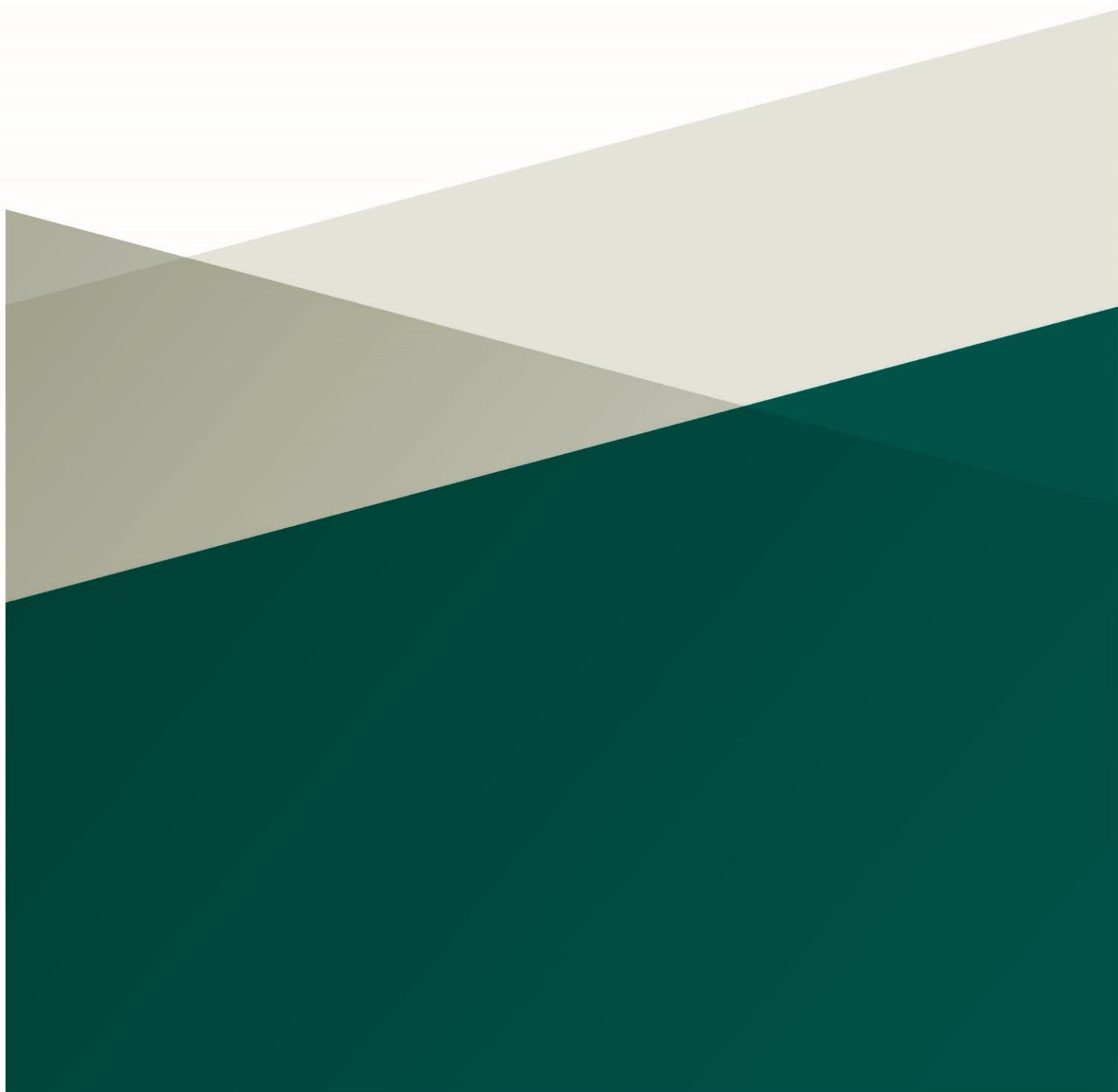




An Roinn Fiontar,  
Trádála agus Fostaíochta  
Department of Enterprise,  
Trade and Employment

# Ministerial Brief

## April 2024



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## Section 1: Overview of Department

### 1.1 Work of the Department of Enterprise, Trade and Employment

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, and supported by its teams of officers based in Beijing, Brussels, Geneva, London and Washington DC, 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 enterprise research and development
- Promoting fair competition for businesses and consumers
- Promoting and supporting regional enterprise development
- 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 in respect of businesses and consumers, and;
- Representing Ireland's interests in relevant EU and international fora, including the Competitiveness Council (incorporating Internal Market and Industry), the Foreign Affairs Council (meeting in its Trade formation) and relevant for a such as WTO, ILO, OECD and WIPO.

Several existing strategies, developed by DETE, also currently inform priorities for the Department and its agencies. These are set out below.

### 1.2 Programme for Government

The Department's commitments under the Programme for Government Our Shared Future, and progress on same as of April 2024 is set out in a supporting document accompanying this brief.

### 1.3 Statement of Strategy 2023-2025

The Department of Enterprise, Trade and Employment's mission, as set out in our Statement of Strategy 2023-2025, is to:

*“Lead on sustainable economic development through the creation and maintenance of high-quality employment across all parts of our country by:*

- *championing enterprise,*
- *ensuring a competitive business base to incentivise work, sustainable enterprise, innovation and investment,*
- *strengthening global connections and trade; promoting fair and competitive markets, responsible business practice,*
- *as well as safe, flexible and decent workplaces through the regulatory and enforcement work of the Department, its offices and its agencies.”*

The Department’s Statement of Strategy 2023 – 2025 builds on the priorities set out in the Programme for Government, Our Shared Future, and reflects the objective of Government’s White Paper on Enterprise to ensure that Ireland continues to build on its strengths, as an open economy with strong trade and foreign direct investment, a vibrant innovation ecosystem, and a resilient labour market.

### **New Statement of Strategy**

In accordance with the Public Service Management Act 1997, each Secretary General is required to prepare and submit a strategy statement to the Minister within six months of the appointment of a new Minister. Work will commence shortly on the preparation of the Department’s new statement of strategy to cover the period 2024- 2025. The statement will comprise the mission statement, strategic goals, key objectives and actions of the Department and will serve as a framework for the Department over the period.

The Programme for Government and White Paper on Enterprise will be cornerstones of the new strategy, but it will also take account of overarching national strategies and plans, including Project Ireland 2040 - National Planning Framework, and the climate action plan.

## **1.4 Current DETE Strategies**

### **White Paper on Enterprise 2022-2030**

Published in December 2022, the White Paper on Enterprise is a plan of adaption rather than a major departure from the proven and consistent enterprise policy approach pursued to date. It sets out an ambitious vision for Ireland’s enterprise policy, to protect Ireland’s strong economic position, and respond to challenges and opportunities that have emerged as a result of the pandemic, wider economic and geo-political developments, digitalisation and an increased urgency to decarbonise industry. It provides for a sustainable, innovative and high-productivity economy, with rewarding jobs and livelihoods in the period ahead.

To do this, there is a focus on seven priority enterprise policy objectives:

1. Integrating Decarbonisation and Net Zero Commitments
2. Placing Digital Transformation at the Heart of Enterprise Policy
3. Advancing Ireland’s FDI and Trade Value Proposition
4. Strengthening the Irish owned export sector
5. Enabling Locally Trading Sectors to Thrive
6. Building on Strengths and opportunities
7. Stepping Up Enterprise Innovation

The White Paper is being actioned by a series of Implementation Plans, the first of which, for 2023 -2024 was published in May 2023. The First Update Report on the Implementation Plan was published in November and report details the work undertaken to progress the 40 initiatives identified in the Implementation Plan and also provides an update on the 15 key target metrics identified in the White Paper.

### **Trade and Investment Strategy 2022-2026: Value for Ireland, Values for the World**

Implementation of this Strategy, launched in April 2022, will see Ireland grow sustainably, diversify export markets, and support continued prosperity and higher living standards for all the people of Ireland. It articulates our plans for trade and investment, and climate and sustainability, setting out our principled and holistic approach to trade policy. The strategy outlines seven priority actions and is set against the backdrop of the major economic disruption from the COVID-19 pandemic, war in Ukraine, Brexit, growing protectionism, global tax developments and geopolitical and trade tensions.

