, jobs, growth and productivity in Europe. The Council strives to ensure a coherent and coordinated approach to all policies impacting on these areas.

The Competitiveness Council is also vehicle for discussing and monitoring Single Market policies. The Competitiveness Council normally meets on three occasions during each six-month Presidency. This usually includes two formal Council meetings held in Brussels, or sometimes in Luxembourg, and one informal Council meeting which is hosted in the Member State that currently holds the rotating Presidency. The Presidency of the Council is currently held by Estonia (until the end of December 2017), and the next three Presidencies will be held by Bulgaria (January to December July 2018), Bulgaria (January to June 2018), Austria (July to December 2018), and Romania January to June 2019.

The Competitiveness Council will next meet in Informal session on 1 February 2018 in Sofia under the Bulgarian Presidency. The meeting will address EU Industrial Policy. The next formal meetings of the Competitiveness Council are scheduled for 12 March and 28 May Brussels.

Single Market Strategy Act as DBEI lead

The Single Market Strategy – “Upgrading the Single Market: more opportunities for people and business” – was adopted by the Commission on 28 October 2015. The Internal Market is one of the 10 political priorities of the Juncker Commission, and the Single Market Strategy has been included in each of the annual work programmes of the current Commission.

Ireland has been consistently active, including in mobilising like-minded Member States, in urging the Commission to be ambitious in making progress on deepening the Single Market, especially for services, where much remains to be done. Ireland had a strong engagement in the preparatory process leading up to the adoption of the Single Market Strategy. We have had regular engagement with the Commission, at both Minister/Commissioner and senior official level, and have led on, or participated in, a number of like-minded initiatives from 2015 to date. Most recently, in November 2016, Ireland took the lead in producing a like-minded letter, signed by 10 Member States including the Netherlands, Sweden and Denmark, calling on the European Commission to introduce ambitious measures to make it easier for businesses to provide services on a cross-border basis in other EU Member States.

The Single Market is a strong priority at the highest political level in the EU, and features regularly on the agenda of the European Council, most notably at the June European Council. Indeed, the European Council has set a high level political target for all of the measures included in the Single Market Strategy to be delivered, at EU level, by the end of 2018.

The Strategy comprises a series of targeted actions, to be progressed over the period from 2016 to 2018. The lead role for some of these actions fall within the remit of other Government Departments. In 2017 key proposals for DBEI include the Services e-Card, stricter Commission notification arrangements and the proposed Single Market Information Tool

Examination and negotiation of proposals on a European Services eCard from the EU Commission Single Market Strategy

On 10 January 2017 the EU Commission presented its ‘Services Package’. The package included a Regulation and a Directive to introduce a European Services e-card (ESC) for key sectors of the economy such as construction and business services.

The ESC aims to improve the single market for service providers by reducing administrative complexity for service providers that want to expand their activities to other Member States. Initially it will be offered to service providers in the business and construction sectors and the related activities which fall under the Services Directive. These sectors have been identified as sectors of economic importance where there is currently little cross-border activity.

The Regulation introduces the European services e-card and sets up tools which are available for service providers throughout the EU. The Directive sets out the legal and operational framework of the European services e-card. The Department is actively involved in discussions at EU Council technical working group level on the Regulation and the Directive, which are expected to continue during the upcoming Bulgarian Presidency.

Examination and negotiation of proposals on the Enforcement of the Services Directive

On 10 January 2017, the EU Commission presented its 'Services Package'. The package included a Directive to introduce an obligation on Member States to notify the Commission in advance of proposed new regulatory measures relating to services.

The objective of this proposal is to contribute to more competitive and integrated services markets through improved application of the Services Directive.

The advance notification procedure will allow the Commission liaise with Member States before they introduce new regulatory measures and this will help prevent the introduction of unjustified and disproportionate regulatory barriers that hamper the cross-border provision of services.

A general approach on this Directive was adopted at Council in May 2017. The European Parliament is still examining the proposal. It is expected that Parliament will vote on the proposals in December.

The Department will remain actively involved in discussions at EU Council technical working group level as this Directive progresses through trialogue.

Examination and negotiation of a proposal on a Single Market Information Tool from the EU Commission Single Market Strategy

On 2 May 2017 the EU Commission presented its 'Compliance Package'. The package included a proposal for a Single Market Information Tool (Regulation). This will allow the Commission to obtain, in clearly framed cases, timely, comprehensive and reliable quantitative and qualitative information from selected market players in specific instances, and as a last resort, where there are indications of serious difficulties with the application of EU Single Market legislation.

The proposed Regulation aims to help the Commission monitor and enforce internal market rules. The Commission goal is that this new tool will be used in areas where the EU can deliver tangible results that are most important to citizens and businesses. The Commission contends that with more efficient enforcement tools, the EU will be able to act and ensure full compliance more quickly and more effectively in its chosen priority areas.

The Department is examining the details of this proposal, and will consult with appropriate stakeholders. We will actively engage in negotiations at Council technical level in Brussels when they commence.

Government services to business will be available online by November 2017 (Also an initiative under the Action Plan for Jobs 2017)

Following an EU Pilot infringement case initiated by the European Commission against Ireland in July 2015 for possible violation of Articles 6-8 of the Services Directive, this Department obtained a Government Decision in November 2015 to make all significant Government services to businesses available online by November 2017. The follow-up to this Government Decision resulted in the inclusion of appropriate actions in the Action Plan for Jobs in both 2016 and 2017.

This initiative is aligned with one of the core objectives of the Public Sector ICT Strategy of Digital First, that is, the digitisation of key transactional services and the increased use of ICT to deliver improved efficiency within public bodies and provide new digital services to businesses.

The Department has given regular updates to the European Commission on Ireland's progress in meeting its commitment to making the appropriate services to business available online by the target date of November 2017.

That deadline has now been reached and the Department is preparing a final report outlining significant success in meeting Ireland's commitments, with a view to its submission to the Commission in December

Services Directive Implementation

The Services Directive was implemented in Ireland in November 2010 by SI 533 of 2010 – The European Union (Provision of Services) Regulations.

The Services Directive aims to maximise the advantages of the Single Market for services for the benefit of consumers and businesses. It obliges Member States to increase transparency for undertakings and service recipients including through a dedicated website, known as the "Point of Single Contact", and eliminate unjustified or disproportionate requirements. The Directive covers a large variety of sectors ranging from traditional activities to knowledge-based services. The impact of the Directive is wide-ranging and affects service providers both large and small, including thousands of SMEs.

A key priority is to ensure that relevant Irish legislation, public policies and practices are in conformity with the Directive.

Continuing monitoring of relevant national legislation for compliance

Further enhancement of single market portals, such as, Point of Single Contact (PSC), SOLVIT, IMI and Your Europe

Participate at key business events to raise awareness and publicise the benefits of the Directive

Business Unit in the Division	Head of Unit (Principal Officer)
Trade Policy Unit	John Hughes

EU Trade Policy and Free Trade Negotiations

International Trade Policy is a competence of the EU Commission under the EU Treaties and defined as the Common Commercial Policy. Under this architecture the Commission makes legislative proposals and leads on international trade negotiations and the Member States approve negotiating directives (mandates) and engage with the Commission on the substance of all trade proposals through various Committees, including the Trade Policy Committee, and at Ministerial level through the Trade Council. Equally, Member States, at Council level, approve or reject the terms of Free Trade Agreements when negotiated. Against this backdrop, the current headline issues being pursued in the area of Trade Policy are:

- Mercosur negotiations (Argentina, Brazil, Uruguay and Paraguay)
- Mexico negotiations
- Specific Agreements with Vietnam, Singapore, Japan, Myanmar, Australia and New Zealand as distinct from updates/ongoing work such as Mexico, Chile, Mercosur etc.
- The “architecture” (i.e. the constituent elements of pure trade versus investment elements) of Free Trade Agreements which impact ratification processes
- Dataflows provisions in Trade Agreements
- CETA – The EU/Canada economic and trade Agreement now seen as “the model”
- Engagement with Civil Society and the Public on the merits of Free Trade
- TTIP (the EU-US Trade Agreement)
- The WTO agenda which is especially challenging at present and included key issues such as:
 - the position of USA (including non-filling of vacancies on the Appellate Board)
 - the debate on multilateralism versus plurilateralism versus bilateralism etc.,
 - the Ministerial Conference in December 2017 (MC 11)
 - xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx

The EU Commission President has currently prioritised the following topics/files:

1. Investment Screening
2. Australia & New Zealand negotiations
3. Advisory Group on Trade Agreements establishment
4. Publishing Mandates (case by case)
5. Multilateral Investment Court (to replace ISDS)

In addition to the foregoing there is a significant amount of day-to-day ongoing work in the Trade Policy arena at EU level such as Trade Defence Instruments, the Anti-Dumping methodology and so on.

On the 14th October 2015, the European Commission published its new international trade and investment strategy for the European Union, entitled ‘Trade for All: Towards a more responsible trade and investment policy’. This strategy responded to new economic realities in line with the EU's foreign policy. It includes measures to ensure that trade policy benefits as many people as possible, is more effective, transparent and in tune with EU values such as sustainable development, human rights, fair and ethical trade or the fight against corruption. It also committed to the publication of an Annual Report on the workings of various Free Trade Agreements, the first of which was published in October 2017 which was broadly positive in terms of impacts and benefits for the EU and the partner countries. Also, The Department has just commissioned a study from Copenhagen Economics on the impacts and opportunities for Ireland from current and future Free Trade Agreements which should be available in Summer 2018 and allow us dialogue with stakeholders on the subject.

Business Unit in the Division	Head of Unit (Principal Officer)
Export Licensing Unit	Eamonn Cahill

Export Licensing

The key features of the Unit's role are to:

- formulate and implement an effective export control regime in respect of military and dual use goods (goods which have a civil use but may also have a military application) as part of Ireland's commitment to global arms control, non-proliferation of weapons of mass destruction and human rights.
- implement arms embargos and trade sanctions in accordance with Ireland's international commitments and obligations as a member of the EU and UN.
- administer an online licensing regime for the export of controlled items.

Exports

Licensing Unit manages Ireland's controls on exports of controlled goods and technology i.e.:

- Dual-use goods set out in Council Regulation (EC) No. 428/2009 setting up a Community regime for the control of export, transfer, brokering and transit of dual-use items.
- Military goods as set out in the Control of Exports (Goods and Technology) Order 2012. The goods listed in that Order are based on the EU Common Military List of controlled goods.
- Goods that could be used for capital punishment or torture
- Goods destined for countries to which EU trade sanctions apply and
- Brokering of military goods and technology outside the EU.

Trade Sanctions

Licensing Unit, along with Department of Finance, prepares the necessary secondary legislation (Statutory Instruments) that provide the legal basis for implementing penalties for breach of EU sanctions. The Unit also provides assistance and clarification to Irish exporters in the area of trade sanctions and is a member of the Cross-Departmental International Sanctions Committee.

Legislation

On 28 September 2016, the European Commission published a proposal to reform "Council Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items", the current EU Dual-Use Regulation. The European Commission's proposal is designed to modernise European Union dual-use controls, for example, to address concerns arising from newer technologies such as cyber-surveillance technology. The European Commission's proposal includes a stronger emphasis on protecting human rights and controlling risks to international security, including from terrorism.

The European Commission's proposal will be decided upon by the Council and the European Parliament. The Department is actively involved at Council Working Party level. A revised regulation is likely to have implications for Irish exporters of dual-use goods and for the Department in its administration of dual-use export controls in Ireland. The current EU Dual-Use Regulation remains in force until such time as the Council and European Parliament approve a new regulation. It is unlikely that the Council and European Parliament will approve a new regulation before Q3 of 2018.

The Control of Exports Act 2008 is the primary Irish legislation providing for the control of exports. The Department is currently drafting the heads of a bill to update this act to take account of developments over the past decade.

Business Unit in the Division	Head of Unit (Principal Officer)
Permanent Representation Brussels	Thomas Murray AnneMarie Finlay

Trade Council

The Counsellor and team for the Trade Council, working with the Trade Policy Unit at HQ and colleagues in Permanent Mission Unit Nations (PMUN) Geneva, coordinates and consolidates strong working links with colleagues within the Permanent Representation, from other Government Departments and networks with the Commission, Council Secretariat, European Parliament, Commissioner's Cabinets, and individual Member States and groupings of member states to provide oversight and direction in respect of the management of the Department's interests across the wider Council agenda. A wide range of meetings across the above policy spectrum are serviced on a regular basis.

The formal meetings of the FAC Trade Council have take place on 10 December in Buenos Aires, in the margins of the 11th WTO Ministerial Conference

EU Competitiveness Council

The Counsellor and team for the Competitiveness Council deal with policy and legislation concerning Competitiveness, Single Market, Enterprise, Research, Innovation, Competition, Consumer, Company Law, Intellectual Property, and Space.

Largely framing the context of this work are various EU strategies, including the Digital Single Market strategy, the Single Market Strategy, the Circular Economy strategy, Horizon 2020, the EU Semester, and the EU's better regulation agenda.

The team, working with the respective policy sections at HQ, coordinates and consolidates strong working links with colleagues within the Permanent Representation from other Government Departments, and networks with the Commission, Council Secretariat, European Parliament, Commissioner's Cabinets, and individual Member States. This provides oversight and direction in respect of the management of the Department's interests across the wider Council agenda.

The team covers a wide range of meetings, both formal and informal, across the spectrum of the above agenda.

Key EU priorities within this agenda this year include the negotiation of 17 separate proposals for EU legislation, the review of the current EU Research Framework Programme (Horizon 2020) and shaping the new Framework Programme, and developing an EU industrial policy.

The next formal meeting of the Competitiveness Council will take place on 12-13 March 2018 Brussels.

Business Unit in the Division	Head of Unit (Principal Officer)
Permanent Representation Geneva	John Newham

World Trade Organisation (WTO)

The Counsellor and team for the World Trade Organisation oversees developments in the WTO concerning trade negotiations and trade disputes and manages and safeguards DBEI and Irish Policy positions within the EU in Geneva. They provide input into the trade negotiations at WTO and participate in International Labour Organisation (ILO) and World Intellectual Property Organisation (WIPO) meetings and as part of the Permanent Mission's team, they service other international organisations of interest to DBEI in Geneva. They coordinate and consolidate strong working links with colleagues within the Mission, from other Government Departments and network with the European Commission, WTO Secretariat and individual WTO Member States to provide oversight and direction in respect of the management of the Department's interests across the wider WTO agenda. They service a wide range of meetings across the spectrum of the above agenda including chairmanship of committees in the organisations represented. A key focus of the team is to understand, and report on, the implications on Brexit on the WTO and vice versa.

Negotiations in Geneva on preparation for the WTO's 11th Ministerial Conference in Buenos Aires in December has been ongoing for some time. Possible agenda items at the Conference will be negotiations on: Fisheries Subsidies, Public Stockholding (PSH) of Food, Domestic Support in Agriculture; eCommerce; and Public Food Programmes. However, US disengagement from the multilateral system has impacted negatively on the level of ambition for this Conference, nonetheless the EU has been pushing a progressive agenda to send a message in support of the multilateral, balance and fair rules-based trading system in support of jobs and wealth creation.

Business Unit in the Division	Head of Unit (Principal Officer)
Irish Embassy, London	Páraig Hennessey

Enterprise and Trade at the Irish Embassy, London

The Counsellor and team for Enterprise and Trade, London pursue and acquire an insight into matters relating to UK enterprise, trade and economic developments insofar as they may relate to Ireland's interests. They report on strategic issues relating to the specific areas of competitiveness, trade and inwards investment, innovation, research and the labour market, as well as reporting on the macroeconomic situation in the UK. They coordinate and consolidate strong working links with colleagues within the Embassy, Enterprise Ireland, IDA Ireland, Science Foundation Ireland, the many Irish Business Networks in the UK and officials across multiple UK Government Departments including the Department of Business Innovation and Skills. They attend and organise a wide range of business events in the UK.

The immediate focus is on ensuring up to date intelligence on the evolving UK position on Brexit in the aftermath of the General Election (8th June) and the initiation of Article 50 negotiations.

3.6 Strategic Policy Division Declan Hughes/David Hegarty¹⁵, (Assistant Secretary)

Business Unit in the Division	Head of Unit (Principal Officer)
Action Plan for Jobs	Gary Martin
New Sources of Growth and Innovation Advisory unit	Karen Hynes
Enterprise Policy, Tax and Economic Infrastructures	Maria Ginnity
Skills & Education, Enterprise Programmes and Policies Evaluations	Kevin Daly
Economic Analysis, Competitiveness, and Surveys	Marie Bourke
Management Support Unit, FOI and Customer Service Unit	Michael O'Leary
Communications Unit and Press	Cathy Madden

Details of the key issues within each Business Unit of the Division are as follows:

Business Unit in the Division	Head of Unit (Principal Officer)
Action Plan for Jobs & New Sources of Growth	Gary Martin

Action Plan for Jobs (APJ): Development, Monitoring and Implementation

DBEI works with the Department of the Taoiseach to achieve an integrated whole of Government approach to reform and addressing the key opportunities for, and constraints on, growing jobs, exports, investment and entrepreneurship. The Programme for a Partnership Government sets a target to increase the number at work by 200,000 by 2020, including 135,000 people outside of Dublin. The focus for 2017 is to support the creation of up 45,000 additional jobs.

DBEI leads the development of the Action Plan through analysis of policy issues that impact on the environment for job creation, extensive enterprise and wider stakeholder consultation, direct engagement with all Government Departments and relevant agencies and consultation with an Industry Partners Forum.

Monitoring through publication of quarterly progress reports is one of the key innovations of the Action Plan for Jobs (APJ) process. DBEI co-chairs with D./Taoiseach the Monitoring Committee at Secretary General level. The APJ Unit is also responsible for monitoring DBEI and its agencies quarterly reports and the implementation rate in 2016 was 93% for DBEI.

The 2017 Plan focuses on the immediate and medium-term challenges posed by the UK's decision to leave the EU, as well as a more volatile and changing trading environment. Although significant progress has been made in recent years, securing full employment and retaining jobs in the face of global uncertainty will be challenging. The preparation of APJ 2018 would need to commence by end June in order to have an APJ for Government by year end.

¹⁵ From 11 December 2017

eHubs Development Toolkit

The digital economy presents a unique opportunity to transform our enterprise potential in regions, smaller towns and rural areas, through the development of hubs for remote working and collaboration facilitated by high capacity broadband connectivity.

The Action Plan for Jobs 2017 (action 124) promotes the development of a network of eHubs across the country to support remote working, entrepreneurship and small business growth, developed through local enterprise initiatives, local authorities, LEOs and the enterprise development agencies.

As a first step, the Department of Jobs, Enterprise and Innovation undertook an audit of the space available for hot desking/shared office space for start-ups and small business in each county and convened workshop of regional eHubs and stakeholders in July. A best practice guide and toolkit is being developed.

Workplace Innovation Toolkit

The 2017 Action Plan for Jobs (APJ) commits to developing a toolkit as a resource for ambitious firms to innovate and compete successfully in an increasingly uncertain global trading environment, and to demonstrate how workplace innovation can play a role in improving firm level competitiveness, growth and job creation.

Workplace innovation is about the systematic adoption of workplace practices, grounded in evidence, that unleash employee-led knowledge, skill and innovation at every level of the organisation.

DBEI is developing with EI and the WRC a diagnostic toolkit to signpost companies to the relevant supports to help them improve and grow their business. The toolkit will cover four pillars: Employee engagement; Innovation; Productivity; and Training.

This is a collaborative initiative between SPD, Workplace Regulation and Economic Migration Division and the Workplace Relations Commission, together with EI and IDA. Consultations with employers and unions bodies are underway. Toolkit to be developed for online rollout by Q4.

Business Unit in the Division	Head of Unit (Principal Officer)
New Sources of Growth and Innovation Advisory Unit	Karen Hynes

Research Prioritisation Refresh - Technology Futures and Market-led Horizon Scan (with Innovation & Investment Division)

Innovation 2020 commits to a new cycle of research prioritisation and a market led horizon scanning exercise will be undertaken in order to identify strategic areas of commercial opportunity in global markets for Irish-based enterprises as the basis for the next cycle due in 2018.

The exercise will take into consideration, inter alia, recent and likely future advances in science and technology, as well as the dynamics of international markets and supply chains and policy developments.

The objective is to seek to future proof our current and future additional investment in publicly funded R&D, if forthcoming, by ensuring that we remain at the forefront of technologies that are critical to our economic growth.

Three strands of work to inform the refresh are currently nearing completion: a market-led horizon scanning exercise to identify strategic areas of commercial opportunity in global markets for Irish-based enterprises; a technology futures exercise which will present an informed assessment of technologies that are or will be critical to Ireland's economic and social development and how they will evolve over a 20 year timeframe; and an audit of progress on the current priority areas and new and emerging areas of national research strength and opportunity.

Case for Public Investment in RD&I and Knowledge Based Capital

Ireland's future economic growth will more strongly depend on the production, distribution and use of knowledge than ever before. Hence the strong focus as part of enterprise policy nationally and internationally on R&D, innovation, skills and key personnel, in addition to the importance at firm level of intangibles assets such as digital systems and knowledge; scientific and creative property; and company-specific human capital, company structure, advertising and brand value.

The output is a clear case for increased investment in publicly funded RDI, including through DBEI, and better understanding and articulation of its role in Ireland's future economic development, towards the outcome of achieving an increase in public and private investment in knowledge based capital in Ireland and optimising the return on investment.

This is input to the Capital Review underway, including a Focused Policy Assessment of DBEI RDI expenditure and more generally as part of a programme of advocacy by DBEI.

Review complete by mid-year as part of the Innovation Focused Policy Assessment, DBEI pre-Budget submission and input to the potential Capital Programme mid-term review.

Digital Economy Strategy for Ireland

The Department will progress interdepartmental group on Digital Economy with Department of An Taoiseach. Complete analysis of impact of digitalisation on manufacturing sector and Industrie 4.0 and the policy issues arising.

Licences.gov.ie – Reducing Red Tape through Integrated Licensing Application System

The

introduction of an Integrated Licence Application Service (ILAS) was a disruptive reform in the Action Plan for Jobs. The objective is to reduce dramatically the amount of time businesses spend applying for licences thereby reducing the administrative burden and change how businesses and licensing bodies interact. The design and system build work for licences.ie is complete and the Service is now available for all Licensing Authorities to use as their online application process, such as the Irish Film Censor, Property Registration Authority, local authorities and DBEI through www.licences.gov.ie

APJ 2017 commits to having all government transactions with business online by November 2017, in part to comply with the EU Services Directive. This is now the key focus of attention and work is ongoing with relevant Departments and An Post, which manages the Licensing system. A workshop is being convened in June with relevant Departments, office and agencies.

Increasing SME engagement in R&D and Innovation

Arising from Innovation 2020, the Action Plan for Jobs commits DBEI to review the full range of State financial aid for RDI, both direct and indirect (tax credits, Knowledge Development Box), in terms of the level of support available and eligibility rules, to ensure that the needs of small and young firms are being catered for as well as those of larger, established firm. The review will also assess the incentives available internationally to ensure that Ireland's offering remains competitive.

This work will also draw on a peer review of policies to support R&D being led by Ireland as part of the Small Advanced Economies Initiative. All of the SAEI member countries provide financial incentives for Business R&D (BERD) but each country differs quite significantly in terms of how much is spent, the number and focus of the range of policy measures used, the balance in the use of grants as opposed to tax credits, and detailed aspects of design.

The output will be a comparative analysis of policies to promote BERD across the seven SAEI countries that will contribute to assessing the optimal policy mix to achieve increased innovation performance by SMEs in RDI.

Business Unit in the Division	Head of Unit (Principal Officer)
Enterprise Policy, Tax and Economic Infrastructures	Maria Ginnity

Brexit: Firm-Level, Sectoral Impact on Enterprise

In terms of research, there have been a number of useful studies published which set out the potential impacts of Brexit, including sectoral assessments (e.g. tourism, agri-food). DBEI is currently undertaking research, which complements such research, to examine at firm-level the implications of Brexit for our eighteen most exposed enterprise sectors.

The research investigates the implications for our most exposed enterprise sectors, in terms of trading and economic relationships, of the UK being outside of the European Single Market and Customs Union. That is the scenario being used, as it is the most instructive.

The research will also examine the associated implications for FDI in terms of the freedom to invest in, own, and/or manage enterprises, and to undertake certain financial transactions. The output of this research will inform Ireland's approach to negotiations and wider enterprise policy development. It will help us to better understand more specifically the way in which different sectors may be impacted.

Important sectoral data has been available to DBEI and the Government as the research is progressing. The research and analysis is due to be completed by year end 2017.

As the research is to inform our position on negotiations, it would not be in Ireland's interests to publish the results of this research.

Enterprise 2025 – Progress Review

The review of Enterprise 2025 is being undertaken in the context of global changes that are likely to have an immediate impact on Ireland's enterprise development, and specifically Brexit and (potential) relevant policy changes under the new US administration and EU policy choices.

The ambition in Enterprise 2025 is to achieve sustainable full employment by 2020. The required actions to achieve sustainable full employment involved realising a step change in enterprise performance and strengthening resilience through productivity, innovation and market diversification. The actions are to be delivered not only by the enterprise development agencies, but also by a number of government departments who have a role to play in ensuring we have a supportive and internationally differentiated business environment. The Review will:

- Examine **performance to date** against the suite of metrics set in Enterprise 2025, including analysis of where growth has occurred (in terms of sectors and regions);
- Review strategic actions in Enterprise 2025, informed by potential future scenarios,
- Identify changes to existing actions and/or **additional strategic actions** that may be necessary in light of these global developments.

The review is being overseen by a cross-departmental and agency forum of senior officials.

The Department completed the review of metrics and performance by mid-year and the full review will be finalised by year end.

Key Enterprise Sector Briefs - Competitiveness and Strategy Development

SPD prepared a suite of 18 briefs on the key exporting and employment enterprise sectors of the economy which were widely disseminated end 2016. These Briefs are an important element in ensuring a systematic approach to sector ecosystem development, as set out in Enterprise 2025, to position Ireland as a location of choice for our entrepreneurs and scaling Irish owned enterprises as well as for foreign owned investment.

There is need for strengthened cross-departmental execution with optimal use of constrained resources to deliver greater economic impact.

The main objective is to maintain a strategic policy focus on individual sectors in a coordinated manner over the longer term through:

- Effective horizon scanning through the Sector Briefs mechanism. Reviewing and updating the suite of 18 existing sector briefs, through a combination of desk based research and data updates, and consultation with relevant stakeholders (enterprise agencies and others such as Tourism Ireland/Fáilte Ireland) to determine key policy priorities and developing new additional sector briefs as appropriate
- Establishing effective leadership, collaborative structures and operating principles. Setting out a mechanism for delivery through ecosystem development teams – based on clear principles, priorities, resources, responsibilities etc., - and that is agreed by relevant stakeholders.

The sector briefs will be updated during the first half of 2018 taking into account sector specific policy responses needed in the context of Brexit and other developments and an assessment in relation to the necessity, if any, of activating a sector ecosystem development initiative.

International Financial Services

DBEI played a key role working closely with the enterprise development agencies to provide evidence, analysis and expertise in the development of IFS 2020 - The National Strategy for International Financial Services that was produced by Department of Taoiseach together with Department of Finance under a High Level Implementation Group, on which the Secretary General is a member.

DBEI also participates on the Public Sector Group that drives implementation (meets every fortnight). Progress reports are produced quarterly by DoT and DBEI will continue to engage in 2017.

The Department will hold regular meetings / monitoring of implementation and Greater engagement toward latter part of the year to develop Action Plan 2018

Progress Implementation of new Trade, Tourism and Investment Strategy and input to Export Trade Council (with Trade Policy Division)

The Strategic Policy Division (SPD) in collaboration with Bilateral Trade Policy Division and the Department of Foreign Affairs and Trade led the development of the new Trade and Investment Strategy, Ireland Connected, which was published in March 2017 by Government. DBEI and DFAT are to jointly report on progress on the Strategy. DBEI is also engaging with the agencies and contributing to the development of strategies for Asia-Pacific and the Americas as set out in the Programme for a Partnership Government, which will be completed by DFAT in the autumn.

An update report on implementation of Ireland Connected was considered at Cabinet Committee in mid-year.

A Team Ireland conference was held in November 2017 with representatives from all relevant departments and agencies to share information and consider emerging issues.

The Americas and Asia strategies will be brought to Government by DFAT end 2017/early 2018.

SPD also supports the Minister at the Export Trade Council, comprising private sector stakeholders, on reviewing our trade strategy implementation, and provides progress updates as appropriate to ensure key enterprise development priorities are achieved across Government

OECD and EU Tax Policy Developments

There have been significant developments in the international tax environment with implications for Ireland's tax policy since the publication of G20/ OECD's BEPS (Base Erosion and Profit Shifting) guidance in October 2015. Ireland responded quickly to the OECD recommendations introducing country by country reporting provisions and a new Knowledge Development Box in the Finance Act 2016. DBEI's objective is to continue to influence the implementation of requirements under BEPS, working with Department of Finance in areas that are of most relevance to our enterprise base, and where optionality is available. Work is ongoing on certain aspects in 2017, including for example the allocation of profit to permanent establishments and aspects relating to financial services.

In terms of the EU directives, our objective is to identify where the package goes further than OECD proposals to determine whether this is optimal policy for the EU and Irish enterprise base.

Of relevance to the wider policy agenda is the fact that the OECD favours an approach for profit allocation that aligns with the presence of key decision makers (managing capital allocation and risk bearing decisions). Ireland's continued focus on Talent (nurturing, developing, retaining and attracting) and the inter-related 'quality of life' dimensions are directly pertinent.

DBEI, working with the agencies and DoF, continuously monitor developments in the US in the context of planned tax reform and implications if any that might arise from an FDI perspective. Further clarity is required regarding the specifics of proposed reforms,

DBEI will work with the development agencies and other key stakeholders to assess issues presented for enterprise, and to inform policy responses.

Pre Budget Tax Submission 2018

DBEI prepares a joint agency (EI, IDA and SFI) pre-budget tax submission (PBS) annually and will prepare a Budget 2019 submission by mid 2018. The objective of the submission is to ensure that the tax priorities of DBEI and the enterprise development agencies form an integral part of the 2019 budgeting process. The key guiding principles will be ensuring the competitiveness of Ireland's tax offering and seeking to minimise any increases in enterprise costs.

A detailed review of the tax environment for start-ups and scaling enterprises was completed during 2017 that informed this year's PBS and will continue to provide the evidence base underpinning DBEI priorities.

DBEI will engage with DoF on its proposed review of the Employment and Investment Incentive Schemes due to be started early 2018.

Post announcement of Budget 2018, DBEI engaged with DoF as the Finance Bill was being drafted to ensure that the detail as set out does not inadvertently put barriers in place for enterprise; and with a specific focus on the Key Employee Engagement Programme (Share option scheme for SMEs).

Pensions Reform - Universal Retirement Savings Proposals

Analysis by OECD (and others) has found that Ireland is facing considerable challenges in terms of financial sustainability of the pension system as the population ages. The OECD review points to the need to improve pensions' adequacy and coverage, particularly for middle to low income earners. The Department of Social Protection has re-established an InterDepartmental Committee mid 2017, on which DBEI is represented.

An Action Plan for Pension Reform was considered at Cabinet in November 2017 that sets out the process and scope of work required to deliver the necessary reform over the coming years.

DBEI aims to ensure that consideration is given to the implications for cost competitiveness and potential upward cost pressures on labour and the most appropriate balance between employee, employer and State, together with practical admin issues that may arise.

Enterprise Policy Input to the development of Regional Spatial and Economic Strategies and the National Planning Framework

Improving the quality and attractiveness of the regions and towns around the country for enterprise investment (whether foreign or Irish owned) and for people to live and work needs to be underpinned by a coherent national planning framework that addresses the needs of enterprise. DBEI has contributed to the development of the successor to the National Planning Framework (NPF) which is led by Department of Housing and scheduled for completion by end 2017.

The Regional Social and Economic Strategies (RSES) will be led by the three new Regional Assemblies to give effect to the NPF, and DBEI and its agencies will contribute in relation to enterprise policy objectives, development opportunities and spatial and investment priorities, informed by Enterprise 2025 and the Regional Action Plans for Jobs. The outcome should be effective influencing of policy developments in relation to investment, planning and Local Government that are aimed at enhancing the competitive environment for enterprise development

Infrastructure for Enterprise Policy Analysis and Cross-Departmental Engagement

The availability of competitively priced world class economic infrastructure (energy, transport, waste and water) and related services is critical to support economic growth and enterprise development. A key focus in 2017 will be on working with lead Government Departments and utility providers on assessing and ensuring that Ireland has a competitive offering for FDI and SME investments, encompassing a number of areas including transport, water, energy, waste management infrastructure.

These policy areas are not directly within the control of DBEI, so providing an in-depth understanding of enterprise needs and the competitive global environment for investments places the Department in a key position to influence policy choices. The specific areas of focus for 2017 and into 2018 include:

- **Water & Waste Water:** DBEI with the agencies is engaging with Irish Water on the key issues of water and waste water costs and pricing for non-domestic (enterprise) users, supply and headroom capacity, investment in infrastructure, connection processes and costs and on opportunities for enterprise from developments. In 2017 DBEI will be responding to a small number of specific, formal consultation process related to water infrastructure investment, non-domestic tariffs, and non-domestic connections policy.
- **Energy:** DBEI work with State and non-State market actors to help ensure firms have access to adequate and competitive energy infrastructure and services. A key issue is maintaining downward pressure on energy costs as Ireland transitions to a low-carbon economy. This involves DBEI helping ensure that, for example, support for renewable energy is provided at least cost.
- **Transport.** In the context of the ongoing mid-term review of the Public Capital Programme (PCP) for 2016-2021, it is important DBEI set out the transport priorities for enterprise development. The aim is to influence Dept. Transport, Tourism and Sport (DTTAS) and other Departments for the prioritisation of specific enterprise and competitiveness relevant investments under the Plan. Enterprise priorities include:
 - **Land transport:** Adequate, frequent and competitively priced public transport, reforming the regulatory framework for all transport services and ensuring high quality road access from Dublin to the north-west gateways of Sligo and Letterkenny and high quality access along the Atlantic Corridor (Sligo-Galway-Limerick-Cork-Waterford);
 - **Air transport:** The priorities include developing new direct air links, providing cost optimal airport infrastructure investment and ensuring cargo handling and custom facilities minimise delays; and,
 - **Maritime transport:** The priorities include marine spatial planning, improving intra-port competition, and benchmarking of performance. It is important to ensure that cargo handling infrastructure within ports is working well for port users and that internal access to the ports on the island (road and rail) is improved. (Complete by Q4)
- **Data centres:** DBEI in conjunction with DCCA, DHPLG and other relevant Departments and Agencies, is developing a statement on the strategic importance and role of data centres in Ireland's enterprise strategy. A first draft is due by end-2017
- **Infrastructure Briefs.** SPD will refresh the suite of Infrastructure Briefs highlighting the main issues and priorities for business users across each infrastructure area informed by our research and analysis during 2017. The Briefs provide a resource to the Department and its Agencies in their advocacy work on behalf of enterprise across the government system.

The above work will also link into activity elsewhere in the Department on the development of the forthcoming National Planning Framework, the National Investment Plan and Regional Spatial Economic Strategies.

Business Unit in the Division	Head of Unit (Principal Officer)
Skills & Education, Enterprise Programmes and Policy Evaluations	Kevin Daly

Expert Group on Future Skills Needs (EGFSN)

The EGFSN was established in 1997 to advise the Government on current and future skills needs of the economy and on related labour market issues.