### **Powering Prosperity – Ireland’s Offshore Wind Industrial Strategy**

Published in March 2024, *Powering Prosperity* is the first strategy of its kind for Ireland, aiming to build a successful, vibrant and impactful offshore wind energy industry. It includes 40 actions which will be implemented in 2024 and 2025 and was developed as part of close ongoing collaboration between this and other Government departments and agencies within the Offshore Wind Delivery Taskforce. These actions aim to build a strong and resilient offshore wind supply chain in Ireland, as well as exploring opportunities for Irish companies to play a major role in the development of offshore wind projects in Ireland and abroad.

### **National SME and Entrepreneurship Growth Plan**

The SME and Entrepreneurship Taskforce was established in 2020 following on from an OECD review of SME and Entrepreneurship Policy in Ireland. The Taskforce published its own *SME and Entrepreneurship Growth Plan* in 2021 and continues to meet regularly on implementation of priority actions identified from the Growth Plan. The Taskforce reports to Government on an annual basis.

### **National Smart Specialisation Strategy for Innovation 2022-2027**

Smart Specialisation is an innovation policy concept developed by the European Commission which aims to boost regional innovation, contributing to growth and prosperity by helping and enabling regions to focus on their strengths. This is intended to promote broader benefits, including innovation-driven growth in regions and the promotion of sustainable growth models. The *National Smart Specialisation Strategy for Innovation* (commonly known as S3), launched in July 2022, links regional and national innovation decision making and guides investment under the current cycle of the European Regional Development Fund (ERDF).

### **Nine Regional Enterprise Plans to 2024**

The nine *Regional Enterprise Plans*, overseen by DETE, are developed by regional stakeholders using a ‘bottom-up’ approach and focus on collaborative initiatives that help strengthen the enterprise ecosystem and promote enterprise growth and job creation across Ireland. Up to €145m has been secured for the Smart Regions Innovation Scheme, co-

funded under the European Regional Development Fund (ERDF) to drive implementation of the Plans which are aligned with the National Smart Specialisation Strategy (S3).

### **AI: Here for Good – The National AI Strategy**

*AI – Here for Good, the National Artificial Intelligence Strategy*, was launched in July 2021 and sets out a vision of Ireland as an international leader in using AI to the benefit of our population, through a people-centred, ethical approach to AI development, adoption and use. It is a whole-of-Government Strategy with actions across 7 pillars (society, governance, business, public service, innovation, skills, infrastructure).

### **Ireland’s Industry 4.0 Strategy 2020-2025**

The vision underpinning *Ireland’s Industry 4.0 Strategy*, launched in December 2019, is that by 2025 Ireland will be a competitive, innovation-driven manufacturing hub. Industry 4.0 capability will be a critical driver of that competitiveness, underpinning productivity growth and innovation in new goods and services across the value chain. Developing and delivering initiatives to increase RD&I in manufacturing and drive new technology adoption is a priority under this strategy.

### **Making Remote Work: National Remote Work Strategy**

Launched in January 2021, *‘Making Remote Work’* is Ireland’s National Remote Work Strategy. The Strategy’s objective is to ensure that remote working is a permanent feature in the Irish workplace in a way that maximises economic, social and environmental benefits.

### **National Space Strategy for Enterprise 2019-2025**

The Government’s vision for the space-active enterprise sector is for Ireland to develop ‘an economically sustainable and expanding space-active industry, delivering quality jobs for the economy of tomorrow’. Launched in June 2019, the strategy focuses on harnessing new opportunities within the evolving international space sector, supporting the development of a highly skilled and adaptable workforce, encouraging awareness of space among the public and private sector, and developing and maintaining a strategic sector.

## **1.5 Department Management Structure**

**Declan Hughes**  
**Secretary General**



### **Department Structure**

The Department is comprised of eight divisions. There are six offices and eight (nine when Micro Finance Ireland legislation is enacted and commenced) agencies under the aegis of the Department, as well as one North South Body.

### **Management Board**

The Department’s Management Board comprises the Secretary General, eight Assistant Secretaries and the Head of Management and Business Support Unit. The Management Board meets weekly, usually on Tuesday mornings.

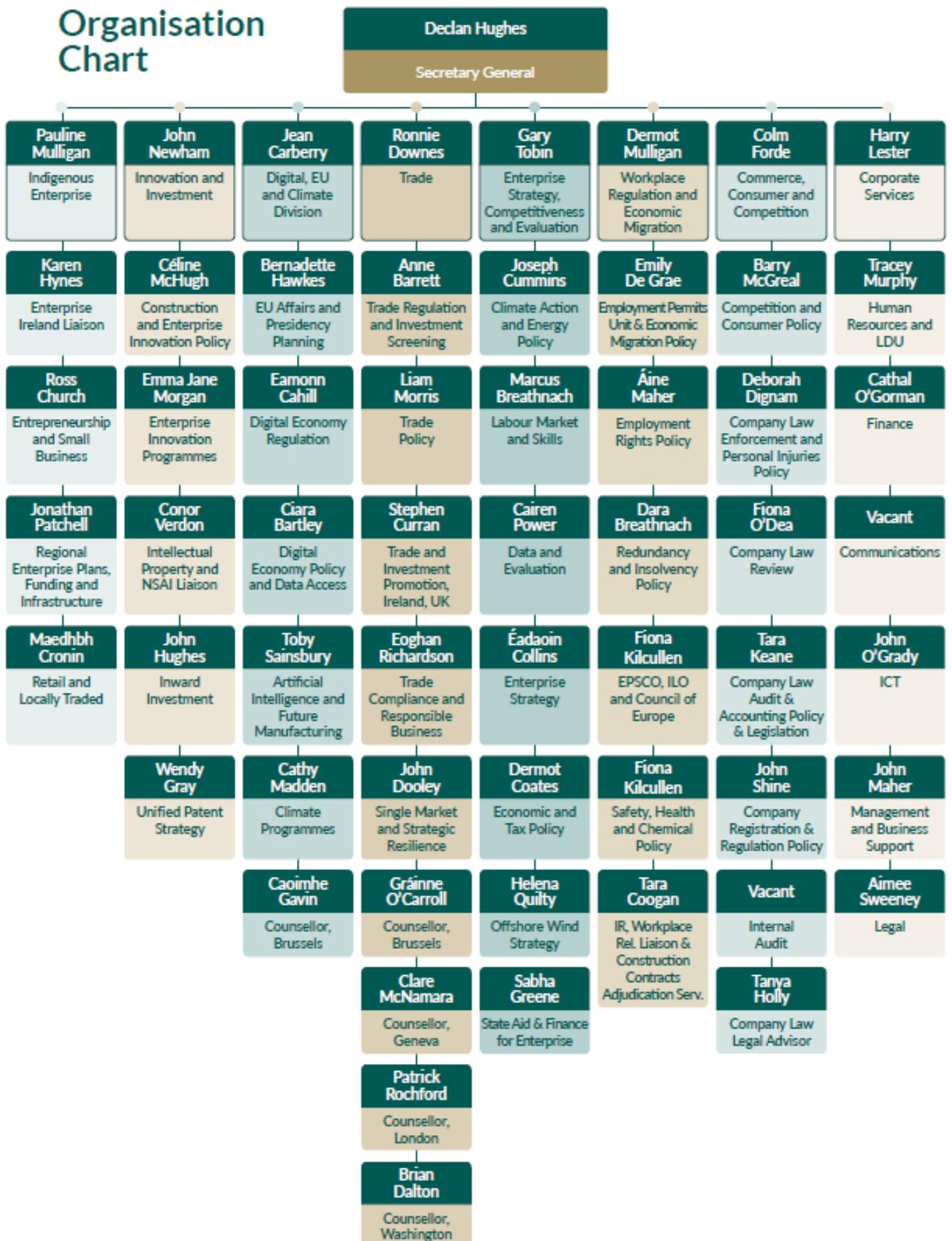
### Ministerial Management Board

Meetings are held every four weeks. The Minister, Ministers of State and 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.