The Government's National Skills Strategy was launched in 2016 and it foresaw the establishment of a National Skills Council (NSC). The NSC was launched in May 2017 to oversee research and provide advice on the prioritisation of identified skills needs and how to secure the delivery of identified needs.

The EGFSN's role under the new skills architecture is to conduct research and identify skills needs and submit its findings and make recommendations to the NSC.

DBEI also provides research, analysis and Secretariat support to the EGFSN, with additional support and statistical research provided by the Skills and Labour Market Research Unit in SOLAS. This research, analysis and support contributes to, and enables the production of, key annual reports on skills issues by the EGFSN, as well as sectoral and cross-sectoral reports on future skills needs.

A work programme for the EGFSN has been prepared and in consultation with the Department of Education and Skills and has been approved. Work is currently being undertaken on a number of projects as set out below.

Addressing ICT, Digital, Early Childhood Education, Design

DBEI through the EGFSN and other fora is actively engaged in seeking to ensure that the skill needs of key sectors are identified and addressed by education and training providers. The priority areas of focus in 2018 are:

- **ICT.** ICT is the single largest area of skills requirement across the enterprise sector at present. Highly skilled ICT professionals are needed not just in the ICT sector itself, but in many other fast-growing sectors of the economy (e.g. International Financial Services, Business Services, High-end manufacturing). The ICT Skills Action Plan 2014-2018, published in March 2014, sets out a series of initiatives to meet ICT skills needs through a mixture of domestic supply and skilled inward migration. However, demand for ICT skills is increasing and is set to exceed the projected demand on which the current ICT Skills Action Plan was based.

DBEI is working in partnership with DES to develop a new ICT Skills Action Plan for the period 2018-2026, based on updated projections of demand and supply. DBEI is preparing an updated demand forecast for the period 2017-2022 through the EGFSN, which will be completed in Q1 2018. This will help inform the development and implementation of the new ICT Skills Action Plan, on which DES has led, and which is due for publication in early 2018.

- **Technology Skills Portal.** Under a Pillar of the ICT Skills Action Plan, the Department, through Enterprise Ireland, is funding and actively participating in a joint Government/industry initiative to

attract top technological talent from abroad to Ireland through a web/media campaign. A dedicated website, TechLifeIreland, was launched by the Minister of Jobs, Enterprise and Innovation in June 2016. The impact of this site is currently being reviewed.

- **Skills for the Digital Economy.** Research indicates that technology change will impact the primary, secondary and services sectors in the medium term, resulting in multiple re-skilling opportunities and requirements. It is reported that we are at the beginning of a Fourth Industrial Revolution with developments in genetics, artificial intelligence, robotics, nanotechnology, 3D printing and biotechnology. The overarching aim of this study is to assess the impact of digitalisation on job roles and sectors across the Irish economy and to identify potential enterprise and skills policy actions that could minimise the negative effects on the workforce over a medium view of 5 years.
- **Design Skills.** Internationally, there is an increasing policy focus on leveraging design as a driver of innovation, and design has the potential to act as a key driver in Ireland's economic recovery and innovative growth. Building on DBEI's "Policy Framework for Design in Enterprise in Ireland" (Jan 2016), a study was conducted to profile the nature and type of skills required across the economy in both design-intensive and non-intensive sectors. It included a profiling of the current provision of design skills. The study explored how greater interdisciplinary collaboration can take place within education provision, and considered ways to bridge the gap between the STEM and creative disciplines. The initial report was recently published and now follow-up research is being commissioned to quantitatively determine the demand for design skills from the enterprise sector.
- **Early Childhood Education.** The labour market is highly dependent on the availability of quality childcare. Ensuring that Ireland has a skilled workforce to deliver early years' education and care is of vital strategic economic and social importance. A commitment has been made to analyse the demand for early childcare workers in the Report on School Age Childcare (2017) as well as the Action Plan for Education 2016-19.

Brexit Related Skills Needs

Brexit. The potential for a Hard Brexit scenario will demand a greater pool of skillsets associated with navigating a more complex and restrictive trading environment, and with diversifying trade into new, non-traditional markets. As a matter of contingency planning,

DBEI is undertaking a study of these skills (i.e. customs clearance, logistics, supply chain management, international management, sales, marketing, customer service, foreign languages and cultural awareness) within the enterprise and wider freight transport, distribution and logistics sectors in Ireland.

Where found to be deficient, measures will be proposed for boosting the relevant skillsets, and their accessibility to enterprise, in a manner that enhances the efficiency of trade flows, competitiveness, and diversification into and sourcing from new markets. This research is due for completion in late Q1 2018

Evaluations: Evaluation of Enterprise Ireland Seed and Venture Capital Scheme 2013-2018; Focused Policy Assessment of DBEI expenditure for the Spending Review; Review of Enterprise Agency Economic Appraisal Model

DBEI has established a systematic process of evaluating key programmes and policies, with the overarching goal of determining the appropriateness, efficiency and effectiveness of expenditures and activities. The key areas of focus for 2017/2018 are:

- **Evaluation of Enterprise Ireland Seed and Venture Capital Scheme 2013-2018:** The overarching goal of this evaluation is to determine if the intervention by the State in the Venture Capital market in Ireland has contributed to the required critical mass of activity and to ascertain what form (if any) the next stage of intervention should take. This evaluation will set a strategic framework that defines the State's role in steering the market towards a self-sustaining model and develop an explicit vision to articulate the future vision for the market.
- **Focused Policy Assessment of DBEI expenditure contributing to the Comprehensive Review of Expenditure:** In 2017, DBEI undertook a Focused Policy Assessment (FPA) of DBEI's capital expenditure on Research, Development and Innovation as an input to the Comprehensive Review of Expenditure 2017 ("the Spending Review"). In 2018, DBEI will be required to identify an additional theme of capital expenditure for review with the objective that all DBEI capital expenditure will be reviewed within the three years of the Spending Review. The FPA will be undertaken on the basis a structured set of evaluation questions developed by the Irish Government Economic and Evaluation Service under the themes of Rationale; Efficiency & Sustainability; Effectiveness; Impact; Continued Relevance; Policy Considerations

The review of the Economic Appraisal Model and the evaluation of the Enterprise Ireland Seed and Venture Capital Scheme are due for completion in Q1 2018. The FPA will be submitted to D/PER in June 2018. Additional evaluations will be identified in development of the 2018 Business Plan.

Review of economic appraisal model of agency support

The Economic Appraisal Model (EAM) is used in aiding the support agencies in grant decision making. Projects which seek the approval of the support agencies should be appraised through a system of appraisal methods. The EAM is one of the methods used in assessing the appropriateness of a support claim. The main agencies of concern are IDA Ireland, Enterprise Ireland (EI) and Udaras na Gaeltachta. The last full review of the model was undertaken by Forfás in 2003 and there have been significant structural changes in the enterprise base and in the economy since then.

In addition, Dept of Public Expenditure and Reform (D/PER) has produced updated parameters for appraisal of public expenditure, which may impact on the current model. The overarching goal is to conduct a full review of the economic appraisal model, including an assessment of current appropriateness and options for future development, while considering enterprise policy objectives. This evaluation is important as the model identifies whether specific supports by the agencies are likely to yield economic benefits more than the costs and ensure that the state gets value for money. Against this backdrop, the model is now under review to provide a robust basis for appraisal of agency expenditure, now and over the next decade.

The review is underway and will be completed in late Q1 2018.

Business Unit in the Division	Head of Unit (Principal Officer)
Economic Analysis, Competitiveness, and Surveys	Marie Bourke

National Competitiveness Council - Research, Communications, and Secretariat Support

Sustaining improvements in Ireland's competitiveness is essential to growing exports and employment and thereby exchequer revenues. DBEI places a high priority on ensuring that the key enterprise competitiveness issues are identified and prioritised for action across the government system. Our Enterprise Policy priority is that Ireland achieves a top-five competitiveness ranking by 2020.

The National Competitiveness Council (NCC) is supported within the Strategic Policy Division (SPD) and our objective is to ensure that a robust evidence base of the key enterprise competitiveness issues is available to Government and effectively communicated by the NCC Chairman, Prof Peter Clinch. In 2017 this included four scheduled meetings of the Council, which comprises employers, unions representatives and advisors from all key economic ministries, management of NCC research and analysis and regular dialogue with the main economic actors to ensure NCC views are known and to achieve buy-in to implementation of recommendations.

In February 2017, the Council published a report benchmarking Ireland's recent **Productivity Performance**. Ireland's labour productivity performance is strong in an international context. Productivity growth is a key driver of national competitiveness, as it enables firms based in Ireland to compete successfully in international markets by facilitating output to be produced in a more efficient and effective manner. Facilitating enterprise and start-ups, trade, access to finance, skills and infrastructure are key to productivity and competitiveness gains.

The unprecedented challenges posed by Brexit provide urgent impetus to enhance our competitiveness performance. In April 2017, the Council published a report **Benchmarking Competitiveness: Ireland and the UK, 2017** which provides a statistical snapshot assessment of areas which are crucial to improving our international competitiveness position. The Council considers there is a need to preserve fiscal sustainability, increase investment in infrastructure and talent, maintain cost competitiveness, and drive innovation and productivity across all economic sectors. This would enhance the competitiveness of our indigenous enterprise base and our attractiveness as a location for mobile investment relative to the UK.

Costs of Doing Business in Ireland 2017 report was published in June. Costs continue to be the key challenge highlighted in a range of business surveys. The report builds upon a series of Costs reports undertaken in recent years. This year's report assesses labour, property, transport, utility, business service and credit costs and was noted by Government in April prior to publication. This report provides DBEI, other Departments and stakeholders with an understanding of the key cost areas for enterprise and can direct policy focus towards those areas which require attention.

The terms of reference of the NCC require that it produce an annual report benchmarking Ireland's competitiveness against other countries. **Ireland's Competitiveness Scorecard 2017**, published in July, provides a statistical basis to identify Ireland's competitiveness strengths and weakness. By comparing Ireland's performance across a range of over 130 indicators and against 18 of our key competitors. It provides an analytical underpinning to formulate policy recommendations designed to maximise Ireland's international competitiveness.

Ireland's Competitiveness Challenge 2017 is the annual report of the Council required under its Terms of Reference. Ireland's Competitiveness Challenge 2017 is on the agenda for Government on 5 December prior to its planned publication in December. It aims to provide the most authoritative and comprehensive assessment of the main challenges to Ireland's economic success and includes recommendations on appropriate Government policy actions to address them. It presents a series of recommendations organised into two thematic areas and eight chapters:

Theme 1 Ensuring growth is sustainable:

1. Delivering Macroeconomic Sustainability
2. Delivering Productivity Enhancing Infrastructure
3. Environmental Sustainability and transitioning to a low carbon economy
4. Building and Sustaining Talent

Theme 2 Generating an uplift in enterprise competitiveness:

1. Maintaining Cost Competitiveness
2. Fostering Productivity Growth
3. Building Innovation Capacity
4. Enhancing and Diversifying Ireland's Export Base

NCC Submission to Action Plan for Jobs 2018 will be published in December and includes practicable actions to support competitiveness that are implementable and that tie in to the Government's economic planning.

Competitiveness Bulletins are an effective means of disseminating analyses and for stakeholder engagement to influence competitiveness initiatives, towards the objective of achieving improvements in the national competitiveness environment. The NCC published a number of Bulletins during 2017 on Ireland's competitiveness ranking, productivity, costs and benchmarking competitiveness with the UK.

Climate Change Policy & Enterprise Impacts

Climate change targets and policy have the potential to impose significant additional costs on the economy and the enterprise base and it is important that DBEI is engaged in relevant analysis and policy proposals so as to minimise the impact on our competitiveness for trade and investment. The focus in 2017 was on analysis of measures for meeting Ireland's 2020 and 2030 targets, international agreements, being co-ordinated through the D/Taoiseach. A key priority for DBEI is on the EU's Emissions Trading Scheme which is currently being finalised so that a stronger Scheme is in operation from 2020 onwards and takes account of the competitiveness impacts on the dairy sector, in particular. EU ETS covers the largest power-users in the State, amounting to approximately 100 industrial plants and power-generating facilities.

The objectives of the work are to review, attend, provide briefs and analysis on EU 2030 Climate Change & Energy Framework Negotiations at:

- Cabinet Committees & Senior Officials Groups (SOGs), Interdepartmental (IDC) Working Group on EU Emissions Trading System, D/ Communications, Climate Action and Environment (DCCAE) and IDC steering group on National Climate Change Mitigation Plan and separate National Climate Change Adaptation Plan;
- Ongoing analysis and advice on impacts of proposed EU ETS carbon leakage regime on Irish industry as well as assessment of proposals on ETS from the EU Council, Commission and Parliament;

- Represent DBEI on EU ETS and consultative committee and DCCAE Technical, Research, Analysis and Modelling (TRAM) IDC;
- EU Competitiveness Council briefings and attendance as required and EU Working Party on Competitiveness & Growth, Coreper, etc.

The outputs include data analysis and advice on the impact on the sectors within ETS of the proposed ETS Directive amendments so that Ireland can establish its preferred negotiating position.

In October, work commenced on the Sustainable Development Goals agenda. DBEI inputted actions and key strategies to the development of Ireland's National Framework to implement the Sustainable Development Goals in the areas of economic growth, employment, research & Innovation, labour rights, health & safety in work, intellectual property and corporate social responsibility. This framework will be brought to Cabinet in Q1 2018. Preparations have also commenced on Ireland's National Voluntary Review. DBEI actively participates in the Inter-Departmental Working Group and the SOG on SDGs.

Annual Business Survey of Economic Impact (ABSEI) 2016 & 2017

This survey provides a measure of the performance of the development agencies (Enterprise Ireland, IDA Ireland and Údarás na Gaeltacht) client base. The objective is to gather data on, inter alia, client companies' sales, exports, R&D investment, training budgets and direct expenditure on the Irish economy through payroll costs and purchases of Irish materials and services. Result to be gathered by ownership, sector, and region. The outputs will be the ABSEI completed for 2016 and 2017 with time-series data and analytical report for Management Board and subsequent publication. Report with results of 2016 survey in December 2017.

Annual Employment Survey 2017 & 2018

The Annual Employment Survey is undertaken by SPD with IDA, EI and Údarás and provides a breakdown of employment in approx. 8,000 agency-assisted companies by ownership, sector and region. It is undertaken on a consistent basis across the agencies and is the data used by the agencies in their end of year statements. In addition, Strategic Policy Division (SPD) is working with the ICT Unit to develop a new system for the timely delivery of replacement IT system for undertaking the Annual Employment Survey. The final results for 2016 broken down by Irish-owned and Foreign-owned agency clients were submitted to Management Board on 12 June. The 2017 outturn for IDA and EI will be presented to Management Board in December 2017. Work has commenced to scope out the requirements for a new online survey system with plans to complete it by August 2018.

Higher Education R&D (HERD) Survey

The purpose of the survey is to provide official data on R&D statistics in the Higher Education Sector 2014/2015. R&D expenditure is broken out by Higher Education Institute, source of funds, type of costs, type of research and Field of Science (FoS) codes. R&D personnel is broken out by Headcount and Full-time equivalent (FTE), Gender and Field of Science (FoS) codes.

HERD Survey 2015 has been completed in Q1 with time-series data and analytical report approved for publication by DBEI Management Board. The next HERD survey (2016/17) will go into the field in Q1 2018.

Research & Development (R&D) Budget 2016-17

This survey collects official data about the research and development investment and activities from all Government Departments and their Agencies and is used in international comparison of Government appropriations for R&D (GBARD) and government expenditure on R&D (GovERD) metrics. This survey is carried out annually in compliance with European Commission Regulations.

The 2015-16 R&D Budget report was submitted to Management Board in Q1 and the final report published on the DBEI website. The 2016-17 R&D Budget is currently being finalisation for the management Board in Dec/Jan and publication thereafter.

Provision of official national data to CSO, Eurostat & OECD

DBEI provides official data from its survey data in compliance with National commitments for data under Commission Regulations on Official Statistics. The data is submitted on a quarterly basis to the CSO who in turn transmit the data together with CSO data on behalf of Ireland to the OECD and/or Eurostat via Quarterly Data Transmissions. Strategic Policy Division (SPD) also manages an Memorandum of Understanding (MOU) agreed between DBEI with the Central Statistics Office (CSO) on the sharing of data. This involves

Data Analysis - Ireland's Innovation performance and Enterprise Dashboard

During 2015 SPD developed the cross DBEI statistical compendia to monitor Departmental activities and assess the impact of DBEI actions and policies under a range of economic metrics.

SPD is also engaged with the CSO on tracking agency employment from the Live Register .

SPD will produce monthly Dashboards on Enterprise Statistics during 2017 and 2018 for the Management Boards and Ministerial Management Boards

Exporting, Innovation and Productivity Research - Expanding and Diversifying Irish Manufactured Exports

SPD is working with the ESRI to examine aspects of the export, innovation and productivity performance of Irish-owned firms. The work programme includes a study with Enterprise Ireland on the role that expanding and diversifying exports play in sustainable economic growth examining the mix of export growth strategies successful enterprises use, the degree of concentration of Irish-owned enterprise exports and how dynamic are firms in changing the composition and destination of their exports. The research provides a better understanding of patterns and trends in exporting amongst Irish owned firms and inputted to the formulation of EI's new Strategy and of the new Trade and Investment Strategy.

An ESRI seminar on the draft findings was held early March and the report is being used to inform the review of enterprise policy.

Currently research in underway on the import content of Irish Exports; Implications for Brexit & competitiveness. This is due to be completed in Q1 2018 and published thereafter.

3.7 Corporate Services Units

Business Unit	Head of Unit (Principal Officer)
Human Resources, State Agencies and Pensions, Learning and Development, and Business Services Units	Harry Lester

Managing the Department Staffing Requirements

The HR Unit oversees the Department's staffing requirements which includes recruitment and assignment of staff as well as a variety of other HR functions. Under the post-Moratorium arrangements, the Department has a "delegated sanction" to determine the appropriate grade mix for the Department within an aggregate pay budget limit. Any proposal to recruit staff at the level of Principal Higher or above requires the sanction of DPER. Decisions on staffing arrangements are vested in the Secretary General supported by the HR Manager / Personnel Officer.

Staffing issues are ongoing tasks delivered by the HR Unit

HR Policy, Strategies and Reform

This Unit is responsible for a broad range of HR policy areas and supports the Department's internal as well as the Civil Service-wide Reform and Renewal agendas. Ministerial engagement does not generally arise.

Ongoing coordination and delivery of HR Policy. Strategies and Reform requirements of the Department.

State Agency and Pensions Unit

The State Agency and Pensions Unit manages the process attendant on State Board appointments, Agency staffing and pension issues generally. The Personnel Officer is the appointed State Boards Liaison Officer and coordinates engagement with the PAS in relation to Board Appointments. The Unit also coordinates oversight of the staffing levels in the Agencies who have pay budget limits within which they must organise themselves as well as the engagement with DPER on Agency staffing matters, including CEO contracts etc.

Ministers are directly involved in State Board appointments and may also be engaged with by Agency Chairpersons on aggregate staffing issues from time to time.

Learning and Development Unit

The LDU is the key driver/delivery Unit for the ongoing training and development of the DBEI staff complement. The Unit also is a key driver for the Management Board-led New Ways of Working initiative driving Employee Engagement.

Business Services (Accommodation & Related Issues incl. Procurement Policy))

The Business Services Unit deals with the Department's accommodation, procurement, fixed assets and health & safety agendas. These are issues that generally do not give rise to Ministerial engagement. Currently a number of leases are being relinquished by the OPW in respect of certain "DBE1" premises primarily affecting Davitt House.

The timing of moves, which the Department is liaising with OPW on, will be managed as efficiently as possible to minimise disruption to Departmental business.

Business Unit	Head of Unit (Principal Officer)
Management Support Unit	Michael O'Leary

The Management Support Unit coordinates the Department's Statement of Strategy and Annual Reports, provides a range of supports to the Department's Management Board and Ministerial Management Board, coordinates a range of inputs/reports to Government, on behalf of the Minister, certain PQs and Memorandums to Government and the Department's Legislative Programme. The Secretary General is required to prepare a new 3 Year Statement of Strategy within six months of the appointment of a new Minister.

The Unit is the Department's interface with the Parliamentary Liaison Unit in D/Taoiseach. It also coordinates a number of governance matters for the Department, such as, Delegation of Functions Orders for Ministers of State, the Department's Risk Management Policy, the Department's Governance Framework, Protected Disclosures Policy and Regulation of Lobbying Policy.

The Management Support Unit also works closely with the Minister's Office and Secretary General's Office in managing the overall ePQ system across the Department.

Business Unit	Head of Unit (Principal Officer)
Freedom of Information (FOI) & Customer Service Unit	Michael O'Leary

The FOI and Customer Service Unit is responsible for coordinating the Departments FOI Policy and FOI requests, Data Protection Policy, Records Management Policy, Irish Language Policy and the Department's Customer Charter and Customer Service Policy.

A high priority in the coming months will be on continuing to respond to the implications of the EU General Data Protection Regulation for the Department and the work its Offices and Agencies.

A commitment in the Department's current Irish Language Scheme is that the Press Office will publish at least twelve press releases per annum in bilingual format.

Business Unit	Head of Unit (Principal Officer)
ICT Unit	Pat McCourt

ICT Unit provides ICT services to support the work of the Department and its Offices, including support for desktop and mobile systems and wide range of business systems. Support is also provided for online systems from the Companies and Patents Offices, and systems which allow online applications for employment permits and export licences.

Current initiatives include projects to provide more seamless mobile working opportunities, implementation of a number of shared services under the Build to Share initiative, and to leverage recent improvements to email and Office systems to support more collaborative working. The Unit also represents the Department on the Government Task Force on Emergency Planning.

Business Unit	Head of Unit (Principal Officer)
Finance Unit	Cathal O’Gorman

The Finance Unit is divided into five sub sections which are: (1) Payments and Receipts, (2) Estimates, (3) Accounting and (4) Travel & Subsistence and (5) Public Spending Code.

The Finance Unit supports the Minister in negotiating an appropriate Estimate with DPER through the Budgetary Process and in negotiations following on the Department’s submissions to the Mid-Term Capital Review and Comprehensive Review of Expenditure.

Business Unit	Head of Unit (Principal Officer)
Internal Audit Unit	Malachy Quinn

The Internal Audit Unit provide a risk-based internal audit service in compliance with Department of Public Expenditure and Reform (DPER) requirements and provide assurance to the Accounting Officer (Secretary General of the Department) regarding the internal control systems of the Department and those Offices directly within the remit of the Department.

Business Unit	Head of Unit (Principal Officer)
Communication Unit	Cathy Madden

The Communications and Press Office manages DBEI’s internal and external communications needs. The team provides press office support to the Department, its Minister and Ministers of State. It also responds to media requests and disseminates announcements.

Communications plans are being developed around DBEI’s three strategic priorities:

- Building stronger businesses so that they are Brexit ready;
- Creating and sustaining high quality employment across the regions;
- Positioning Ireland as a global innovation leader.

Business Unit	Head of Unit (Principal Officer)
Legal Advisors	

The Department has two internal legal advisors on secondment from the Attorney General’s Office.

3.8 Construction Contracts Adjudication Service Loughlin Quinn, Director

Commencement of the Construction Contracts Act, 2013

The provisions of the Construction Contracts Act, 2013 apply to new construction contracts entered into after the 25th July 2016 in accordance with the 'Construction Contracts Act, 2013 (Appointed Day) Order 2016 (Statutory Instrument No. 165 of 2016)'. The purpose of the Act is to regulate payments under construction contracts covered by the legislation. A public information campaign was undertaken in advance of the commencement of the Act to highlight the new legal rights and obligations and the availability of statutory adjudication to resolve payment disputes.

The Act does not apply to a construction contract if:

- (i) the value of the contract does not exceed €10,000; or
- (ii) it is a contract for a dwelling which has a floor area not greater than 200 square metres that is occupied or it is intended to be occupied by a party to the contract as his or her residence.

The Act ensures payment by means of two elements:

- (1) new statutory arrangements for payments under construction contracts. Main contractors are at liberty to agree their own terms with their clients, however main contractor/subcontractor and subcontractor/sub-subcontractor contracts are governed by the Schedule to the Act which requires payment every 30 days after the relevant payment claim date (unless such contracts contain more favourable terms); and
- (2) a new mechanism for the swift resolution of payment disputes through adjudication. This is intended to provide a route to achieve swift redress in the event of non-payment.

The Government, in October 2014, approved the transfer of responsibility for implementation of the Act to the Department of Business, Enterprise and Innovation from the Department of Public Expenditure and Reform. The then Minister of State for Business and Employment Mr. Gerald Nash appointed Dr. Nael G. Bunni as Chairperson of the Construction Contracts Adjudication Panel for a three year term with effect from the 8th July 2015. Following a competition run by the Public Appointments Service, 30 Adjudicators have been appointed to the Panel.

Responsibility for the Act is delegated has been delegated in the past to a Minister of State.

In July 2016 Minister Breen published a '*Code of Practice Governing the Conduct of Adjudications*' under section 9 of the Act. The Code of Practice is binding on all Adjudicators operating under the Construction Contracts Act, 2013 in accordance with section 6(8) of the Act. The Construction Contracts Adjudication Service put procedures in place in respect of applications to the Chairperson seeking the appointment of an Adjudicator from the Ministerial Panel of Adjudicators. In accordance with the Code of Practice referred to above, appointments are usually made within seven days of receipt of applications to the Chairperson.

Section Four: The EU Agenda

Introduction

The Department has a broad and extensive EU agenda, directly encompassing three of the nine formations of the Council of Ministers – Competitiveness (COMPET) and Trade (dealt with by the Foreign Affairs Council

The Department's interests can also be featured in items dealt with by other sectoral Councils, for example the Justice Home Affairs and Environmental Council. Similarly, the work of the Department spans across the portfolios of a range of European Commissioners and Directorates General of the Commission.

The Department is at the forefront in the Government's response to Brexit. The Brexit Unit is working extensively with colleagues across all policy areas to identify impacts and implications of Brexit as well as mitigation measures across the sectors with a view to minimise risks and maximise opportunities. The research being undertaken by the Department, the results and reports of our engagement with our stakeholders, all feed into both the internal and external Brexit Groups, to help inform cross-government messaging and to ultimately inform Government policy positions during Brexit negotiations.

A list of the dates of upcoming Council of Ministers meetings is included in the Diary section of the Brief. The Competitiveness Council is, on most occasions, held over two days, with the first day devoted to Industry and Internal Market issues, and the second day dealing with Research matters. Attendance at the Competitiveness Council (Industry and Internal Market day) and the Trade Council is normally by the senior Minister in the Department, while the Research day of the Competitiveness Council has been attended by the Minister of State for Skills, Research, and Innovation.

The six-month rotating Presidency of the Council is currently held by Estonia (until end December of this year), and will be held by Bulgaria from January to June 2018.

Summary

Upcoming EU Presidencies

- 2018: Bulgaria and Austria
- 2019: Romania and Finland
- 2020: Croatia and Germany

Current significant EU issues of Departmental interest

- Article 50 negotiations on the UK's withdrawal from the EU, and the associated negotiations on the Future EU-UK Relationship, and appropriate transition arrangements
- Digital Single Market
- Single Market Strateg
- Negotiations on the next EU Multi-Annual Financial Framework
- Negotiations on Framework Programme 9 (the successor to Horizon 2020)
- Bulgarian Presidency – First half of 2018

Key issues include:

- The Single Market Strategy
- The Digital Single Market Strategy
- EU Industrial Policy Strategy
- EU Competitiveness
- Entrepreneurship, Start-ups and Scale Ups

European Council

- Next meeting 14-15 December 2017
- Department of Taoiseach takes the lead, DBEI inputs as required.
- Key issues for the Council include, Security and Defence Migration Policy, Social, Education and Culture

Council of Ministers Meetings

Council formations of Departmental interest

Of the nine current EU Council of Ministers formations, this Department has a key role in 2 Councils, the Competitiveness Council, and the Trade Council, and the Employment Social Policy Health.

Ministers and Ministers of State act as “Head of Delegation” at formal meetings of these Councils in Brussels, and occasionally Luxembourg, and at informal meetings in the country holding the EU Presidency. The Competitiveness and ESPCO Councils meet in formal session twice during each Presidency and once each in informal session in the country of the Presidency. The Competitiveness Council is normally subdivided into two sessions with day one of the meeting dealing with Industry and Internal Market issues and day two of the meeting, currently serviced by the Minister of State with responsibility for Skills, Research and Innovation, dealing with Research issues and the Space Council. The Trade Council meets in formal session during every Presidency and there is also one informal Trade Council held in the country of the Presidency.

Dates of the next formal and informal Council are set out in the provisional diary at Section 1.6 above (MSU check this is correct).

Engagement with the European Parliament

The current European Parliament (EP), is presided over by Antonio Tajani European People’s Party - EPP), who was elected in January 2017 for a two and a half year term.

In recent years, the Department of an Taoiseach has coordinated a roster for Ministerial visits to European Parliament plenary sessions in Strasbourg. It is anticipated that a similar programme of meetings with relevant EP Committee Chairs, rapporteurs, Irish MEPs etc. will be arranged for Ministers over the coming months. The Minister for Business, Enterprise and Innovation was to undertake a visit to the European Parliament on 14-17 May 2018.

The following are the EP Committees most relevant to the remit of the Department:

- IMCO - Internal Market and Consumer Protection- Chair: Vicky Forde, European Conservatives & Reformists (ECR) - UK
- ITRE Committee - Industry, Research & Energy- Chair: Jerzy Buzek, European Peoples Party - PI
- INTA Committee - International Trade - Chair: Bernd Lange, Progressive Alliance of Socialists & Democrats (S&D) - DE
- EMPL Committee - Employment & Social Affairs- Chair Thomas Handal, European United Left (GUE) - DE
- JURI Committee - Legal Affairs - Chair: Pavel Svoboda, (EPP) - CZR

Significant EU issues of Departmental Interest

Europe 2020 Strategy and European Semester

Europe 2020 is the European Union's ten-year jobs and growth strategy. It was launched in 2010 to create the conditions for smart, sustainable and inclusive growth. Five headline targets have been agreed for the EU to achieve by the end of 2020. These cover employment; research and development; climate/energy; education; social inclusion and poverty reduction.

All Member States have committed to achieving the Europe 2020 targets and have translated them into national targets so that each Member State can check its own progress towards these goals. Ireland's headline target in the employment sphere is to achieve an employment rate of between 69-71% for 20-64 year olds.

Progress towards the Europe 2020 targets is encouraged and monitored throughout the European Semester, the EU's yearly cycle of economic and budgetary coordination which commenced with the adoption by the Commission of the Annual Growth Survey 2017 in November 2016.

Following the publication of the Country Reports on 26 February, these will now feeding into the formulation of the Country Specific Recommendations (CSRs) which offer policy advice to Member States deemed as priorities by the Commission

The earlier publication of the Country Reports in February (a practice introduced in 2015) is welcome as it means that Member States receive this information prior to submitting their National Reform Programmes in April enabling a longer period of consultation and reflection before the formal issue of the Country Specific Recommendations in May. Member States' submission of National Reform Programmes is governed by EU Regulation 473/2013 which stipulates 30 April as the deadline for submission. On 22 May, the Commission published its analysis of Ireland's 2017 National Reform Programme and Stability Programme, which includes the following 3 CSRs for 2017/2018:

1. Pursue its fiscal policy in line with the requirements of the preventive arm of the Stability and Growth Pact, which translates into a substantial fiscal effort for 2018. Use any windfall gains, such as proceeds from asset sales, to accelerate the reduction of the general government debt ratio. Limit the scope and the number of tax expenditures and broaden the tax base.
2. Better target government expenditure, by prioritising public investment in transport, water services, and innovation in particular in support of SMEs. Enhance social infrastructure, including social housing and quality childcare; deliver an integrated package of activation policies to increase employment prospects of low-skilled people and to address low work intensity of households.
3. Encourage a more durable reduction in non-performing loans through resolution strategies that involve write-offs for viable businesses and households, with a special emphasis on resolving long-term arrears.

The draft text of the CSRs are reviewed by the Council preparatory bodies (i.e. EMCO, EPC, etc.) and where changes are sought by Member States these must be approved by a Qualified Majority of other Member States and then adopted by the respective Councils (EPSCO and ECOFIN).

Finally, at the end of June or in early July, the European Council formally adopts the country-specific recommendations

Brexit

On 23 June 2016, the UK electorate went to the polls and voted to leave the European Union. Article 50, the process whereby a country leaves the EU, was formally triggered by Prime Minister May on the 29th March 2017. PM May's letter included strong acknowledgement of our unique circumstances, the need to protect the peace process and the Good Friday Agreement, and our intention to maintain bilateral arrangements with the UK like the Common Travel Area. Across the board, there is a strong willingness and openness to work closely with Ireland on addressing our specific issues – including Northern Ireland, the border and the Common Travel Area.

The European Council adopted the EU's negotiating Guidelines on 29 April. The General Affairs Council- meeting in EU27 format- adopted a decision formally authorising the opening of negotiations with the UK and nominating the Commission as EU negotiator. In this context, the Council also adopted the detailed negotiating directives for the talks. The Council also confirmed the establishment of a new Council Working Party on Article 50 which held its first meeting on the 24th May. DBEI provides input to Department of Foreign Affairs & Trade who are leading coordination of national positions for these meetings. DBEI officials in the Permanent Representation in Brussels are also engaging in this work providing advice and expertise on the ground and sharing intelligence with HQ.

The Guidelines and Directives reflect Ireland's unique concerns regarding the withdrawal negotiations – to support and protect the achievements, benefits and commitments of the Peace Process, to avoid a hard border, and to protect the Common Travel Area. They also recognise the desirability of moving on to discuss the future relationship between the EU and the UK once sufficient progress has been made on the withdrawal issues, as well as the likely need for transitional arrangements and to address concerns around transit of goods across the UK – Ireland's land-bridge to the EU.

The outcome is a major endorsement of the Government's approach and is a reflection of the government's focused campaign of strategic engagement with EU Member States and the EU institutions over the past 18 months. We are now at an important point in the negotiations with further progress needed to be made in relation to the three exit issues before a decision can be made by the European Council on 15 December that 'sufficient progress' has been made so we can move on to discuss the framework for the future relationship between the UK and the EU. The three exit issues are citizens' rights, the financial settlement and the Irish specific issues.

The Government's position is clear that protecting the Good Friday Agreement in all its parts and the gains of the peace process is a key priority. There can be no hard border on the island of Ireland – the border must remain invisible. The optimal solution would be for the UK to remain in the Customs Union and the Single Market but this is ultimately a decision for the UK. The UK need to off concrete and workable solutions but include acceptance by the UK that the risks posed by the emergence on the island of Ireland of regulatory divergence from EU rules and regulations must be avoided. The Department is contributing to detailed technical work led by DFAT to map out areas of North South cooperation which rely on, or are supported by, EU law and policies - this work has also underlined the need to avoid the risks presented by any regulatory divergence. The Government's position is that political solutions are required that recognise the unique situation on the island of Ireland.

The Government is now intensifying its focus on the economic implications of Brexit, including on domestic policy measures to reinforce the competitiveness of the Irish economy, to protect it from potential negative impacts of Brexit, and to pursue all possible opportunities that might arise. Reflecting the breadth and depth of work underway across the Department and its Agencies in

response to Brexit An Tánaiste published **Building Stronger Business** – *Responding to Brexit by competing, innovating and trading* on 9 November 2017. The Paper sets out our approach by helping firms to compete, enabling firms to innovate, supporting firms to trade, and negotiating for the best possible outcome.