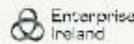
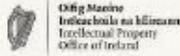
### Divisions of the Department and Assistant Secretaries

			
<b>Commerce Consumer and Competition</b> Colm Forde	<b>Corporate Services</b> Harry Lester	<b>Digital, EU and Climate</b> Jean Carberry	<b>Enterprise Strategy, Competiveness and Evaluation</b> Gary Tobin

			
<b>Indigenous Enterprise</b> Pauline Mulligan	<b>Innovation and Investment</b> John Newham	<b>Trade</b> Ronnie Downes	<b>Workplace Realtions and Economic Migration</b> Dermot Mulligan



# Offices and Agencies of the Department



## 1.6 Staff Resources

Since 2017, the Department's workforce has increased by 15 % to 975.48 (Full Time Equivalents, 1005 persons), which has enabled the Department to deliver on its expanded responsibilities. For example, the Department has restructured to focus on the emerging strategic priorities of digitalisation and decarbonisation of the economy and the role for the Enterprise Sector to transition accordingly. The Department has also pivoted to engage on global economic trends impacting Irish businesses in the areas of a resurgence of industrial policy in the world's major trading blocs, threats to economic security and the growing responsible business agenda. Regulation, both in terms of responding to EU developments and national priorities, has required significant focus on both the labour market and business regulation areas of the Department. Similarly, the remit of the Department's agencies has grown in the same regard, and ensuring oversight of these entities continues to be a priority of the Department.

**Staff of the Department and Offices: 1,005**

**Staff of Departmental Agencies: 1,885**

## 1.7 Ministerial Responsibilities and Delegation of Functions

The role and status of Ministers with regard to Departments and their responsibility to Dáil Éireann are set out in Article 28 of the Constitution and are further elaborated in the Ministers and Secretaries Acts 1924-2020.

The Public Service Management Act 1997 provides a statutory basis for the management structure of the Civil Service. This Act assigns to Secretaries General certain functions, which include managing the Department, implementing Government policies appropriate to the Department, delivering outputs as determined by the Minister of the Government having charge of the Department and providing advice to the Minister. It is important to note that the provisions of the Public Service Management Act 1997 do not change the core policy responsibility of Ministers, who remain responsible for the functions of the Department under the relevant provisions of the Constitution and the Ministers and Secretaries Act.

The ethics framework for Ministers is set out in the: -

- Ethics in Public Office Act, 1995 and the Standards in Public Office Act, 2001
- Guidelines on Compliance with the provisions of those Acts, and;
- Code of Conduct for Office Holders as drawn up by the Government and operative since 3 July 2003.

Office holders are obliged to familiarise themselves with and observe those requirements.

### **Personal staff and staffing of Private and Constituency Offices**

Details relating to the appointment of Programme Managers/Special Advisors are set out in Section 11 of the Public Service Management Act, 1997. The terms and conditions which apply to the appointment of ministers' personal staff, including Programme Managers and Advisors, are determined by the Minister for Public Expenditure, NDP Delivery and Reform

(PENDPR) within parameters set down by the Government. Such staff should not be appointed from outside the civil service without prior consultation with the Taoiseach and the Minister PENDPR. Appointments terminate not later than the date on which the relevant Minister/Minister of State ceases to hold the specific office held when the appointment was made.

There are annual obligations under the Ethics Framework in relation to the staff personally appointed by Ministers (including Special Advisors, Programme Managers, Press Officers, Personal Assistants and Personal Secretaries).

The function of departments in this area is purely one of providing outline information; the legal obligation to comply with the terms of the ethics legislation lies with individual office holders and public servants. Ministers and Ministers of State and staff personally appointed by them, to whom the relevant provisions of the ethics legislation apply, should consult with the Standards in Public Office Commission in relation to any matter pertaining to their personal obligations under the Acts.

### **Delegation of Ministerial Functions to Ministers of State**

The Ministers and Secretaries (Amendment) (No. 2) Act, 1977, provides for the delegation of a minister's powers and duties to Minister(s) of State by Order made by the Government at the request of the Minister concerned. It has been the practice for such orders to be made in cases where a Minister of State would be expected to carry out statutory functions on behalf of a Minister.

As the 1977 Act makes clear, the Minister remains responsible to Dáil Éireann for the exercise or performance of any powers or duties delegated to a Minister of State. Delegation arrangements are regularly reviewed to take account of legislation enacted subsequent to any Delegation of Functions Order being made. Delegation of non-statutory responsibilities is generally made by way of an informal letter of understanding between a Minister and Minister of State.

Up to 9 April 2024, two Ministers of State have been appointed to the Department and statutory functions and areas of responsibility have been delegated as follows:

#### **Minister for Trade Promotion, Digital and Company Regulation:**

- Company law legislation including Companies Act 2014
- Competition legislation
- Registration of Business Names legislation
- Consumer protection legislation
- Personal Injuries Resolution Board legislation
- Industrial and Provident Societies and Friendly Societies legislation
- Hallmarking legislation
- Partnership legislation
- Control of Exports legislation
- Digital Services legislation.

The Minister for Trade Promotion, Digital and Company Regulation is also delegated responsibility for the following administrative functions:

- The making of S.I.s under the Control of Exports Acts 2008 and 2023

- Attendance at the COMPET Council and related Ministerial-level meetings
- National Export Control Policy
- Trade promotion with a view to maximising Irish exports by seeking to maintain existing markets and grow new markets. This will include the promotion of the benefits of EU Free Trade agreements
- EU digital policy as related to Platforms, Digital Services Act Package and Artificial Intelligence and Data Act Proposal
- Chairing the Enterprise Digital Advisory Forum (EDAF)
- EU Policy related to accounting and audit matters
- Progressing proposed legislation in relation to co-operative societies and the registration of trade unions
- Monitoring and reviewing overall progress on implementation of priority policy areas identified from the “SME and Entrepreneurship Growth Plan”
- Overseeing implementation of Regional Enterprise Plans with a particular focus on the Midlands, West, North-West and South-East
- Cutting bureaucracy for SMEs and supporting the SME Test across Government to assess the potential for less stringent requirements and simplification of regulatory adherence

#### **Minister for Business, Employment and Retail:**

- Intellectual Property, including copyright, trademarks, designs and patents legislation
- Standards for goods and services, including National Standards Authority of Ireland legislation
- Metrology legislation
- Employment Permits legislation
- Employment Rights legislation, including minimum wage legislation
- Industrial Relations and Trade Union legislation
- Workplace Relations legislation
- Redundancy Payments legislation – section 39
- Construction Contracts legislation
- Workplace Health and Safety legislation
- Safe use and management of chemicals legislation
- Carriage of dangerous goods by road legislation
- Dangerous Substance legislation.

The Minister for Business, Employment and Retail is also delegated responsibility for the following administrative functions:

- Responsibility at international level for EPSCO (Employment, Social Policy, Health & Consumer Affairs Council), EMCO (Employment Committee), ILO (International Labour Organisation), Council of Europe – European Social Charter
- Responsibility at international level for European Space Agency and space policy at EU COMPET Council
- The Retail Forum, including acting as chairperson of the Forum
- Sectors including retail and small firms
- The Irish National Accreditation Board, the national body with responsibility for the accreditation of laboratories, certification bodies and inspection bodies
- Statutory appointments to the Labour Court, the Workplace Relations Commission and the Construction Contracts Adjudication Service.

## 1.8 Department Budget

### Department Estimate 2024

The Revised Estimates Volume (REV) 2024 was published on the 13 December 2023. The REV provides the Department with a gross allocation of €1.268 billion for use next year, broken down between €866 million in current funding and €402m in capital funding. The Table below sets out the allocations to each of the Department's three Programmes for next year.

PROGRAMME AREA	2024 GROSS ALLOCATION		
	Current	Capital	Total
	€000	€000	€000
A: JOBS & ENTERPRISE DEVELOPMENT	245.915	644,41	890.325
B: ENTERPRISE INNOVATION & COMMERCIALISATION	23.287	221.63	244.917
C: REGULATION	133.272	0	133.272
<b>Gross Total:</b>	<b>402.474</b>	<b>866.04</b>	<b>1,268.514</b>
APPROPRIATIONS-IN-AID (i.e. estimated income)	69.12	5.76	74.881
<b>Net Total:</b>	<b>333.354</b>	<b>860.279</b>	<b>1,193.633</b>

The €1,268.514 million gross allocated to the Department in the 2024 Revised Estimates is some €352.9m less than the €1,621.414m provided to the DETE Vote in the 2023 Revised Estimates.