The Department will continue its analysis and engagement work to develop robust policy responses and approaches to be taken in the negotiations to secure the best outcome for enterprise, and innovation.

Digital Single Market

The Digital Single Market Strategy (DSM) was adopted on 6 May 2015. The Commission considers that DSM can create opportunities for new startups and allow existing companies to grow and profit in a market of over 500 million people. Completing a Digital Single Market could contribute €415 billion per year to Europe's economy, create jobs and transform our public services.

The Commission claims that an inclusive DSM also offers opportunities for citizens, provided they are equipped with the right digital skills. Enhanced use of digital technologies can improve citizens' access to information and culture, improve their job opportunities, and can promote modern open government.

The DSM includes 16 initiatives, under 3 pillars, to be delivered by end 2016:

1. Access: better access for consumers and businesses to digital goods and services across Europe;
2. Environment: creating the right conditions and a level playing field for digital networks and innovative services to flourish;
3. Economy & Society: maximising the growth potential of the digital economy.

The initiatives span both inter- and cross-Departmental work areas. At present policy Units in this Department are working on proposals in the area of consumers and copyright.

As part of the DSM Strategy, the Commission is conducting public consultations on various issues. The Entrepreneurship and Small Business Policy Unit co-ordinates the Department's internal view on these issues and also makes our external stakeholders aware of the consultations.

Single Market Strategy

The Single Market Strategy – “Upgrading the Single Market: more opportunities for people and business” – was adopted by the Commission on 28 October 2015. The Internal Market is one of the 10 political priorities of the Juncker Commission, and the Single Market Strategy has been included in each of the annual work programmes of the current Commission. Hence, the follow-up to the Single Market Strategy is one of the 21 actions in the Commission's Work Programme for 2017 – “Delivering a Europe that protects, empowers and defends”.

Ireland has been consistently active, including in mobilising like-minded Member States, in urging the Commission to be ambitious in making progress on deepening the Single Market, especially for services, where much remains to be done. Ireland had a strong engagement in the preparatory process

leading up to the adoption of the Single Market Strategy. We have had regular engagement with the Commission, at both Commissioner and senior official level, and have led on, or participated in, a number of like-minded initiatives from 2015 to date. –More recently, in November 2016, Ireland took the lead in producing a like-minded letter, signed by 10 Member States including the Netherlands, Sweden and Denmark, calling on the European Commission to introduce ambitious measures to make it easier for businesses to provide services on a cross-border basis in other EU Member States. The Department is continuing to take this forward and will be playing a lead role at a Like Minded Group of Member States, which will be meeting in the Hague on 7th December.

The Single Market is a strong priority at the highest political level in the EU, and features regularly on the agenda of the European Council, most notably at the June European Council. Indeed, the European Council has set a high level political target for all of the measures included in the Single Market Strategy to be delivered, at EU level, by the end of 2018.

The Strategy comprises a series of targeted actions, to be progressed over the period from 2016 to 2018. In 2018 key proposals for DBEI will be:

- a legislative proposal to introduce a European services e-card (ESC) , as part of a focus on professional services and regulated professions.
- a legislative proposal to introduce a Single Market Information Tool which aims to improve the Commission’s ability to monitor and enforce EU rules in priority areas.
- A legislative proposal to introduce new notification procedures to the Services Directive, which will aim to ensure unjustified and disproportionate regulatory barriers that hamper the cross-border provision of services will not be introduced by Member States.
- an initiative to modernise the intellectual property framework, including measures to support the use of intellectual property by SMEs.
- the goods package, which includes proposals to increase awareness of the mutual recognition principle, a revision of the Mutual Recognition Regulation and a comprehensive set of actions to further enhance efforts to keep non-compliant products off the EU market.

Better Regulation

- On 19th May 2015, the European Commission adopted a “Better Regulation Package”, consisting of nine documents, including two policy Communications.
- The Communication on “Better Regulation for Better Results - An EU agenda” outlined the Commission approach to better regulation as a delivery tool for EU political priorities. It committed the Commission to strengthen the openness and transparency of its work, notably through reinforced stakeholder consultations. It set out the better regulation tools for the Commission to use, including integrated Better Regulation Guidelines. It also outlined how the Commission would strengthen the REFIT Programme. The second Communication was the Commission's proposal for a new Inter-institutional Agreement (IIA) on Better Regulation, which came into force the following year.
- In December 2014, the Competitiveness Council agreed Conclusions calling on the Commission to make advances in several areas, and the 2015 Package responded very positively to this in almost all respects. In particular, the Commission brought together all of their internal Guidelines on how to carry out Impact Assessments, Consultation and Ex-post Evaluation (REFIT)

into a single Toolkit, for the use of all Directorates General across the Commission. The toolkit is due to be reviewed this year (2017).

- The Commission also strengthened its Impact Assessment Board by introducing a new Regulatory Scrutiny Board with external, independent members for the first time. The Board reviews and issues opinions on both draft Impact Assessments on new proposals as well as evaluations. and fitness checks of existing legislation.
- The Commission's REFIT Platform seeks to strengthen stakeholder engagement. The platform has 2 strands, one comprising high level representatives from the Member States (the Government Group) and a second from broader societal interests. (the Stakeholder Group). The inaugural meeting of the Platform (a joint meeting of both strands) was held on 29 January 2016, with the Commission's Vice President Timmermans as chair. The Platform members work to tight deadlines to consider simplification suggestions received by the Commission through its "Lighten the Load – Have Your Say" website. .
- Generally the suggestions are considered initially by the Stakeholder Group which tries to seek a consensus before its input is passed on to the Government Group for further consideration. The final stage is the adoption of a Platform opinion which informs the Commission's Work Programme and may be considered further by various Council Working Parties. Ireland has, for some time, been a member of an informal group of "like-minded" Member States seeking a stronger line from the Commission on regulatory burden reduction for business. In this context, Ireland signed a like-minded joint letter on 1st April 2015, addressed to Vice President Timmermans. The Commission's Better Regulation Package of 19th May responds to much of what was requested there. (Reflecting that this Department does not have a policy responsibility for Better Regulation, Minister of State Dara Murphy signed the letter).
- The like-minded group still seeks some form of quantification or targets for burden reduction to be included in the REFIT Scoreboard, which describes progress of the REFIT evaluations, but does not yet provide a measure of whether burdens have been reduced as a result. The Commission has committed to quantify regulatory burden "wherever possible" within the REFIT programme, but the manner in which this is to be done has not been made clear.
- On 26th November 2015, a second like-minded letter to VP Timmermans was signed by 19 Member States again seeking the establishment of "targets for reducing the burden of regulation in particularly burdensome areas, in line with the Conclusions of the Competitiveness and European Councils. This letter was again signed by Minister Dara Murphy.
- The new Inter-institutional Agreement, which came into force in April 2016, is a key part of Vice President Timmermans' drive to strengthen Better Regulation at a European level. It replaces the previous IIA from 2003, which promised a common approach to Better Regulation across the three European Institutions, but which did not materialise in practice to the extent that many Member States had hoped or expected.

Section Five: OFFICES AND AGENCIES OF THE DEPARTMENT

Introduction

The Department currently funds and staffs 5 Offices. In addition, it funds 9 Agencies¹⁶ and 31 Local Enterprise Boards. The Offices of the Department are staffed by civil servants, who are employees of the Department. These staff are subject to the same values, standards and behaviours for Civil Servants which apply to other employees of the Department.

Each of these Agencies is established under primary legislation, which sets out the functions of the Agency. Responsibility for the delivery on the mandate and functions of an Agency rests, in the first instance, with its Board and the Chairman of its Board.

Liaison arrangements and oversight

The Secretary General, as Accounting Officer, ensures that the appropriate monitoring systems and procedures are in place for oversight of the Bodies under the aegis of the Department and the Offices of the Department and this is carried out through Liaison Units which are assigned responsibility in respect of individual Offices and Agencies.

Memoranda of Understanding (MoU) and Oversight and Performance Agreements (OPDAs)

The Department and each Office agrees, on an annual basis, a Memorandum of Understanding (MOU) which acts as a performance contract between the Department and the Office. These MOUs, which are jointly signed off by the Secretary General of the Department and the Head of each Office, set out agreed levels of performance / service in respect of the Body for the relevant year. These also allow for the adoption of both annual and multi-annual targets, and the development of output and outcome indicators including milestones to measure performance against targets.

The Department and each Agency agrees, on an annual basis, an Oversight and Performance Agreement (OPDA) which acts as a performance contract between the Department and the Office. These OPDA's, which are jointly signed off by the Secretary General of the Department and the Head of each Agency, set out agreed levels of performance/service in respect of the Body for the relevant year. These also allow for the adoption of both annual and multi-annual targets, and the development of output and outcome indicators including milestones to measure performance against targets.

¹⁶ PIAB is a self-funding Agency.

OFFICES

The Department includes 5 discrete Offices as part of its integral structure and a short description of each is set out below:

Labour Court Chairman: Kevin Foley

The Labour Court provides a free, comprehensive service for the resolution of industrial relations disputes and deals also with matters arising under employment rights legislation

The Court's functions can be divided between those relating to industrial relations matters and those relating to the determination of appeals in matters of employment rights. With the enactment of the Workplace Relations Act 2015 the Labour Court now has sole appellate jurisdiction in all disputes arising under employment rights enactments.

The main functions of the Court are:

- to investigate trade disputes and make recommendations for their settlement;
- to make determinations on appeals of Adjudication Officers recommendations/decisions under the Industrial Relations Acts ;
- to establish Joint Labour Committees, consider and adopt proposals, as appropriate, and forward to the Minister for consideration with a view to the making of Employment Regulation Orders;
- to register employment agreements and examine the terms and conditions of employment in a sector pursuant to Section 14 of the Industrial Relations (Amendment) Act 2015 and make recommendations to the Minister on the terms and conditions to be included in Sectoral Employment Orders;
- to hear all appeals of Adjudication Officer's decisions under various Employment Rights and Pensions Acts.

The Labour Court is not a court of law. It operates as an industrial relations tribunal, hearing both sides in trade disputes and then issuing recommendations, setting out its opinion on the dispute and the terms on which it should be settled. While these recommendations are not binding on the parties concerned, the parties are expected to give serious consideration to the Court's recommendation. Ultimately, however, responsibility for the settlement of a dispute rests with the parties.

The Court's determinations under employment rights legislation are legally binding.

Labour Court Gross Allocation as per REV	
	2017 REV
Gross Allocation	€3.648m

Workplace Relations Commission (WRC)

Chief Executive : Oonagh Buckley

The Workplace Relations Commission (WRC) was established in 2015 to deliver a modern, user-friendly and world-class workplace relations system in Ireland.

All the functions of the Labour Relations Commission (including the Rights Commissioner service), the Equality Tribunal, the National Employment Rights Authority (NERA) and the first instance functions of the Employment Appeals Tribunal and the Labour Court were brought together under the remit of a new statutory body called the Workplace Relations Commission with the commencement of the Workplace Relations Act 2015 on the 1st of October 2015.

The Commission activities are primarily concerned both with facilitating and assisting workplace change and creating an environment of equity and fairness in employment.

The Commission has a broad range of functions including industrial relations advisory and conciliation services and the resolution of industrial relations disputes of interest between employers and workers across the public and private sectors. It provides a comprehensive early resolution, mediation and adjudication services in relation to the full spectrum of employment rights and equality cases. It carries out workplace inspections to ensure the employment rights of workers and responsibilities of employers are respected and it has an enforcement function in relation to breaches of employment legislation.

In particular the WRC has responsibility for:

- promoting and encouraging compliance with legislation relating to the employment of persons;
- providing a first-instance adjudication service in relation to entitlements of employees under relevant legislation;
- providing a first instance adjudication service in relation to claims of discrimination under the Equal Status Acts;
- providing an employment rights compliance and enforcement service;
- providing information on, and enhancing awareness of, workplace relations legislation and services;
- prosecuting summary offences under employment law;
- providing a workplace Conciliation and Mediation service
- preparing codes of practice for bettering workplace relations,
- offering guidance on such codes of practice and help to resolve disputes concerning their implementation;
- reviewing and monitoring developments in the area of workplace relations;
- building on the Minister's Workplace Relations Reform Programme;
- conducting or commissioning research into matters relevant to workplace relations;
- administering the licensing of young persons and employment agencies

WRC Gross Allocation as per REV	
	2017 REV
Gross Current Allocation	€13,379m

Employment Appeals Tribunal (EAT)

Chairman: Kate O'Mahony

The Employment Appeals Tribunal, as part of the Workplace Reform programme is being wound down. The functions of the EAT were transferred to the WRC in October 2015 and the body is now only dealing with legacy cases. There are c.95 legacy cases remaining to be heard by the EAT as at the end of October 2017.

EAT Gross Allocation as per REV	
	2017 REV
Gross Current Allocation	€1,709m

Office of the Director of Corporate Enforcement

Director: Ian Drennan

The mission of the Office of the Director of Corporate Enforcement (ODCE) is to improve the compliance environment for corporate activity in the Irish economy by encouraging adherence to the requirements of the Companies Acts and bringing to account those who disregard the law.

	2017 REV
Gross Current Allocation	€4,895m

Patents Office

Controller: Gerard Barrett

The Patents Office was established under the Industrial and Commercial Property (Protection) Act 1927. It is an independent statutory office under the control of the Controller of Patents, Designs and Trade Marks and is responsible for the grant and registration of intellectual property rights in Ireland, specifically patent, trade mark and industrial design rights. The Controller also has certain statutory functions under the Copyright and Related Rights Act, 2000, which are mainly concerned with the registration of copyright licensing bodies, references and applications relating to licensing schemes operated by those bodies and the resolution of disputes regarding royalties payable under those schemes. The Patents Office provides input to the Intellectual Property Unit of the Department in the drafting of certain legislation and in the formulation/implementation of policy in relation to the development of the system of intellectual property protection.

	2016
Net Receipts	€9,07M
Expenses	€3,06M

Companies Registration Office (CRO)

Registrar: Maureen O'Sullivan

The CRO is the authority for the incorporation of new companies and registration of business names in the Republic of Ireland. The Office is also responsible for the receipt and registration of post incorporation documents, enforcement of the filing requirements of companies, and provision of information to the public.

Registry of Friendly Societies

Registrar: Maureen O'Sullivan

The Registry of Friendly Societies is a statutory independent office responsible for the registration and general regulation of friendly societies, trade unions and industrial and provident societies (co-operatives). This Office is de facto part of the CRO.

	2017 REV
Gross Current Allocation	€7,488m

Numbers serving in Offices of the Department at end 2008 and June 2017

(Included in the headline figures above)

Office	Numbers serving end 2008	Numbers serving June 2017
Companies Registration Office/ Registrar of Friendly Societies	133.81	111.16
Office of the Director of Corporate Enforcement Specific provision was made in the ODCE's 2015 allocation to allow for the recruitment of additional staff, with additional specialist staff including 7 forensic accountants. The reality, however, has been that notwithstanding the increased pay allocation, it has taken some time to effect the recruitment of the specialist staff concerned. Nonetheless, 5 additional forensic accountants are now in place and a competition to recruit a further 2 is underway under the auspices of the Public Appointments Service (PAS). Likewise, the Department and PAS are engaged on further senior recruitment of Legal and Accounting expertise at Principal Officer equivalent level.	36.50	32
Patents Office	60.10	42.33
Workplace Relations Commission: <ul style="list-style-type: none"> ▪ Labour Relations Commission (2008 = 47.6) ▪ National Employment Rights Authority (2008 = 130.33) ▪ Equality Tribunal (N/A) ▪ Employment Appeals Tribunal (2008 = 34.6) 	212.53	179.6
Labour Court	38.50	25.9

AGENCIES

The Department is assisted in the delivery of its programmes by the following Agencies:

IDA Ireland **CEO: Martin D. Shanahan**

IDA Ireland is Ireland's statutory inward investment promotion agency and attracts and supports Foreign Direct Investment into Ireland through a wide range of services. IDA Ireland partners with potential and existing investors to help them establish or expand their operations in Ireland, leading to significant job creation and expenditure in the economy. IDA Ireland supports investment throughout all regions of Ireland, including through the provision of strategic property solutions.

	REV 2017
Current	42,264
Capital	137,000
Total Gross Allocation	179,264
Staff Numbers	272

Science Foundation Ireland (SFI) **Director General (& Chief Scientific Adviser to the Government): Prof. Mark Ferguson**

The Industrial Development (Science Foundation Ireland) Act 2003 established Science Foundation Ireland as a separate statutory agency as part of the Forfás group of industrial development agencies. The mission of SFI is to progress Ireland's society and economy by supporting the best scientific and engineering research while building an awareness of the role, impact and opportunities science creates.

Through strategic investments in the people, ideas and partnerships essential to outstanding research in strategic areas, SFI will help build in Ireland research of globally recognised excellence and nationally significant importance.

	2017 REV
Current	10,131
Capital	162,500
Total Gross Allocation	172,631
Staff Numbers	50

Health & Safety Authority (HSA)**CEO: Martin O'Halloran**

The principal functions of the Health and Safety Authority are to monitor and enforce compliance with occupational health and safety law, to provide information and expert advice to employers, employees and the self-employed, to promote workplace safety, health, welfare, education and training, to publish research on workplace hazards and risks and to propose new regulations and Codes of Practice to the Minister for Business, Enterprise and Innovation.

The Authority is also responsible for the administration and enforcement of more broadly based chemicals legislation, including REACH, CLP and Seveso. Since 2014, the Authority incorporates the Irish National Accreditation Board (INAB), which has responsibility for the accreditation of laboratories, certification bodies and inspection

	2017 REV
Current	€18,112,000
Capital	-
Total Gross Allocation	€18,112,000
Staff Numbers	161.2

National Standards Authority of Ireland**CEO: Geraldine Larkin**

Authority of Ireland Act, 1996, to manage the policy instruments of Standards, Metrology and Conformity Assessment. The NSAI represents Irish interests in European and International Organisations that work towards technical harmonisation and removal of technical barriers to trade. The NSAI is notified as the National Standards body for Ireland under EU Regulation No. 1025/2012 on European Standardisation.