In making any comparison between the 2023 and 2024 Estimates, it should be borne in mind that non-core additional funding was allocated in both Estimates to support particular initiatives. In this regard the Department received additional non-core current funding of €647.205m in 2023 to fund the cost of payments under the Temporary Business Energy Support Scheme (TBESS). In terms of the 2024 Estimate, non-core capital funding of €257 million is being provided to fund the cost of discrete payments under the Increased Cost of Business Grants scheme (ICOB).

Given the once off nature of the TBESS and ICOB schemes, a more accurate basis for comparing the 2023 and 2024 Estimates would be based on the core funding provided to the Department in both years. In this regard core funding of €944 million, broken down as between €386m in current funding and €558m in capital was allocated to the Department in

2023. DETE's core funding for this year has increased to €979 million, of which €395 million is in the way of current funding and €584 million is capital funding.

The increase in core funding secured for 2024 together with redistributions of a number of existing allocations will ensure that funding can be increased in the following areas:

- €27m in increased capital funding to IDA Ireland to accelerate its Regional Property and Enterprise grants programmes
- €9m additional capital funding to the Local Enterprise Offices to increase Measure 1 and Measure 2 grants, Trading on-line Vouchers, Lean, Green and Digitalisation Programmes
- €5m increase for the Competition and Consumer Protection Commission to recruit additional staff and funding to develop ICT systems including a case management system
- €3.35m increase in capital funding for the Science and Technology Programme to support EI's Modern Methods of Construction Demonstration Park and Innovation Investment in the Construct to Innovate Technology Centre
- €3.3m additional funding for the European Space Agency programme to support enterprises that develop and trial technology solutions via space applications
- €3.3m additional funding for the Digital Services Coordinator to ensure that the DSC is sufficiently resourced to meet the full panoply of its responsibilities in 2024
- €3.1m increase for the Health and Safety Authority to recruit additional inspectors and develop a new core ICT platform
- €3m extra for the Credit Guarantee Scheme to meet expected calls on the guarantee in 2024
- €2.25m in additional funding to meet membership costs of the World Trade Organisation
- €1.7m in additional funding to the Workplace Relations Commission to recruit additional inspectors, external adjudicators, and to upgrade existing ICT systems.
- €1.2m in additional funding for the Corporate Enforcement Authority to allow for the recruitment of specialist staff and the development of a case management system.

In addition to the substantive core increases set out above the Revised Estimates also increased DETE's overall pay and pension ceilings by €6.162 million by way of an initial contribution to the cost of the recently negotiated successor to the existing public service pay agreement. The €6.162m in additional funding has been allocated across the various pay and pensions Subheads on the Vote.

The 2024 Estimates also includes non-core funding to support the following programmes:

- €257m to fund the Increased Cost of Doing Business Scheme which will provide once off grants to assist eligible businesses to meet increased costs
- €25.04m to fund the continued roll out of the Smart Regional Enterprise Innovation scheme, the Immersive Needs Led Innovation programme, the Knowledge Transfer Boost Initiative and the Technological University Collaboration Programme, which are the 4 discrete DETE Programmes supported under the current round of European Regional Development Fund (ERDF)
- €1.6m to assist the Department and its agencies to meet their commitments under the Housing for All Action Plan.

The REV also provided DETE with €20 million in unused 2023 capital appropriations for use in 2024. €15.305m is being provided to the IDA and will allow it to accelerate the roll out of its regional Property Programme as well as meeting the costs associated with its overseas Ireland House offices. The remaining €4.695m is being provided to Enterprise Ireland to allow it to meet the costs associated with a number of its overseas Ireland House offices.

### **Programme A – Jobs and Enterprise Development**

The primary objective of this programme area is to maximise sustainable job creation across the enterprise base. 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 “White Paper” agenda 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 to meet the cost of payments under the Increased Cost of Business Scheme.

Funding under Programme A is also provided:

- To assist North-South measures via the Enterprise Development strand of the cross-border INTERREG/Peace Plus 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 meet commitments under SBCI loan schemes such as the Future Growth Loan Scheme.

### **Programme B – Enterprise Innovation & Commercialisation**

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 Programme also funds the Disruptive Technologies Innovation Fund which is one of the four headline Funds established to drive the delivery of the core priorities identified in the National Development Plan.

Funding to support the Department’s activities under Programme Area B – Enterprise Innovation & Commercialisation are delivered by and through:

- The Intellectual Property Office of Ireland
- The Science and Technology Development Programme including Enterprise Ireland’s R&D supports.

Funding under this programme area also covers Ireland's memberships of various international research organisations such as:

- European Space Agency (ESA)
- Eureka.

### **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.

Funding under Programme Area C – Regulation covers the following:

- Workplace Relations Programme, including the WRC, the Labour Court and the legacy activities of the EAT
- Companies Registration Office (CRO) incorporating the Registrar of Friendly Societies
- Competition & Consumer Protection Commission
- Health and Safety Authority (HSA)
- Irish Auditing and Accounting Supervisory Authority (IAASA)
- Corporate Enforcement Authority (CEA)
- Digital Safety Coordinator office (Coimisiún na Meán).

The activities of the Company Law Review Group are also included under this Programme area as are the operational costs for the Balance for Better Business initiative. Ireland's membership of the International Labour Organisation (ILO) is also provided for under this programme area.

### **Estimates 2025**

The Summer Economic Statement 2024 which is likely to be published in the course of July will set out the parameters for framing Budget 2025. This will be followed by bilateral discussions between the Department and D/PENDR initially at official level but also by way of a Ministerial bilateral with a view to agreeing the Department's allocation for 2025 in advance of Budget day which is likely to be in the first or second week in October.

### **National Development Plan**

The revised National Development Plan (NDP) was published in October 2021. The Plan provided for a capital investment package of €165 billion for the ten-year period 2021 to 2030. The Plan was framed to support economic, social, environmental and cultural development across all parts of the country under Project Ireland 2040 in parallel with the National Strategic Outcomes (NSOs) set out in National Planning Framework.

The Department, along with the Department of Further and Higher Education, Research Innovation and Science has lead responsibilities under the Plan for the National Strategic Objective of delivering *A Strong Economy supported by Enterprise, Innovation and Skills*. Capital funding of almost €2.7 billion was allocated to assist the Department in progressing these investment projects/programmes in the first phase of the Plan to 2025.

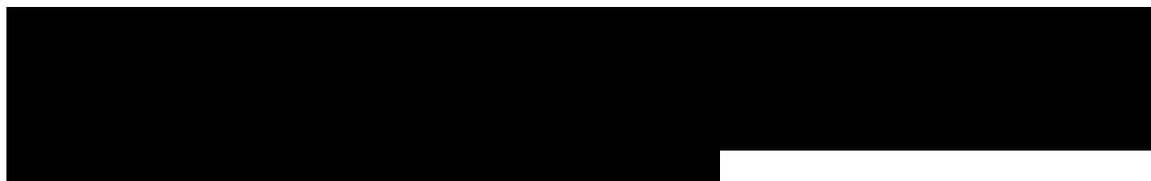
Details of the Department's NDP ceilings out to 2026 are set out below:

	2021	2022	2023	2024	2025	2026	Total
Allocations	€423m	€523m	€558m	€584m	€611m	€625m	€2.699m

The NDP allocations include the funding secured from the National Recovery and Resilience Fund to support the Department's Programme to 'Drive Digital Transformation of Enterprise in Ireland' and the 'Programme to Accelerate Decarbonisation of the Enterprise Sector', which were both approved as priority programmes under the National Recovery and Resilience Plan.

The Summer Economic Statement 2023 committed to providing an additional €2.25 billion in capital monies in 2024, 2025 and 2026 to support critical infrastructure projects as well as to initiatives under the Climate Action Fund. The 2024 Expenditure Report advised that discussions on agreeing revised Departmental capital ceilings for 2025 and 2026 would commence in the first quarter of 2024.