The NSAI ensures consumer confidence and protects Irish industry interests e.g. Motor Vehicles, Medical Devices, through setting Standards and issuing Certification in the quality and safety of goods and services.

Apart from its Standards work, the NSAI provides knowledge-based services and technical support to Government, consumers and industry, through the independent Certification of products, processes and services; Certification specific to the Construction industry, known as 'Agrément'; regulatory control in the area of Metrology; and the maintenance and development of national Measurement Standards.

	2017 REV
Current	5,302,000
Capital	500,000
Total Gross Allocation	5,802,000
Staff Numbers	135

Enterprise Ireland (EI)

CEO: Julie Sinnamon

Enterprise Ireland (EI), which was established in July 1998, has responsibility for helping to grow the sales, exports and employment of Irish companies. Enterprise Ireland brings together the key marketing, technology, enterprise development, business training and science and innovation initiatives through which the Government supports the growth of Irish industry.

	2017
Current	84,502
Capital	185,000
Total Gross Allocation	269,502
Staff Numbers	575 + 91 local overseas posts + recruitment of 39 Brexit posts

Local Enterprise Offices

The 31 Local Enterprise Offices (LEOs) were established and open for business on 15th April 2014 following the dissolution of the County and City Enterprise Boards (CEBs) on the same day. The reformed structure provides a service which amalgamates national enterprise policy and local business supports in order to strengthen the local business culture and environment. The LEO structure combines the expert knowledge of the former CEBs, the Business Development expertise of the Local Authorities, overseen by a dedicated National Centre of Excellence in Enterprise Ireland which will ensure that 'best-practice' will prevail across the LEO network.

The LEOs are about promoting entrepreneurship and self-help and are now the "first-stop-shop" for those beginning a new business as well as those wishing to expand their existing one. In accordance with the Service Level Agreement (SLA) between Enterprise Ireland and each Local Authority, the LEOs provide services under four headings:

- Business Information and Advisory Services;
- Enterprise Support Services;
- Entrepreneurship Support Services, and
- Local Enterprise Development Services.

	REV 2017
Current	€10.431m
Capital	€22.500m
Total Gross Allocation	€32.931m
Staff Numbers	N/A

Since the dissolution of the County and City Enterprise Boards, staff in the LEOs are employed either by their Local Authority (LA) or by Enterprise Ireland (EI), with the latter staff seconded to work in the LEO. As such, the LEO staff are subject to LA terms and conditions, while recruitment is a matter for the LAs / Department of the Housing, Planning and Local Government. From 2017, the Current allocation to the Department is used predominantly to fund a block administration grant to the LAs towards the cost of running the LEOs, plus some central EI administration costs on behalf of the LEOs.

Design and Crafts Council of Ireland

The Design and Crafts Council of Ireland (DCCol) is a registered private company limited by guarantee that promotes craft and design activities in Ireland.

DCCol managed the very successful Year of Irish Design 2015 that promoted the significance of design to a national audience, promoted the quality (and exports) of Irish design internationally and ran a number of initiatives to improve collaboration between the design sector, the third-level sector and the business sector.

From this Department's perspective design is seen as an intrinsic part of the innovation agenda and the wider enterprise development agenda¹⁷, and critical to particular emerging and growth sectors including medical devices, professional services, digital/media/gaming and the wider creative sectors, as well as to business production and service systems more generally.

To that end a number of actions on Design are included in APJ 2017, including the establishment of a National Design Forum which had its inaugural meeting in May 2017. This Forum brings together representatives from the public sector, design sector, the third-level sector and the business sector and is chaired by the Minister.

DCCol receives funding through EI (Subhead A.7) for the purpose of promoting crafts and design initiatives in Ireland. The Budget is approved by the EI Board. The spending is governed by a Service Level Agreement between the two parties providing for the required supporting documentation and review of agreed performance metrics. There is a total of 12 members on the Board and 4 of those are appointed by the Minister including the Chair and an official from Enterprise Ireland.

Competition and Consumer Protection Commission (CCPC)

Chairperson: Isolde Goggin

The Competition and Consumer Protection Commission (CCPC) was formed through the amalgamation of the Competition Authority (TCA) and the National Consumer Agency (NCA) on the 31st October 2014. It is the statutory body responsible for enforcing consumer protection and competition law in Ireland and its mission is to make markets work better for consumers and businesses.

	2017 REV
Current	12,138
	-
Total Gross Allocation	12,138
Staff Numbers	106

¹⁷ Design is referenced in the new Science technology and Innovation Strategy to 2020 and in Enterprise Policy 2025

Personal Injuries Assessment Board

CEO: Conor O'Brien

The Personal Injuries Assessment Board (PIAB) is an independent statutory Body which assesses the amount of compensation due to a person who has suffered a personal injury.

	2017 REV
Current	228k
Capital	-
Total Gross Allocation	228k
Staff Numbers	80

Following initial Exchequer start-up funding, PIAB has successfully operated as a self-funding State Agency for a number of years. It relies on income generated primarily from respondents to fund its day-to-day activities, and its services are thus delivered at no direct cost to the Exchequer. C.09 (previously C13) subhead (current expenditure) was established in 2010 for the payment of PIAB pensions. PIAB makes superannuation remittances to the Department of Business, Enterprise and Innovation through appropriations in aid (remitted to the Department of Public Expenditure and Reform). In 2016 the appropriations in aid totalled €1.16m. Remittances are made directly to the Department of Public Expenditure and Reform in respect of the PIAB Single Pension Superannuation scheme and were €150k in 2016.

Irish Auditing & Accounting Supervisory Authority

CEO: Kevin Prendergast

The Irish Auditing & Accounting Supervisory Authority (IAASA) was established pursuant to the provisions of Part 2 of the Companies (Auditing and Accounting) Act, 2003, and has seven principle objectives: (1) to supervise how the prescribed accountancy bodies regulate and monitor their members; (2) to monitor the periodic financial reporting of certain entities whose securities have been admitted to trading on a regulated market in the EU, (3) to carry out certain functions in respect of liquidators, (4) to promote adherence to high professional standards in the auditing and accountancy profession, (5) to act as a specialist source of advice to the Minister for Business Enterprise and Innovation on auditing and accounting matters, (6) to carry out the external quality assurance of the audits of public interest entities and (7) oversight of statutory audit.

In June 2016 IAASA was conferred with the function of the quality assurance of auditors of public interest entities and also designated as the competent authority with responsibility for oversight of auditors under the new EU reforms.

In view of additional functions conferred on IAASA, sanction was secured in April 2017 to recruit an additional 13 staff, thus increasing its approved complement from 30 to 43, in order to carry out its statutory mandate. At present, 24 staff are in place, with recruitment of additional staff underway and plans to commence a further recruitment campaign.

	2017 REV
Current	2,100
Capital	0
Total Gross Allocation	2,100
Staff Numbers	43

InterTrade Ireland
CEO: vacant

InterTrade Ireland is the trade and business development body tasked with promoting North-South trade that was established after the Good Friday Agreement in 1998. The body manages a range of programmes to assist SMEs in a cross border context and promotes trade and business links generally between the Republic of Ireland and Northern Ireland. It is funded on a 2:1 basis by this department and its counterpart department in N.I.

There are ongoing issues in respect of securing pro-rata funding from our counterpart Department in Northern Ireland that is seeking to retain a unilateral cut it previously imposed on the Body's budget. Our Department is resisting this. As a result, a Business Plan for the Body for 2017 has not been agreed but ITI has been able to continue activities as normal. The approach taken by the Northern Ireland Department of Economy in respect of the budget may yet evolve.

	2017REV
Current	2,265m
Capital	5,695m
Total Gross Allocation	7,960m
Staff Numbers	40

Boards of the Agencies

Board Appointments

The process for appointments to State Boards was reformed by Government in late 2014 and the Personnel Officer, through the State Agencies and Pensions Unit, serves as the Department's State Boards Liaison Officer for engaging with the Public Appointments Service (PAS) on the advertising and assessment processes after which lists of potential candidates are made available to the Minister to facilitate his/her making Board appointments.

This Department is represented on the Boards of its Agencies as follows:

Agency	Department Representative
Enterprise Ireland	Declan Hughes, Assistant Secretary, Indigenous Enterprise Division
IDA Ireland	Dermot Mulligan, Assistant Secretary, Innovation & Investment Division
Science Foundation Ireland	Dermot Mulligan, Assistant Secretary, Innovation & Investment Division
National Standards Authority of Ireland	Nina Brennan, Principal Officer, Indigenous Enterprise Division
Health & Safety Authority	Steven Curran, Principal Officer, , Workplace Regulation and Economic Migration Division
Personal Injuries Assessment Board	Breda Power, Assistant Secretary, Commerce, Consumers & Competition Division
Irish Auditing & Accounting Supervisory Authority*	N/A
Intertrade Ireland*	N/A
Competition & Consumer Protection Commission **	N/A

* The Department is not currently represented on the Board of the Irish Auditing & Accounting Supervisory Authority or InterTrade Ireland.

** The Competition and Consumer Protection Commission does not have a Board. The Commission's members are appointed by the Minister following a competition conducted by the Public Appointments Service (PAS).

Section Six: Budget and Staffing

6.1 DEPARTMENTAL ESTIMATE - SUPPLEMENTARY INFORMATION TO SECTION 1.6

6.1.1 Capital Commitments

Given the multi-annual nature of the agency grant supports, typically 80% ~ 85% of an agency's in-year capital provision is required to meet existing business with associated capital commitments.

Enterprise Ireland, IDA Ireland and Science Foundation Ireland have complex funding programme operations and must carefully manage their future year grant commitments.

A complication in this regard is that neither the Department, nor the Agency, will know what the future capital allocations will be until the next year's financial allocations have been finalised and approved by Government and the Minister for Public Expenditure & Reform through the annual estimates/budgetary process.

Agency capital commitments are managed at BEI Vote level in line with Department of Public Expenditure and Reform sanctioned threshold levels usually over a rolling 3 year period. Typically the DPER multi-annual capital commitments thresholds have been along the lines of:

- Year 1 @ 85% maximum
- Year 2 @ 65% maximum
- Year 3 @ 50% maximum

Given the reality of the multi annual nature of the capital programmes of the DBEI's Enterprise Agencies, the Department secured PER's agreement to include Agency Own Resource Income in the calculation of future year BEI capital commitment thresholds. The effect of including ORI is that the calculation base is increased by approx. €85m, thus in turn increasing the permitted future year commitment thresholds.

For example, in terms of the 2017 capital commitments sanction, the inclusion of ORI meant that the permitted threshold for 2018 is €544m, €416m in 2019 and €320m in 2020.

Whereas if ORI had not been included in the base for calculation the permitted threshold for 2018 would only have been €472m, €361m in 2019 and €277m in 2020.

Capital Provisions 2017 v 2018 by Agency/Programme area

	2017	2018
Science Foundation Ireland	€162.5m	€166.75m
IDA Ireland	€137m	€ 132m*
Enterprise Ireland – Subhead A7	€63m	€63m
Enterprise Ireland – Subhead B4 (R&D)	€122m	€122m
Local Enterprise Offices	€22.50m	€22.5m
Memberships of International Research Organisations (ESA, EMBL, EMBC, Eureka, COST, ESO etc)	€19.405m	€20.225m
Programme for Research in Third Level Institutions	€14.4m	€14.3m
InterTrade Ireland	€5.695m	€5.695m
Interreg	€3m	€3m
Tyndall National Institute	€4.50m	€4.5m
National Standards Authority of Ireland	€0.50m	€0.50m
Credit Guarantee Scheme	€0.50m	€0.50m
Total	€555m	€555m

*This reflects the €5m reduction arising from the reclassification of the IDA's Winning Abroad Programme from capital to current expenditure

6.1.2 Agency Own Resource Income

In addition to Exchequer funding, several of the Department's Agencies, most notably Enterprise Ireland, IDA Ireland, National Standards Authority of Ireland generate Own Resource Income (ORI) from a range of their activities. The retention of the ORI by the Agencies is subject to annual sanction from the Minister for Public Expenditure & Reform. Typically, the quantum of annual ORI generated and retained for use by the agencies has been in the €85m -€115m range in recent years.

In the case of the Irish Auditing & Accounting Supervisory Authority (IAASA) and the Financial Information functions of the Competition & Consumer Protection Commission, some levels of funding is generated by means of a levy on the regulated industries.

In relation to the Personal Injuries Assessment Board (PIAB), it is a self-funding agency and relies on income generated primarily from respondents to fund its activities. Typically, the annual PIAB cost of operations has been in the region of €12m.

Income received by the Department ("Appropriations-in-Aid")

A number of the Department's Offices, such as the CRO, Patents Office and Employment Permits area of the Department provide services to the public with a fee generation element. Unlike ORI, the Department does not get to retain and use A&As, these are returned to the Exchequer and "netted off" against the Exchequer gross allocation to the BEI Vote.

For example, the CRO charges companies to incorporate and to file certain statutory documents such as annual returns. In 2016 CRO generated an income of €20.067 million which represents an increase of 12% on the 2015 figure of €17.722m. The increased income received by CRO in 2016 can be attributed to a substantial increase in late filing penalties paid, a record number of annual returns filed

in 2016 due to an increase in new company registrations and additional documents being filed due to Companies Act 2014 requirements.

The level of income generated from the issuing of Employment Permits is also determined by the prevailing labour market conditions. In 2016 there was a significant increase in the volume of Employment Permits issued with over €6.86mm received in income. The 2015 level was. €5.477m.

Last year the Patents Office received €9.08m from fees in respect of the registration of Patents and Trademarks last year. The 2015 level was €8.612m.

Typically, the Department will generate in the region of €50m in A&As per annum from Offices fee generation and other sources, such as pension related deductions and the pension levy on staff

6.2 BEI VOTE STRUCTURE, 2017 ESTIMATE AND BEYOND

Section 1.6 above provided some high-level detail of the Department's 2018 financial provision as secured through the 2018 Budget and Revised Estimates Volume processes. The €871m secured for 2018 will cover staffing and administration of the Department, its agencies and offices, pensions funding, and capital grants expenditure on a range of programmes designed to support jobs and facilitate further economic growth.

Structure of Vote 32 – Business, Enterprise & Innovation

As a consequence of reforms introduced in 2012 to the public financial management process, the Department's objectives are pursued and delivered through three high-level Programme Areas linked to the Department's Statement of Strategy. This follows the Performance Budgeting approach adopted by the Department of Public Expenditure & Reform (DPER).

The 3 BEI high-level Programme Areas are:

- A: Jobs and Enterprise Development**
- B: Innovation**
- C: Regulation**

In terms of Vote Management the 3 areas of programme expenditure span across almost 30 Subheads and 6 Administrative (Departmental) Subheads. The complex Vote structure reflects the wide diversity of the Department's remit and range of functions.

Table: Funding Distribution at Programme Expenditure area

Programme Area	2018 Estimate		
	Current	Capital	Total
	€000	€000	€000
A - JOBS & ENTERPRISE DEVELOPMENT	205,925	227,195	433,120
B – INNOVATION	28,293	327,805	356,098
C – REGULATION	81,742	0	81,742
Gross Total: -	315,960	555,000	870,960
APPROPRIATIONS-IN-AID (i.e estimated income)	51,500	500	52,000
Net Total:-	264,460	554,500	818,960

Programme A – Jobs and Enterprise Development

The primary objective of this programme area is to maximise sustainable job creation across the enterprise base to make Ireland the best small country to do business in. The Department aims to position Ireland as a competitive, innovation-driven location in which to do business, to promote entrepreneurship, to develop a strong indigenous enterprise base, to target future inward investment and to grow exports in existing and fast-growing markets.

This programme area covers the “Action Plan for Jobs” as well as activities carried out by specific policy areas of the Department spanning indigenous enterprise, regional development, micro-finance, state-aid, EU affairs, trade, foreign direct investment, competitiveness issues and the green economy.

Under Programme A funding provision is provided to the following agencies and programme lines:

- InterTrade Ireland
- IDA Ireland
- Enterprise Ireland
- Local Enterprise Offices (LEOs)
- National Standards Authority of Ireland

Funding under Programme A is also provided:

- To assist North-South measures via the Enterprise Development strand of the cross-border INTERREG programme
- For the Credit Guarantee Scheme
- For Ireland’s membership of the World Trade Organisation
- To pay for Agency legacy pensions (for retired employees of the enterprise agencies).
- To pay the Department’s contribution to the launch of the Brexit Loan Fund (which will be by way of a once of contribution of €14m in the 2017 Supplementary Estimate)

Programme B – Innovation

The primary objective of this programme is to foster and embed a world class innovation system that underpins enterprise development and drives commercialisation of research to build national competitive advantage across the economy. Funding is provided for strategic investments in research, development and innovation and the development of human capital. This investment is serving as key driver for growth, and the creation and maintenance of sustainable employment into the future.

Funding to support the Department's activities under **Programme Area B – Innovation** are delivered by and through:

- The Patents Office
- Enterprise Ireland R&D supports
- Science Foundation Ireland
- The Programme for Research in Third-Level Institutions (PRTL)^{*}
- Tyndall National Institute

* The PRTL is administered on behalf of the Minister for BEI by Higher Education Authority, an agency under the auspices of the Minister for Education & Skills. Responsibility for the PRTL transferred to the Minister for BEI in May 2010.

Funding under this programme area also covers Ireland's memberships of various international research organisations such as:

- Centre Européen de Calcul Atomique et Moléculaire (CECAM)
- European Space Agency (ESA)
- European Molecular Biology Laboratory
- European Molecular Biology Conference
- European Cooperation in Science and Technology (COST)
- Eureka
- European Southern Observatory (joining in 2018)

Programme C – Regulation

The primary objective of this Programme is to ensure that Ireland's business regulatory system and dispute resolution mechanisms facilitate fair, efficient and competitive markets, for businesses, employees and consumers to make Ireland the best small country to do business in.

The Department aims to make markets, including the labour markets, work more efficiently through smart regulation which encourages innovation, keen competition, high standards of compliance and consumer protection but without unnecessary regulatory cost. In recent years the Department has delivered very significant reforms to the Regulation area such as:

- The amalgamation of the Competition Authority with the National Consumer Agency to form the Competition & Consumer Protection Commission;
- The establishment of the Workplace Relations Commission (through the amalgamation of the Labour Relations Commission, National Employment Rights Authority and the Equality Tribunal)

Funding under **Programme Area C – Regulation** covers the following:

- Companies Registration Office (CRO) incorporating the Registrar of Friendly Societies
- Competition & Consumer Protection Commission
- Employment Appeals Tribunal (EAT)

- Health and Safety Authority (HSA)
- Irish Auditing and Accounting Supervisory Authority (IAASA)
- Labour Court
- Office of the Director of Corporate Enforcement (ODCE)
- Patents Office
- Workplace Relations Commission

The activities of the High-Level Group on Business Regulation, the Company Law Review Group and the Sales Law Review Group are also included under this Programme area. Ireland's membership of the International Labour Organisation is also provided for under this programme area.

FINANCIAL ISSUES FACING THE DEPARTMENT

DBEI Capital Expenditure / Future Enterprise & Innovation Investment challenges

DBEI's capital budget represents a significant quantum of the overall public funding provided to the Department (approximately 64%) and is critical to DBEI's enterprise, innovation and job creation programmes.

The investments through DBEI and its agencies have contributed strongly to growing productivity, innovation and employment in the economy and thereby significantly reducing the unemployment level from 15.2% in 2012 to 6% as end October 2017 (as per CSO figures).

The Department's capital investment programmes differ significantly to other Public Capital Programme (PCP) projects and have a far greater jobs impact.

The majority of PCP offers one off construction projects which yield in the region of 10-20 jobs per €1m spent. Whereas, in terms of sustainable employment, it is important to note that enterprise agency job numbers are based on jobs that are sustained over at least 7 years as opposed to 2 to 4 years for capital investment in other infrastructure projects.

Furthermore, Forfás evaluations undertaken in 2013/2014 also show other benefits from enterprise capital grant supports such as:

- The leverage of additional private funds which all our agencies deliver (an average of €3 private for every €1 public).
- The highest number of jobs per €1 million spent on the PCP which our agencies deliver (sustaining over 155 jobs for seven years per €1 million invested in projects).
- The unique feature of additional sustainable jobs in sub supply, which the enterprises which our agencies support deliver, doubling the jobs impact.
- The scope for cost effective job protection which our agencies are uniquely placed to deliver. This has helped bring job losses in the portfolio to historic low levels in 2015/16 whilst also growing the EI and IDA directly supported jobs level to an all-time high.
- Our position to drive Ireland into a position to be a leader in the "war for talent" through science and technology skills and centres of excellence which are now linked to over one third of IDA project wins each year.

Jobs being supported by Enterprise Agencies

At the end of **2016 over 435,000 jobs** (over 1 in 5 of those employed in Ireland) are directly being supported by the enterprise agencies – Enterprise Ireland, IDA Ireland and the Local Enterprise Offices.

Allowing for the multiplier effect almost a similar number (a further 400,000+ jobs) are supported indirectly through interactions with enterprise agency client companies in services and sub-supply.

Therefore **over 800,000 jobs - more than 2 in 5 jobs in Ireland** – are connecting and benefitting as a consequence of enterprise agency supports. Over the past 3 years or so through the Department’s enterprise and innovation supports the enterprise agency supported client companies have been adding approx. 70 (net) new jobs per day – close to 500 extra new jobs per week – c. 25,000 additional (net) new jobs per year.

- At the end of 2016 Enterprise Ireland client companies were directly supporting 201,000 jobs across its client base – its highest level ever.
- IDA Ireland were directly supporting 199,877 jobs across its client cohort – also the highest level ever being supported by the IDA.
- A further 34,634 jobs (full-time and part-time) are being supported through the Local Enterprise Offices (LEOs) – also the highest ever.
- The capital provision through Science Foundation Ireland also provides direct funding and employment for nearly 3,000 high-class researchers with a further 5,000 plus researcher jobs being leveraged off the SFI funding. It is estimated that the SFI capital supports are directly and indirectly supporting in the region of 31,000 jobs across the country.
- SFI funded research is also leveraging significant additional investment in Ireland through EU research funding streams and directly from industry – typically in the range of €130m+ per annum (combined). This effectively means that for every €1 capital invested by SFI it leverages c.75 cent in further R&D investment in Ireland.

In addition to the jobs being supported, typically the EI and IDA client cohort companies spend over €20 billion per annum in the Irish economy. Furthermore EI clients are also generating export sales of a similar magnitude annually (€21.6 bn in 2016).

Underpinning much of this is the innovative capacity of Irish based enterprise which has benefitted hugely over the past fifteen years or more through the State’s very significant investments in research and development via Science Foundation Ireland and the Programme for Research in Third-level Institutions. In recent years, typically in excess of 30% of the IDA new FDI investment wins each year have been R&D related in companies connected to SFI supported research teams.

Benefits of the Department’s Innovation Programmes

A crucially important element of BEI capital supports relates to “Expenditure Programme Area B – Innovation” which primarily covers R&D investments through Science Foundation Ireland, Enterprise Ireland and the Programme for Research in Third-Level Institutions (PRTL).

Since the late 1990s, successive Governments decisions to pursue a Smart Economy strategy and invest heavily in science and technology has resulted in the country being transformed into a leading centre for education, research and industry across a range of cutting-edge disciplines. From a very low base, Ireland has today become home to:

- 9 of the top ten global ICT companies
- 9 of the top ten global pharmaceutical companies
- 17 of the top 25 global medical devices companies, and
- More than half of the world’s leading financial services institutions.

Also Ireland is now in the Global Top 20 (ranked 10th overall, up from 36th in 2003, and 20th in 2009) for the quality of our scientific research. During the period of the fiscal crisis, our scientific and innovation reputation was one of the few areas where Ireland's reputation was further enhanced.

In specific scientific disciplines we are genuine world-leaders given we are ranked:

- 1st in the world for our research in Nanoscience
- 2nd in Computer Science
- 2nd in Immunology
- 3rd in Animal and Dairy science
- 5th in Materials Science.

Much of this success has been as a consequence of the sustained research capital investments undertaken through Science Foundation Ireland (established in 2000) and the Higher Education Authority via the PRTL. (Responsibility for the PRTL was transferred to the Minister for Jobs, Enterprise and Innovation in 2010). Nearly half (over 48%) of Ireland's public research funding supports are via the Department's Vote.

In order to maintain and improve Ireland's competitiveness in the innovation arena, to maintain and attract high calibre FDI and to ensure a pipeline of highly skilled researchers to feed industry demand and help our enterprise base to thrive and diversify, we need to return to a trajectory of increasing public investment in research and innovation over the coming years. The previous Government recommitted to the EU "Europe 2020" target of achieving a research intensity target of 2.5% of GNP by 2020. This can only be achieved by a stepped increase in the level of public funding in the Innovation area. Ireland's estimated level of innovation investment (**Gross Expenditure on R&D**) as a proportion of GNP has been decreasing in recent years dropping from 1.74% in 2014, to 1.62% in 2015 to an estimated 1.44% in 2016.

The Capital Plan 2016 – 2021

Much of the Department's interactions with the Department of Public Expenditure and Reform in the course of recent budget negotiations, but particularly in relation to Budget 2018 have focussed on the adequacy of the capital provision being provided to the Department and its Enterprise Agencies. The Budget 2018 negotiations coincided with the Mid Term Review of the Capital Plan 2016 -2021.

In September 2015 the Government produced a Capital Plan covering the period 2016 – 2021. The Capital Plan as published by the Department of Public Expenditure & Reform in September 2015 proposed the following indicative BEI capital allocations over a 6 year period to 2021.

Table: Proposed BEI Capital allocations under the published Capital Plan 2016– 21

	2016	2017	2018	2019	2020	2021	Total
Proposed DBEI Capital	€495m	€525m	€490m	€500m	€500m	€500m	€3.010 billion

Following on from the publication of the Capital Plan, the Department secured additional capital funding in Budget 2016 and Budget 2017 increasing its capital allocations to €503m and €555m respectively.

XXXXXXXXXXXXXXXXXXXXXX	XXXXXX	XXXXXX	XXXXXX
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The actual current expenditure ceiling secured in Budget 2018 is set out in the Table below together with a comparison with the 2017 allocation

Comparison of Current Expenditure 2017 v 2018

	2017*	2018
Pay	€153.6m	€164.754m**
Pensions	€49m	€50.163m
Non-Pay	€100.4m	€101.043m**
Total	€303m	€315.96m

*2017 allocation included provision for funding for the Low Pay Commission and a number of employment right related functions which have since being transferred to DEASP

** see Point 3 below re: Technical adjustment in 2017 re: the IDA Winning Abroad Programme

The primary changes on the Current expenditure side in 2018 are:

- 1/ An additional €3m in "Brexit" related pay was secured to enable the recruitment of 40+ staff across the Department, Enterprise Ireland, IDA Ireland, Science Foundation Ireland and the Health & Safety Authority. Budget 2017 also provided the Department with an additional €3m in current monies specifically for the recruitment of additional staff to meet the Brexit challenge. This will mean that the additional monies provided in both Budget 2017 and Budget 2018 (€6m in total) will allow for the recruitment of up to 100 additional staff across the Department and its Enterprise Agencies specifically to meet the Brexit challenge.
- 2/ Additional provision (over 6m) has been provided for technical adjustments relating to Pay and Pensions on foot of Pay/Pensions restoration and payments due in 2017 under the Lansdowne Road agreement.
- 3/ There was also a technical adjustment made, with the approval of the Minister for Public Expenditure and Reform in relation to Subhead A5– Industrial Development Authority and its Winning Abroad Programme.. The net effect is that overall the Department's 2018 Capital allocation is being reduced by the Winning Abroad expenditure of €5m whilst the Department's 2018 current expenditure ceiling is being increased by €5m (€4m in pay and €1m in non pay).

In effect the only current expenditure additionality received in Budget 2018 was the extra €3m in pay is for additional Brexit related staff posts. The reality for the Department has been that it has had current expenditure savings of the order of 4%/5% in the last number of years. These savings have occurred across a number of Pay and Non-Pay subheads on the DBEI Vote. In the main the pay savings have related to staffing vacancies and delays in recruitment experienced across the Department and some of its offices/agencies such as the Workplace Relations Commission, the Employment Appeals Tribunal

and the Office of the Director of Corporate Enforcement, the Competition & Consumer Protection Commission.

As regards the non-pay savings, it is the case that where there are staffing vacancies the consequential impact is there will be less "day-to-day" running costs incurred across the Offices and business units effected. Typically, the non-pay savings have related to underspends on the Department's administrative budget, some legal costs not being incurred, delays in rolling out certain Agency/Office programmes etc.

Notwithstanding the recent pattern of current expenditure savings, it is anticipated that there will be considerable pressure over the coming years to increase the current expenditure funding to the Department and its Enterprise and Regulatory Agencies, not least given the significant challenges arising from Brexit, the changing FDI environment, expanding remits etc. Securing additional current expenditure monies will be difficult given the reality of the Department's underspends in this area and also the constraints of the limited fiscal space for additional expenditure.

Comparison of DBEI Vote Allocations as per Revised Estimates Volume 2012 – 2017						
	2012 Estimate 000s	2013 Estimate 000s	2014 Estimate 000s	2015 Estimate 000s	2016 Estimate 000s	2017 Estimate 000s
BEI						
Current	367,553	358,116	339,022	301,186	297,473	303,424
Capital	514,000	454,500	442,000	539,000*	548,000*	555,000
TOTAL	881,553	812,616	781,022	790,186	845,473	858,424
OVERALL EXCHEQUER						
Current	51,893,876	51,145,625	49,648,026	51,082,079	51,332,110	53,530,583
Capital	3,961,788	3,431,292	3,339,404	3,833,403	3,967,338	4,541,475
TOTAL	55,855,664	54,576,917	52,987,430	54,915,482	55,299,448	58,072,058
BEI % Of OVERALL Exchequer						
Current	0.71%	0.70%	0.68%	0.59%	0.58%	0.57%
Capital	12.97%	13.25%	13.24%	14.06%	12.68%	12.22%
TOTAL	1.58%	1.49%	1.47%	1.53%	1.45%	1.48%

BEI Change on Previous Year	<u>2012 v</u> <u>2011</u>	<u>2013 v</u> <u>2012</u>	<u>2014 v</u> <u>2013</u>	<u>2015 v</u> <u>2014</u>	<u>2016 v</u> <u>2015</u>	<u>2017 v</u> <u>2016</u>
Current	-24,916	-9,437	-19,094	-37,836 (pt (iii)below	-3,713	+ 5,951
Capital	6,000	-59,500	-12,500	+97,000*	+9,000*	+7,000*
TOTAL	-18,916	-68,937	-31,594	+59,164	+5,287	+12,951

Notes

- (i) Figures taken from each annual Revised Estimates Volume published by D/Finance and D/PER.
- (ii) Figures do not include Capital Carryover amounts from year to year.
- (i) The Current figs for 2011 to 2014 include c. €40m p/a in R&D allocations which were reclassified in **2015** from Current to Capital expenditure as a consequence of new European Standards of Accounting Rules.
- (ii) *The 2015 and 2016 BEI Capital figures of €539m and €548m respectively INCLUDE the additional capital monies secured via the 2015 and 2016 Supplementary Estimates. [+€50m in December 2015 and +€45m increase in the BEI capital ceiling in December 2016].

6.3 STAFF RESOURCES

Summary

Numbers serving in the Department have been reduced from 1,075 at the end of 2008 to 822.83 (FTE) as at end 17 November 2017. During that period there were transfers out of functions and associated staff to the Departments of Education & Skills and Social Protection, the arrival of the Equality Tribunal (2013) and the transition into the Department of the functions and staff of the former State Agency Forfás (2014), and most recently in 2017 the transfer out of some Employment Affairs related activities to the Department of Employment Affairs & Social Protection (13.43 staff). These transitions, and the effects of the moratorium on public service recruitment, therefore, reduced the overall numbers in the Department by approximately 252 net. The Department continued to perform an increasing level and range of functions, including in 2014 the transfer of functions into the Department for the implementation of the Construction Contracts Act, and in 2015 the establishment of the Low Pay Commission.

A significant reform was also introduced as of 1st October, 2015, with the establishment of the Workplace Relations Commission (merging the former Labour Relations Commission, National Employment Rights Authority, the first instance functions of the Employment Appeals Tribunal¹⁸ and Equality Tribunal), together with an expanded Labour Court.

During 2015 the Department received delegated sanction for a Staffing Resource Management Framework (SRMF) from the Department of Public Expenditure and Reform (DPER) to manage staffing matters without direct recourse to DPER, whereby the Department may fill vacancies through recruitment and/or promotion in certain specified, designated grades up to and including PO standard or equivalent, subject to the overall pay bill ceiling not being exceeded.

	2015	2016	2017	2018
	D/BEI Pay Ceiling €m	D/BEI Pay Ceiling €m	D/BEI Pay Ceiling €m	D/BEI Pay Ceiling €m
Department / Vote Group	158.75	155,067	153,53	164.754

The Department of Public Expenditure and Reform (DPER) require Departments to submit a Workforce Plan every three years. This Department completed its Workforce Plan earlier this year, covering the period 2017-2019 and the Plan aims to strengthen the Department's workforce in order to meet the significant challenges that it currently faces, including:

- challenging legislative agenda;
- policy responses required across a wide range of existing and emerging areas, such as - enterprise, regulation, innovation, research and development, trade, and the labour market;
- engagement with EU and International entities; intense stakeholder management;
- ambitious customer service targets;
- as well as working within the new political dispensation.

¹⁸ The first instance functions of the Employment Appeals Tribunal (EAT) were taken over by the Workplace Relations Commission on 1st October 2015. The EAT appellate functions were transferred to the Labour Court. The EAT has c. 95 cases outstanding as at the end of October 2017..

In addition to this, the decision of the United Kingdom to leave the European Union has, and will continue, to greatly effect and increase the response required from staff across the Department.

An action plan of measures is set out in the Workforce Plan which will strengthen the Department's workforce through learning and development initiatives and supports, as well as technological solutions to support knowledge management across the Department.

In addition to these measures the Department has begun endeavours to source a net addition of approximately 24 posts to strengthen Business Units working to deliver critical objectives for the Department as well as the reallocation of the "dividend" from staff released from the Employment Appeals Tribunal this year as it is wound up. At Principal Officer level two additional posts were identified as (i) a second post for the Trade Policy area post-Brexit and (ii) for a Communications Unit which has now been established within the Strategic Policy Division. Other additional posts are within existing Business Units.

The following headline figures summarises the size of the Department (including the Offices) between 2008 and 2017:

Authorised number end 2008 = 1,102	FTE¹⁹ Numbers serving end 2008 = 1,074.93
Staff in post 17 November 2017 = 867	FTE Numbers serving 17 November 2017 = 822.83

Departmental Agencies

Under the post-Moratorium delegated sanction on staffing - the Staffing Resource Management Framework (SRMF) – the Department has delegated sanction to authorise the staffing levels for our family of Agencies up to and including Principal Officer or equivalent level. Recruitment to the most senior posts requires DPER sanction. This means that within the global DBEI pay Estimates, the Department sanctions the staffing levels for each Agency such that in aggregate the annual voted pay Estimate is not exceeded. This process involves the relevant Agency Liaison Unit (e.g. Liaison Unit for IDA) satisfying itself with the business case being made for any recruitment, and the Human Resource (HR) Manager as Head of the State Agencies and Pensions Unit, in conjunction with Finance Unit approving the recruitment once pay budget limits are being observed. Any recruitment outside these limits requires approval by the Secretary General and, in some cases, DPER. The State Agencies and Pensions Unit is implementing a more refined arrangement with Enterprise Ireland on a pilot basis to further streamline this staffing recruitment process.