Discussions commenced with D/PENDR in February 2024 which included a bilateral between Ministers Coveney and Donohue. On foot of these discussions, agreement was reached that the Department's capital ceiling for 2025 would be €611 million (as per the published ceiling in the NDP) and would increase to €625 million in 2026.



## Section 2: Strategic Issues and Priorities

### 2.1 Departmental Priorities in the coming months

<b>Commerce, Consumer and Competition Division: Colm Forde A/SEC</b>	
<b>Priority</b>	<b>Current Position</b>
<b>Enhance our regulatory environment to ensure Ireland remains an attractive place to do business</b>	<p>The Department is proposing amendments to the Companies Act to permanently provide for virtual AGMs along with additional corporate supervision and enforcement powers/matters. Government approved drafting of the Bill on 5th March. The Bill has now been included on the priority list for publication in the summer.</p> <p>The Department is also overhauling Co-Operative and Industrial and Provident Society legislation and reforming the legislation underpinning Limited Partnerships and Business Names and will seek Government approval for drafting in the coming weeks.</p>
<b>Enhance and modernise consumer protection legislation</b>	<p>The Representative Actions for the Protection of the Collective Interests of Consumers Bill 2023 was enacted on 11 July 2023. Engagement with the OPC on drafting the Regulations required to commence the Act is at an advanced stage.</p> <p>The Department has started work on two new EU Commission proposals concerning amendment of the Alternative Dispute Resolution (ADR) Directive and the repeal of the Online Dispute Resolution (ODR) Regulation. A Call for Views on the suggested proposals is underway.</p> <p>In addition, work is progressing on two further Commission proposals for consumer rights legislation in the areas of greenwashing/misleading environmental claims and on the repair of goods within and beyond legal guarantee.</p>
<b>Ensure that Ireland's insurance sector becomes more competitive and consumer-friendly</b>	<p>Following enactment of the Personal Injuries Resolution Board Act 2022, the Department is arranging for the completion of the phased commencement of the Act while monitoring the PIRB's implementation of the legislation especially regarding its new mediation functions. It is intended to commence the mediation service for public liability injury claims in Q2 2024 and for motor liability injury claims in Q3 2024.</p> <p>Implementation of the Action Plan for Insurance Reform is on track, with 97% of actions complete or ongoing.</p>
<b>Ensure Ireland has an effective auditing and accounting regime</b>	<p>There are a number of legislative projects at different stages of maturity:</p> <ol style="list-style-type: none"> <li>1. The Disclosure of Tax Information by Certain Undertakings and Branches Directive is in place and reports by large MNCs and standalone entities are due from financial years starting 22 June 2024.</li> <li>2. Work on the transposition of the Corporate Sustainability Reporting Directive is progressing and officials are working with the</li> </ol>

	<p>OPC on the draft Regulations. It is expected that the deadline of 6 July 2024 will be met.</p> <p>3. Work on the transposition of a delegated directive to increase the monetary thresholds under the Accounting Directive for companies has commenced.</p> <p>The main beneficiaries will be 3,100 small companies reclassified as micro companies. Legal advice has been received and the transposition will be prioritised.</p>
<b>Implement outstanding action from the Plan of Action for Collective Redundancies following Insolvency</b>	<p>The Plan of Action commits to several legislative changes to further strengthen employees' protection during collective redundancies, particularly when their employer is insolvent. CCC and WREM Divisions are collaborating on a joint Bill: Employment (Collective Redundancies and Miscellaneous Provisions) and Companies (Amendment) Bill 2023.</p> <p>The Bill was approved to publish by Cabinet on 24 October. Dáil Committee Stage took place on 14 February with Report and Final Stages were completed on 28 February. The Bill will now go to Second Stage in the Seanad in April.</p>

<b>Corporate Services Division: Harry Lester A/SEC</b>	
<b>Priority</b>	<b>Current Position</b>
<b>Implement excellent blended working practices</b>	<p>The Department published its updated Blended Working Policy in July 2023. HR will undertake a further review mid-year 2024 in line with D/PENDR's review of the Civil Service Blended Working Framework also to take place this year.</p> <p>The Department maintains a working pattern of at least 2 days per week working in the office.</p>
<b>Estimates for 2024 &amp; Capital Allocation proposals for 2025 &amp; 2026.</b>	<p>REV 2024 provides the Department with a gross allocation of €1.268 billion for use this year. DETE submitted its response to D/PENDR in relation to its capital allocation proposals for 2025 and 2026. The proposals were discussed at an initial Ministerial bi-lateral meeting on 7 February. Following engagement between officials, DETE secured NDP ceilings of €611m in 2025 and €625m in 2026. Work will now turn to developing a 'capital plan' for the coming years to determine allocation of capital funding into specific programmes.</p>
<b>Public Sector Climate Action Mandate 2024</b>	<p>The Climate Action Mandate requires public sector bodies to show leadership in climate action and reducing GHG emissions by 51% by 2030. The Department's Climate Action Roadmap 2023 was published in September 2023 and the Department is working with its partners in the OPW, DECC and SEAI in developing the Climate Action Roadmap 2024 which it intends to publish later in the year.</p> <p>DETE is engaging with the OPW on its Dublin based buildings and extending its occupancy of Kildare St once D/TCAGSM relocate.</p>

<p><b>Development of an AI supported chatbot on Government supports to enterprise</b></p>	<p>A project commenced in Jan 2024 to deliver a chat agent to provide information on enterprise supports provided by Government. Microsoft have provided funding for an initial pilot. The proof of concept will be delivered collaboratively with OGCIO, hosting the chat bot on Gov.ie. It is not envisaged that the initial pilot will be fully ready for public-facing deployment but will focus on testing the suitability of AI driven technology as a channel for Government to deploy in the provision of information around services to the public.</p>
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<p style="text-align: center;"><b>Digital, EU &amp; Climate Division: Jean Carberry A/SEC</b></p>	
<p><b>Priority</b></p>	<p><b>Current Position</b></p>
<p><b>Support the Digital Transition in Irish Enterprise</b></p>	<p>DETE is leading the implementation of the Enterprise Pillar of the National Digital Strategy. DETE has a range of digital transition funding schemes available for enterprise through IDA, EI and the LEOs.</p> <p>A new Digital Portal is nearing final development along with efforts to simplify and streamline the digital funding and supports for businesses.</p> <p>Officials are progressing work on a refresh of the National AI Strategy. An AI Advisory Council has been established to provide a sounding board for Government and is expected to look at issues including the role of AI in the future of work in Ireland.</p>
<p><b>Policy Statement on Data Centres</b></p>	<div style="background-color: black; width: 100%; height: 40px; margin-bottom: 5px;"></div> <p>Work is underway on a CRU-led new Large Energy User connections policy.</p>
<p><b>D9+ and Digital Ireland Conference</b></p>	<p>Ireland currently holds the Chairmanship of the D9+, an affiliation of digitally ambitious EU Member States. The D9+ Digital Ministers will meet in Dublin on 18 April to coincide with the annual Digital Ireland Conference which brings together industry, policymakers, regulators and academia to discuss and shape digital developments. Planning for both events is well progressed.</p>
<p><b>Implementation of the Digital Services Act (Resourcing the DSC in Coimisiún na Meán)</b></p>	<p>The Digital Services Act 2024 formally designates Coimisiún na Meán (CnaM) as the Irish Digital Services Coordinator and provides it with the necessary supervisory and enforcement powers to fulfil Ireland's obligations under the EU Digital Services Act (DSA). This also designated the CCPC as a competent authority for DSA obligations relating to online marketplaces.</p> <p>CnaM will be fully industry levy funded from 2025 and a memo to Government to approve the heads of the Digital Services (Levy) Bill is being finalised, with a view to bringing it to Government in April. It is on target to have the legislation enacted in time so that the levy is in</p>

	place for 2025. [REDACTED] [REDACTED]
<b>Drive the uptake of a suite of climate programmes to incentivise and accelerate decarbonisation of enterprise</b>	<p>The Minister for ETE has responsibility under the Climate Action and Low Carbon Development (Amendment) Act 2021 to reduce Industry on-site emissions (manufacturing, including cement and alumina) by 20% by 2025 and 35% by 2030, while emissions from the heating of non-residential buildings (on-site built environment emissions) must be reduced by 20% by 2025 and 45% by 2030. Emissions from manufacturing industry in Ireland account for roughly 10% of national Greenhouse Gas (GHG) emissions.</p> <p>The Department's €55 million Green Transition Fund, launched in June 2022, will continue to help businesses move away from fossil fuels and towards more sustainable, cheaper alternatives. The SEAI's Solar PV Scheme has been amended to provide more appropriate support to businesses seeking to invest in on-site renewable energy. DETE is progressing a proposed programme to provide a multi-annual funding commitment to give the enterprise agencies confidence in allocating Environmental Aid capital supports to large decarbonisation projects in the manufacturing sector, many of which would need to draw down funds over 3 to 5 years.</p> <p>DETE has recently established a Climate Programmes Unit to accelerate the reduction in industry carbon emissions. The Unit is mapping the existing landscape of climate related Government schemes and will develop a coherent narrative around them for companies of all sizes. The Unit is overseeing the €55 million NPRF Green Transition Fund, which launched in June 2022, to help businesses move away from fossil fuels and towards more sustainable, cheaper alternatives.</p> <p>The Department is also preparing a Memorandum for Government regarding the need for a multi-year Environmental Aid Programme to facilitate enterprise decarbonisation.</p>
<b>Preparation for Ireland's European Union Presidency July – Dec 2026</b>	<p>DETE is engaging with the Departments of Foreign Affairs and An Taoiseach on Presidency Planning Preparation, including on staffing and events.</p> <p>The Department is feeding into a Memo for Government that DFA plan to bring to Government in April. This will include a high-level indication of budget and resource requirements.</p>

<b>Enterprise Strategy, Competitiveness and Evaluation Division: Gary Tobin A/SEC</b>	
<b>Priority</b>	<b>Current Position</b>
<b>Respond to Increased Costs of Doing Business</b>	<p>On 5 March the Department published '<i>An Assessment of the Cumulative Impact of Proposed Measures to Improve Working Conditions in Ireland</i>'. The study examined the cumulative impact of measures including auto-enrolment retirement savings, parent's leave and benefit, statutory sick pay, additional public holiday, the transition to a living wage, and the right to request remote working.</p> <p>Key findings of the study include:</p> <ul style="list-style-type: none"> <li>• for large swathes of workers across the private sector – and their employers – these measures will have little, if any impact given that terms and conditions are already in excess of those stipulated by these changes</li> <li>• the introduction of these measures would have only a modest effect on the economy as a whole (estimates to range between 1.8% and 2.2% in wage costs) but a single numeric estimate is of limited value</li> <li>• a broad range of benefits are associated with these measures. For employees in sectors typically characterised by low pay, these changes will lead to not only higher disposable incomes but will also extend access to entitlements such as sick pay and pension coverage</li> <li>• there are also benefits for employers. One notable example relates to the issue of staff turnover and the difficulty – and cost – faced by employers in trying to replace experienced staff</li> <li>• there are considerable societal benefits from improvements to working conditions, including improvements in terms of gender equality (parental leave), participation rates (parental leave, statutory sick pay), reductions in current in-work poverty rates (living wage), and the preservation of future living standards arising from automatic enrolment in retirement savings.</li> </ul> <p>As set out on page 24 Government is introducing a suite of measures intended to assist businesses in adjusting to these increased costs as well as more generally to improve cost competitiveness of firms.</p>
<b>Implement the White Paper on Enterprise</b>	<p>The first Implementation Plan covering Q1 2023 to Q4 2024 was published in May 2023 and includes 40+ initiatives across the enterprise priorities. Progress on the commitments is reported to the Cabinet Committee on Economy and Investment every six months. The second update report, covering H2 2023, is under development during Q1 2024 and is expected to be published in April.</p>
<b>Implementation of the Net Zero Industry Act (NZIA)</b>	<p>The NZIA, due to be formally adopted in April 2024, aims to ease conditions for investing in green technologies, by simplifying permit-granting procedures and supporting strategic projects. Work is at an early stage with DETE legal advisers and relevant other Government Departments to map out responsibilities and timelines for the implementation of the various aspects of the Act.</p>

<b>Advance the Green Transition in Irish Enterprise</b>	Legally binding sectoral emissions ceilings for the industry and non-residential buildings sectors fall under DETE's remit. Key actions for 2024 are to publish Roadmaps on the decarbonisation of commercial buildings and of industrial heat which address decarbonisation policy for these cohorts of emissions and sets out a pathway to meeting the sectoral emissions ceilings and carbon budgets for these sectors.
<b>Implement the Offshore Wind Industrial Strategy</b>	DETE published <i>Powering Prosperity – Ireland's Offshore Wind Industrial Strategy</i> in March 2024 containing 40 actions which aim to build a strong and resilient offshore wind supply chain in Ireland, as well as exploring opportunities for Irish companies to play a major role in the development of offshore wind projects here and abroad. DETE will oversee the implementation of the actions, maintaining close contact with action owners across Government departments and agencies. An Ireland-Scotland joint offshore wind conference will be held in May 2024.
<b>The Transition to a Living Wage</b>	Government approved the recommendation of the Low Pay Commission to increase the National Minimum Wage to €12.70 an hour in the context of Budget 2024. The increase came into effect 1 January 2024. This increase can be considered the second phase of a four-year transition to 2026, at which point the Living Wage will replace the National Minimum Wage. The Department has received a submission on sub-minimum rates and is considering next steps.
<b>Progress the economic development potential of the Shannon Estuary region</b>	The Shannon Estuary Economic Taskforce report was published on 8th July 2023 setting out the ambition that the Shannon Estuary be the lead location for the deployment of Atlantic Offshore Wind Energy. DETE is coordinating the Government response to the Taskforce's proposed actions and published an implementation update on 21 December 2023.
<b>Ensure that Irish SMEs can access finance</b>	<p>The Credit Guarantee (Amendment) Act was enacted in Dec 2022 to allow the Ukraine Credit Guarantee Scheme to provide low-cost working capital to SMEs, primary producers, and small mid-caps. Two banks, 13 credit unions and two non-bank lenders joined the scheme, with the final two participating lenders on-boarding in the coming weeks.</p> <p>Following a Government decision on 30 May for the approval of the transfer of Microfinance Ireland into State Ownership, legislation is progressing to provide for ownership of MFI to transfer to M/ETE. Second stage was completed on 20 March 2024 with the Bill referred to Committee Stage.</p> <p>DETE continues to work with Enterprise Ireland on the €175 million, five-year Seed and Venture Capital (SVC) Scheme, which will expire in 2024.</p> <p>Following a positive independent review of the SVC, DETE will seek sanction for a new 5-year cycle of the fund, to begin on 1 January 2025. This will allow EI to carry out a call in 2024, with funding to be committed in early 2025.</p>

<b>Indigenous Enterprise Division: Pauline Mulligan A/SEC</b>	
<b>Priority</b>	<b>Current Position</b>
<b>Supporting indigenous enterprise</b>	<p>The primary role of the Indigenous Enterprise Division is to support indigenous enterprise across all regions in Ireland</p> <p>Working with Enterprise Ireland, the 31 Local Enterprise Offices (LEOs) and nine Regional Enterprise Plan Steering Committees the Division ensures supports are aligned to meet evolving business needs to adapt to global challenges and opportunities, in particular climate change and digitalisation.</p> <p>Employment in client companies of Enterprise Ireland increased to a total of 225,495 in 2023, the highest ever recorded. The total number of jobs created was 15,530. Eight out of nine regions recorded net jobs growth, with the West region (+5%), the North-East region (+5%) and the North-West region (+4%) performing particularly strongly. 68% of new jobs created in 2023 in companies supported by Enterprise Ireland were located outside the Dublin region.</p> <p>Enterprise Ireland is currently preparing its new strategy for the period 2025-2030. Assistant Secretary P Mulligan is a Board Member of Enterprise Ireland.</p> <p>The Local Enterprise Offices have financially assisted a portfolio of 7,167 small businesses, that account for 38,726 jobs across the country. This is the highest recorded number since the establishment of the LEOs and represents a 10th year of consecutive jobs growth. In 2023, LEO supported companies created 6,640 new jobs, with a net gain of 2,131 jobs.</p> <p>82% of the new jobs created by Local Enterprise Office companies in 2023 were located outside of Dublin. It is proposed to launch a LEO Policy Statement in Q2 which will outlines how their work will need to adapt to contribute to the implementation of four of the priorities of the White Paper – decarbonisation, digitalisation, increasing exporters, and enabling the locally traded sector to thrive.</p>
<b>Costs of Doing Business</b>	<p>Following publication of the study '<i>An Assessment of the Cumulative Impact of Proposed Measures to Improve Working Conditions in Ireland</i>' several measures were announced, including providing up to €15 million to LEOs for a top up payment in the Energy Efficiency Grant for businesses; preparation of an options paper on the application of the lower rate of Employer PRSI; measures to reduce the admin burden on business; an enhanced SME test and roll out of a National Enterprise Hub with staff available to provide advice and support to vulnerable firms.</p> <p>Work continues across ESCED and IED on the administration of the Increased Cost of Business Grant and ESCED is engaged with the</p>