Board Appointments

The process for appointments to State Boards was reformed by Government in late 2014 and the HR Manager, through the State Agencies and Pensions Unit, serves as the Department's State Boards Liaison Officer for engaging with the Public Appointments Service (PAS) on the advertising and assessment processes, after which lists of potential candidates are made available to the Minister to facilitate her making Board appointments.

¹⁹ Full Time Equivalent (e.g. 2 staff working a half week each = 1 FTE post)

Accommodation

The Department and its Offices' network are spread across a number of buildings and the Department is actively working with the Office of Public Works (OPW) in relation to a move from Davitt House for which the lease is not being renewed.

This move involves 2 groups of staff to be relocated – Workplace Regulation and Economic Migration Division (including Internal Audit Unit) and the Safety Health & Chemicals Unit. The exit from Davitt House is anticipated to be in 2018.

Our Finance Unit are due to move to a building in Dawson St. and the rest of the staff are due to move to our Earlsfort building where the Department of Employment Affairs and Social Protection (DEASP) is to vacate 2 floors which will accommodate the balance of our existing Davitt House staff.

These moves require careful planning such that they can take effect with minimal impact on service delivery by the affected Business Units.

Section Seven - Legislation

7.1 Priority Bills for Publication in Autumn / Winter 2017

Industrial Development (Amendment) Bill

Purpose

The Bill will address the implications of the Supreme Court judgment in Reid vs IDA and others and ensure that IDA Ireland has both:

- a sound legal basis to purchase property by agreement for industrial development purposes in circumstances where a specific company has not been identified as the beneficiary of that purchase and/or the property in question is intended for future, as opposed to immediate use; and
- the continued capacity to compulsorily purchase property in certain limited circumstances and in accordance with new procedures providing for the involvement of an independent body to affirm such compulsory purchases or to adjudicate on any objection in respect of them

Status

Draft heads of Bill approved by Govt - 19 July 2016 and OPC drafting. Publication of the Bill is expected in December 2017

Division Responsible: Innovation and Investment

7.2 All other Bills awaiting publication

Metrology Act 1996 (Amendment) Bill

Purpose

Section 9 of the Act needs to be amended to allow NSAI to appoint external inspectors to undertake metrology inspections under the Act. This is part of a wider External Service Delivery model being pursued by NSAI.

Status

To be prioritised for publication in the Spring/Summer 2018 Session

Division Responsible: Indigenous Enterprise Development

Copyright & Related Rights (Amendment) (Miscellaneous Intellectual Property) Bill

Purpose

The purpose of the Bill is to implement some of the recommendations of the Copyright Review Committee's 2013 report, "Modernising Copyright". This will include allowing intellectual property infringement cases to be taken to the Circuit and District Courts; the expansion of existing exceptions to copyright for persons with a disability, non-commercial researchers and for provision of distance and online education; the creation of an exception to allow for research by text and data mining; allowing libraries, archives and educational institutions to make a copy of a work in its collection for preservation purposes and for catalogues for exhibitions; and extending the existing copyright deposit provisions relating to books to facilitate the creation of a Digital Deposit on a voluntary basis. It will also make amendments in response to the ruling in a CJEU case on the term of protection of copyright in industrial designs, and amendments to the Patents Act to allow for implementation of European Patents

Status

Draft Bill currently being drafted by the OPC.

Division Responsible: Innovation and Investment

Amendment of the Constitution (Unified Patent Court) Bill

Purpose

To amend Article 29 of the Constitution to recognise the International Agreement on a Unified Patent Court

Status

This Referendum is included in the Programme for Government. The heads of the Bill were approved by Government 23rd July 2014 Preliminary draft received from OPC however publication of this Bill is subject to a Government decision on the timing of the Referendum.

Division Responsible: Innovation and Investment

Industrial Relations Act 1990 (Amendment) Bill

Purpose

To provide Garda Representative Associations with access to the States Industrial Relations institutions.

Status

Government approval for the Heads of a Bill was obtained in September 2017. Preparation of the Bill will require close co-operation between DBEI and D/JE, via the working group chaired by D/JE. Work on the Bill will only be commenced once phase II of the work of the Working Group chaired by D/JE is completed and internal implementation of internal dispute settlement mechanisms are in place in the Garda associations

Division Responsible: Workplace Regulation and Economic Migration

Personal Injuries Assessment Board (Amendment) Bill

Purpose

The objective of this Bill is to introduce a number of amendments to improve the operation of the 2003 Act and to provide clarity with regard to certain provisions. The Bill will also take account of the 2014 public consultation on the Act and recommendations from the Cost of Insurance Working Group

Status

The General Scheme of the Bill was approved by Government on the 27th of June 2017. The General Scheme was sent to the OPC for drafting on the 30th of June 2017. Officials briefed the Joint Committee on Business, Enterprise and Innovation on 7 November 2017 on the General Scheme of the Bill. The Committee has decided not to undertake pre-legislative scrutiny.

Division Responsible: Commerce, Consumers and Competition

Companies (Enforcement) Bill 2018

Purpose

To amend the provisions of the Companies Act 2014 with respect to the structure of the Office of the Director of Corporate Enforcement with a view to establishing a new independent agency to investigate breaches of company law. This Bill is one of the measures to enhance Ireland's Corporate, Economic and Regulatory Framework which were published on 2 November 2017.

Heads of a Bill are being prepared in the Department of Business, Enterprise and Innovation. It is intended to bring them to Government for publication in Quarter 2 2018.

Division Responsible: Commerce, Consumers and Competition

7.3 Bills currently being progressed through the Oireachtas

Hallmarking (Amendment) Bill

Purpose

Bill published 14 December 2016 and Second Stage took place in Dáil on 6 April 2017. Completed Committee Stage on 15 June 2017. No date has been set for Report Stage but it is likely to be in Q.1 2018.

Division Responsible: Commerce, Consumers and Competition

Legal Metrology (Measuring Instruments) Bill

Purpose

A Technical Bill is required to transpose Articles 1 and 3 of Directive 2014/32 of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of measuring instruments (recast)

The rest of the Directive can be transposed by way of an S.I. under Section 3 of the European Union Act 1972.

Status

The Bill completed all stages 22 Nov 2017 and has been signed by the President.

Division Responsible: Indigenous Enterprise Development

Companies (Statutory Audits) Bill 2017

Purpose

A Bill to further transpose the EU Directive on statutory audits (Directive 2014/56/EU) into Irish law and to give effect to options in the EU Regulation on statutory audits of public interest entities (Regulation 537/2014). The Department transposed the essential elements of the EU Directive and Regulation by way of Statutory Instrument, However, there are some options in the EU rules that are not appropriate for secondary legislation. Therefore, this Bill will implement those additional elements that the Department considers would be beneficial.

Status

Bill Published 6 November 2017. Second Stage in the Dáil on 8th December 2017.

Division Responsible: Commerce, Consumers and Competition

Appendix 1 ~ Implementation of EU Directives

The Department works to ensure the timely implementation of EU law by ensuring that EU Directives are transposed within the required deadlines. Failure to implement Directives properly and on time can lead to infringement proceedings and heavy financial penalties.

Current position on Directives

- Nine Directives to be transposed during 2017, Five in 2018 and two in 2019
- Four codified Directives to be transposed (no deadlines)

DIRECTIVES TO BE TRANSPOSED IN 2017 (Five)		
Description of Directive	Deadline for Transposition/ Unit Responsible	Current Position
1. Directive 2011/17/EU of the European Parliament and of the Council of 9 March 2011 repealing Council Directives 71/317/EEC, 71/347/EEC, 71/349/EEC, 74/148/EEC, 75/33/EEC, 76/765/EEC, 76/766/EEC and 86/217/EEC regarding metrology	30/11/2015 Subject of reasoned opinion <u>Unit:</u> NSAI Liaison & Standards Unit	It is aimed to transpose this Directive by:2018.
2. Directive 2014/31/EU on the harmonisation of the laws of Members States relating to the making available on the market of non-automatic weighing instruments	19/04/2016 Subject of reasoned opinion <u>Unit:</u> NSAI Liaison & Standards Unit	It is expected that this Directive will be transposed by year end.
3. Directive 2014/32/EU relating to the harmonisation of the laws of the Member States relation to the making available on the market of measuring instruments (Recast)	19/04/2016 Subject of reasoned opinion <u>Unit:</u> NSAI Liaison & Standards Unit	It is expected that this Directive will be - transposed by end 2017.
4. Commission Delegated Directive 2015/13/EU amending Annex III to Directive 2014/32/EU of the European Parliament and of the Council, as regards the flowrate range of water meters	19/04/2016 Subject of reasoned opinion <u>Unit:</u> NSAI Liaison & Standards Unit	This Directive will be transposed into Irish Law as part of the transposition of Directive 2014/32/EU above. These Regulations are expected to come into effect in December 2017.

<p>5. 9. Directive: 2016/2037/EU amending Council Directive 75/324/EEC as regards the maximum allowable pressure of aerosol dispensers and to adapt its labelling provisions to Regulation (EC) No 1272/2008 of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures</p>	<p>12/12/2017</p> <p><u>Unit:</u> Competition and Consumer Policy Unit</p>	<p>It is expected that this Directive will be transposed by the transposition deadline.</p>
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DIRECTIVES TO BE TRANSPOSED IN 2018 (Five)

Description of Directive	Deadline for Transposition/ Unit Responsible	Current Position
<p>1. Directive 2016/426/EU Regulation (EU) 2016/426 of the European Parliament and of the Council of 9 March 2016 on appliances burning gaseous fuels and repealing Directive 2009/142/EC</p>	<p>21/04/2018</p> <p><u>Unit:</u> Competition and Consumer Policy Unit</p>	<p>Initial drafting has commenced on those articles requiring implementation into Irish law.</p>
<p>2. Directive 2016/943/EU Directive (EU) 2016/943 of the European Parliament and of the Council of 8 June 2016 on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure</p>	<p>09/06/2018</p> <p><u>Unit:</u> Intellectual Property Unit</p>	<p>Drafting has commenced and the deadline is expected to be met</p>
<p>3. Directive 2017/164/EU Commission Directive (EU) 2017/164 of 31 January 2017 establishing a fourth list of indicative occupational exposure limit values pursuant to Council Directive 98/24/EC, and amending Commission Directives 91/322/EEC, 2009/39/EC and 2009/161/EU</p>	<p>21/08/2018</p> <p><u>Unit:</u> Safety, Health & Chemicals Policy Unit</p>	<p>It is expected that the transposition of the Directive will be met.</p>
<p>4. Directive: 2017/738/EU Council Directive (EU) 2017/738 of 27 March 2017 amending, for the purpose of adapting to technical progress, Annex II to Directive 2009/48/EC of the</p>	<p>28/10/2018</p> <p><u>Unit:</u> Competition and Consumer Policy Unit</p>	<p>Drafting has commenced and the deadline is expected to be met</p>

European Parliament and of the Council on the safety of toys, as regards lead.		
<p>5. Directive: 2017/1564/EU</p> <p>Directive (EU) 2017/1564 of the European Parliament and of the Council OF 13 September 2017 on certain permitted uses of certain works and other subject matter protected by copyright and related rights for the benefit of persons who are blind, visually impaired or otherwise print disabled and amending Directive 2001/29/European Communities</p> <p>Of the harmonisation of certain aspects of copyright and related rights in the information society (Marrakesh Treaty)</p>	<p>11/10/2018</p> <p><u>Unit:</u> Intellectual Property Unit</p>	<p>It is expected that the deadline will be met</p>

DIRECTIVES TO BE TRANSPOSED IN 2019 (Two)

Description of Directive	Deadline for Transposition/ Unit Responsible	Current Position
<p>1. Directive 2015/2436/EU</p> <p>Directive (EU) of the European Parliament and of the Council of 16 December 2015 to approximate the laws of the Member States relating to trade marks (Recast)</p>	<p>14 13/01/2019</p> <p><u>Unit:</u> Intellectual Property Unit</p>	<p>It is expected that the deadline will be met</p>
<p>2. Directive 2017/828/EU</p> <p>Directive (EU) of the European Parliament and of the Council of 17 May 2017, amending Directive 2007/36/EC in relation to encouragement of long-term shareholder engagement</p>	<p>10/06/2019</p> <p><u>Unit:</u> Company Law</p>	<p>It is expected that the deadline will be met</p>

CODIFIED DIRECTIVES¹ (Four) CURRENTLY AWAITING TRANSPOSITION		
Description of Directive	Unit Responsible	Current position
1. <u>Directive 2009/104/EC</u> of the European Parliament and of the Council concerning the minimum safety and health requirements for the use of work equipment by workers at work (second individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC)	Safety, Health and Chemicals Policy Unit	Draft with OPC.
2. <u>Directive 2004/9/EC</u> of the European Parliament and of the Council of 11 February 2004 on the inspection and verification of good laboratory practice (GLP) (Codified)	Safety, Health & Chemical Policy Unit	Draft final text of the Regulations is being considered.
3. <u>Directive 2004/10/EC</u> of the European Parliament and of the Council of 11 February 2004 on the harmonisation of laws, regulations and administrative provisions relating to the application of the principles of good laboratory practice and the verification of their applications tests on chemical substances (Codified)	Safety, Health & Chemical Policy Unit	Draft final text of the Regulations is being considered.
4. <u>Directive 2004/37/EC</u> on the protection of workers from the risks related to exposure to carcinogens or mutagens at work (Codified)	Safety, Health & Chemical Policy Unit	Timeframe is under review.

¹ Codification brings together previous legislation in a single new act. There are no timelines required for the transposition of codified Directives.

Appendix 2 ~ Committee Members

Joint Oireachtas Committee on Business, Enterprise and Innovation

Mary Butler	Chair – Fianna Fail
Niall Collins	Fianna Fail
Stephen Donnelly	Fianna Fail
Tom Neville	Fine Gael
Maurice Quinlivan	Sinn Fein
Noel Rock	Fine Gael
Brid Smith	People Before Profit
Aidan Davitt	Fianna Fail
Paul Gavan	Sinn Fein
Gerald Nash	Labour
James Reilly	Fine Gael

Cabinet Committees on which the Minister for Business, Enterprise & Innovation sits

European Union including Brexit	Taoiseach (Chair)
	Minister for Finance and Public Expenditure and Reform
	Minister for Foreign Affairs and Trade with responsibility for Brexit
	Minister for Justice and Equality
	Minister for Business, Enterprise and Innovation
	Minister for Communications, Climate Action and Environment
	Minister for Agriculture, Food and the Marine
	Minister for Transport, Tourism and Sport
	Minister for Employment & Social Protection
	Minister for Health
	Minister for European Affairs
	Minister of State for Trade, Employment, Business, EU Digital Single Market and Data Protection
	Minister of State for Defence
	Attorney General

<p>Social Policy and Public Services</p>	<p>Taoiseach (Chair)</p> <p>Minister for Finance and Public Expenditure and Reform</p> <p>Minister for Justice and Equality</p> <p>Minister for Education and Skills</p> <p>Minister for Health</p> <p>Minister for Business, Enterprise and Innovation</p> <p>Minister for Housing, Planning, Planning and Local Government</p> <p>Minister for Employment and Social Protection</p> <p>Minister for Children and Youth Affairs</p> <p>Minister for Rural and Community Development</p> <p>Minister for Culture, Heritage & the Gaeltacht</p> <p>Minister for State for Higher Education</p> <p>Minister of State for Disability Issues</p> <p>Minister of State for Health Promotion and the National Drugs Strategy</p> <p>Minister of State for Equality, Immigration and Integration</p> <p>Minister of State for Mental Health for Older People</p> <p>Minister of State for Local Government and Electoral Reform</p> <p>Minister of State for Public Procurement, Open Government and eGovernment</p> <p>Minister of State for Gaeilge, Gaeltacht and the Islands</p>
<p>Infrastructure</p>	<p>Taoiseach (Chair)</p> <p>Minister for Finance and Public Expenditure and Reform</p> <p>Minister for Housing, Planning, Community and Local Government</p> <p>Minister for Business, Enterprise and Innovation</p> <p>Minister for Employment and Social Protection</p> <p>Minister for Communications, Climate Action and Environment</p> <p>Minister for Agriculture, Food and the Marine</p> <p>Minister for Transport, Tourism and Sport</p> <p>Minister for Rural and Community Development</p> <p>Minister of State for Housing and Urban Renewal</p>
<p>Economy</p>	<p>Taoiseach (Chair)</p> <p>Minister for Finance and Public Expenditure and Reform</p> <p>Minister for Education and Skills</p> <p>Minister for Communications, Climate Action and Environment</p> <p>Minister for Employment and Social Protection</p> <p>Minister for Foreign Affairs and Trade with responsibility for Brexit</p>

	<p>Minister for Rural and Community Development</p> <p>Minister for Business, Enterprise and Innovation</p> <p>Minister for Agriculture, Food and the Marine</p> <p>Minister for Transport, Tourism and Sport</p> <p>Minister of State for Trade, Employment, Business, EU Digital Single Market and Data Protection</p> <p>Minister of State for Training, Skills, Innovation, Research and Development</p> <p>Minister of State for Financial Services and Insurance</p> <p>Minister of State for Natural Resources, Community Affairs and Digital Development</p> <p>Minister of State for OPW and Flood Relief</p>
<p>Health</p>	<p>Taoiseach (Chair)</p> <p>Minister for Health</p> <p>Minister for Finance and Public Expenditure and Reform</p> <p>Minister for Children and Youth Affairs</p> <p>Minister for Business, Enterprise and Innovation</p> <p>Minister of State for Disability Issues</p> <p>Minister of State for Mental Health and Older People</p> <p>Minister of State for Health Promotion and the National Drugs Strategy</p>

Opposition Spokespersons on BEI

- Fianna Fail – Niall Collins
- Labour – Jan O’Sullivan
- Sinn Fein – Maurice Quinlivan

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