	Department of Social Protection on Employer PRSI and other measures.
<b>Increased Cost of Business Grant (ICOB)</b>	<p>Government announced the ICOB grant in Budget 2024, setting aside €257m. This grant will be available to SMEs who operate from a rateable premises. It is estimated the ICOB grant will be available to up to 143,000 businesses.</p> <p>The Local Authorities will administer the scheme on behalf of DETE. Local Authorities are in the final stages of setting up a system to pay out this grant. Letters to business have now issued from all Local Authorities inviting rate payers to register for the grant and payments will start from 22 April with a closing date of 1 May for registration. Grants should be paid out promptly and no later than end Q3.</p>
<b>Innovation Hub Ireland</b>	<p>As international competition for deeptech start-ups increases, there is an opportunity for Ireland to develop an internationally significant national accelerator hub that leverages our existing ecosystem and policy agility. DETE and EI are progressing this proposal. DETE has commissioned the OECD to examine how public policies can support the international scale up activities of start-ups, including the role of incubators and accelerators.</p> <p>It is intended that a detailed proposal will be developed for further consideration and discussion by May 2024.</p>
<b>Emergency Business Flooding Schemes</b>	The schemes are intended as an emergency humanitarian assistance contribution and not as compensation for loss or replacement for the cover provided by insurance. In Jan 2024, the Government agreed to increase the overall budget allocation for the schemes to €11m, based on an estimate of total expected payments provided by the Red Cross.
<b>Ensure a coherent policy approach to enterprise needs in all regions of the country</b>	<p>Implementation of the nine Regional Enterprise Plans (REPs) is continuing. Progress Reports have just been published earlier this week. €145m has been secured under the European Regional Development Fund to support projects aligned to the REPs.</p> <p>The first call under the ‘Smart Regions Enterprise Innovation Scheme’ of €35 million was announced in Q4 2023 and will support innovative clusters, local infrastructure projects and feasibility and priming funding. This is the first of a number of calls.</p> <p>The development of the first National Hub Strategy is at an advanced stage. The draft Strategy will be finalised by the National Hub Interdepartmental Group and brought to Government for approval in Q2 2024.</p>
<b>Drive NDP delivery and align investment with economic and enterprise development</b>	DETE is mapping infrastructure investment needs, mainly in the areas of energy, water services and transport, to inform engagement with relevant Departments and to support delivery of infrastructure for enterprise under the NDP. A Regional Enterprise Plans and Infrastructure Coordination Group has been established, which will meet three times per year to discuss and coordinate on related issues

	with units across the Department, EI and IDA Ireland. The next meeting of this group will take place in April 2024.
<b>Engage directly with the business community on issues of concern</b>	There are several Fora which meet regularly and provide valuable opportunities for Ministerial engagement on a range of issues. The Enterprise Forum last met on 6 March 2024, with the next meeting scheduled for 12 June 2024. The next meeting of the Retail Forum is scheduled for 27 March. The Hospitality & Tourism Forum (in collaboration with D/TCAGSM) met last on 24 January 2024, further dates of the Forum in 2024 are still to be communicated.

<b>Innovation and Investment Division: John Newham A/SEC</b>	
<b>Priority</b>	<b>Current Position</b>
<b>Promote and facilitate FDI to attract jobs and investment to Ireland</b>	<p>Over 1,800 IDA client companies directly employ more than 300,000 in Ireland, reflecting a mature, stable, resilient FDI sector. There was continued strong regional performance in 2023 - 132 investments outside of Dublin, representing 54% of total investments. IDA Ireland reported an increase in the number of investments into Ireland during 2023 totalling 248 and which are expected to deliver almost 19,000 jobs to the economy.</p> <p>Performance reflects commitment by FDI sector to transformation across research development &amp; innovation, sustainability, digitalisation, &amp; talent development. Ireland's FDI proposition remains strong against challenging international environment and increased competition. Multinational companies are embracing research development &amp; innovation, sustainability, digitalisation &amp; talent development, and Ireland is well placed to be part of these transformational initiatives.</p> <p>IDA Ireland is currently preparing its new strategy by end 2024. Assistant Secretary Newham is a Board Member of IDA Ireland.</p>
<b>Progress IDA Ireland's Regional Property Programme</b>	<p>Current property investments, over the lifetime of the IDA strategy (2021-2024) is seeing the IDA progressing the delivery of 19 Advanced Building Solutions in 15 regional locations. DETE continues to work with the IDA on a significant Next Generation Strategic Sites (NGSS) investment initiative to provide for future enterprise investment requiring facilities of scale (more than 500 acres) as part of considerations of investment priorities under the revisions to the NDP ceilings.</p> <p>The Department hopes to have a formal submission on the NGSS proposal for the Minister early in Q2.</p>
<b>EU Chips Act Investment in Ireland</b>	<p>DETE is leading Ireland's engagement with the EU on the Chips Act, which aims increase the EU's security of supply of semiconductors. The Chips Act entered into force in September 2023. DETE is working with the enterprise agencies and interdepartmental colleagues to</p>

	establish an approach for its implementation. DETE is developing a high-level national semiconductor strategy, to conclude in Q2 2024.
<b>Agreement on a Unified Patent Court</b>	On the 23 January 2024, Government agreed to hold a constitutional referendum on the Agreement on a Unified Patent Court on 7 June 2024 to coincide with the European and Local elections. The legislative process continues, to complete all stages by 11 April to facilitate the Electoral Commission in their planning and rollout of information.
<b>EU Patents Package</b>	DETE is leading Ireland's engagement with the EU on the Patents Package which proposes six new regulations. These aim to help industry, particularly SMEs, make the most of their inventions, leverage new technologies.
<b>Increase the level of RD&amp;I performed by indigenous enterprise and deliver new programmes through ERDF</b>	<p>DETE is responsible for administering c.25% of exchequer spending on R&amp;D, much of this is delivered through EI R&amp;D programmes with a capital budget of €152.9m. Additional funding of almost €117m has been secured through ERDF over the period 2023-2029 to fund three new programmes: Technology Gateway Programme, Innovator's Initiative, and KT Boost. All Calls were completed and launched by February 2024.</p> <p>€371 million has been awarded to 104 collaborative projects across six Disruptive Technologies Innovation Fund (DTIF) Calls to date. A seventh Call is expected to launch in Q1 2024.</p> <p>A consultancy review will also be initiated in 2024 to ensure that DTIF (i) is still meeting its objectives, (ii) is meeting the needs of stakeholders and (iii) to identify potential options for the future direction of DTIF.</p>
<b>Promote Smart Specialisation</b>	<p>DETE is responsible for the ongoing implementation of Ireland's Smart Specialisation Strategy, reporting to the EC on its progress and chairing the Implementation Group.</p> <p>DETE has worked with the three Regional Assemblies, enterprise agencies and SFI to coordinate a submission to the EC for Regional Innovation Valley designation for Ireland's three regions, a requirement to access certain current and emerging EU funding.</p>
<b>Promote construction sector innovation under Housing for All</b>	<p>DETE is working to promote construction sector innovation under the Housing for All Plan and to increase productivity, including through the adoption of Modern Methods of Construction (MMC).</p> <p>DETE, with DHLGH, has developed the '<i>Roadmap for increased MMC adoption in housing delivery</i>', and chairs the group responsible for its implementation. The Construct Innovate Technology Centre, under EI, is recruiting industry members and is in ongoing discussions with DHLGH on housing research priorities.</p>

<b>Trade Division: Ronne Downes A/SEC</b>	
<b>Priority</b>	<b>Current Position</b>
<b>Facilitate Irish companies to sustainably grow and diversify export markets</b>	<p>Implementation of Ireland's Trade and Investment Strategy is moving ahead under the direction of the Trade and Investment Council, which is scheduled to meet on 23 April. [REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>The second international <i>Trade Horizons</i> conference, focusing on trade and sustainability, will take place in Dublin Castle on 4 July 2024 – initial planning has commenced.</p>
<b>Promote free, open trade in support of Ireland's economic model</b>	<p>Amid geopolitical tensions, there are growing calls for the EU to move away from open trade and towards protectionism and industry subsidies, in the name of 'EU strategic autonomy'. DETE continues to advocate strongly for 'open strategic autonomy' via the EU Trade Council and other fora.</p> <p>Our work to ratify CETA, and other trade agreements with investment protection provisions, continues. The Department is actively engaging with the Attorney General's Office (AGO) on the options available to DETE in how best to proceed including DETE's proposed amendments to the Arbitration Act (2010), in line with the judgment in the Costello case.</p> <p>[REDACTED]</p>
<b>Work with our EU and international partners to build/strengthen alliances, to shape emerging policies, standards, regulation and international agreements that impact Ireland's economic environment</b>	<p>In January 2024, the EC published an Economic Security Package containing 5 distinct elements – DETE elements are a white paper on Dual Use Goods, a draft proposal on FDI Screening and a white paper on Outbound Investment Screening. Ireland's Inward Investment Screening mechanism is due to commence in Q3 and is expected to fulfil much of the proposed regulation on FDI screening, negotiation is underway. The issues raised by the White Paper on Dual Use Goods have arisen previously in this space and are currently under discussion with the EC and Member States.</p> <p>The White Paper on Outbound Investment acknowledges that there is a significant gap in knowledge and therefore risk-based analysis in this area and proposes a monitoring and analysis phase prior to determining any potential action. Within DETE, a new Strategic Resilience Unit has been established to promote an informed and coordinated internal approach to this multi-faceted agenda.</p>
<b>Support the implementation</b>	<p>In collaboration with DFA, DAFM and Revenue, the Ireland-UK Unit continues to engage on issues relating to the Trade and Cooperation</p>

<p><b>of the EU-UK trading arrangements to ensure Ireland's interests are protected</b></p>	<p>Agreement, the Windsor Framework and the UK's proposed Border Target Operating Model (BTOM), as well as maintaining engagement with the DfE in Belfast.</p> <p>Stage 2 of BTOM will take place on the 30 April and meetings are taking place with the UK Government officials on how these further changes can be managed. These new changes entail risk-based identity checks on imports of medium risk animal and plant products and high-risk food of non-animal origin from the EU.</p>
<p><b>Strengthen cross-border trade and foster opportunities for North-South collaboration</b></p>	<p>The restoration of the NI Executive provides scope for further engagement with the NI Department for the Economy to identify challenges in the post-Brexit trading environment and highlight opportunities. This can be accomplished most effectively through meetings of the North South Ministerial Council and the Department is liaising with colleagues in the NSMC to plan for the first Sectoral meeting.</p>
<p><b>Ensure that Irish businesses operate in line with Developing Global standards for security &amp; for Responsible Business</b></p>	<p>The Screening of Third Country Transactions Act 2023, which provides for security screening of foreign investments, was signed into law on 31 October 2023. When commenced, likely to occur during Q2 2024, the legislation will allow Ireland to screen investments from non-EEA countries for the first time.</p> <p>Commencement of the Control of Exports Act 2023 is expected during Q2 2024. DETE is a National Competent Authority for EU Sanctions and works to ensure that there is comprehensive and effective implementation of EU sanctions.</p> <p>A 14th package of Russia sanctions is currently being negotiated. The Second National Action Plan on Business and Human Rights is also being advanced collaboratively with the DFA.</p>
<p><b>Personnel Security Clearance</b></p>	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>

<b>Workplace Regulation and Economic Migration Division: Dermot Mulligan A/SEC</b>	
<b>Priority</b>	<b>Current Position</b>
<b>Provide employees with a statutory entitlement to request remote working</b>	The Right to Request Remote Working Bill was integrated into the Work Life Balance and Miscellaneous Provisions Act 2023, which is led by DCEDIY and was enacted on the 4 April. On 6 March 2024 the Minister commenced Part 3 of the Act, which provides all employees with the right to request remote working arrangements. The WRC Code of Practice for Employers and Employees on the Right to Request Flexible Working and Right to Request Remote Working was also approved by the Minister on 6 March and is published.
<b>Operate an efficient employment permits regime for the benefit of businesses and workers</b>	DETE made significant progress in improving the permits processing system to address increasing demand, reducing applications awaiting processing from 11,000 in Jan 2022 to 2,700 at the beginning of Jan 2024. However, there has been a recent increase in applications submitted due to changes effected on 17 Jan. Processing times range across 10-26 days depending on application type. The Employment Permits Bill 2022 has passed Dáil stages and progressed through Seanad Second stage. Seanad Committee and Report stages are expected to be complete in April 2024.
<b>Establish the Employment Law Review Group</b>	<p>This Group will be established on a statutory basis following enactment of the Employment (Collective Redundancies and Miscellaneous Provisions) and Companies (Amendment) Bill 2023.</p> <p>The Group will comprise of members with expertise and an interest in the development of employment and redundancy law. This will include members from the legal, accountancy and insolvency professions; representatives from business, unions and regulators; as well as Ministerial nominees. To ensure that the Irish employment law framework adapts to the changing workplace, emerging trends will also be examined. The Group's focus will be expert, technical, and legally led.</p>
<b>Review and implement Doherty Report on promotion of collective bargaining</b>	The Department will make proposals, consult the Labour Employer Economic Forum (LEEF), and draft a Memo for Government on measures to be taken. Currently waiting on legal advice from the Office of the Attorney General.
<b>Wage-setting mechanisms: Employment Regulation Orders (EROs) and Sectoral Employment Orders (SEOs)</b>	Minister Richmond approved the recommendations of the Labour Court Review of the Joint Labour Committees (JLCs) in October 2023 which was to continue all the JLCs in their current format. The Early Years JLC has recently adopted two proposed EROs. The proposals have not yet been submitted by the Labour Court to Minister Richmond for approval.

<p><b>Transpose EU Directive on National Minimum Wage and Collective Bargaining</b></p>	<p>Preparations to transpose Directive are underway as well as work on an Action Plan in consultation with the social partners through LEEF and prepare to transpose Directive. A technical working group has been established with the social partners to examine possible actions. The Action Plan must be submitted to the Commission by November 2025.</p>
<p><b>WRC and Labour Court</b></p>	<p>The activities of the Workplace Relations Commission (WRC) led by new Director General Audrey Cahill are concerned both with facilitating and assisting workplace change and creating an environment of equity and fairness in employment. The WRC's annual conference will be held on 6 June 2024.</p> <p>The Labour Court chaired by Kevin Foley provides a free, comprehensive service for the resolution of industrial relations disputes and is the sole appellate Body under employment rights legislation. Determinations of the Labour Court arising under employment rights legislation are legally binding on the parties but may be appealed to the High Court on a point of law.</p> <div data-bbox="550 875 1422 1003" style="background-color: black; width: 100%; height: 50px; margin-top: 10px;"></div>

## 2.2 Joint Oireachtas Committee on Enterprise Trade and Employment

In accordance with its Orders of Reference, the Joint Committee is empowered to examine policy issues falling within the remit of the Minister for Enterprise, Trade and Employment.

The JOC is chaired by Deputy Maurice Quinlivan (SF) and membership comprises Deputies Richard Bruton (FG) Francis Noel Duffy (GP) Joe Flaherty (FF) Mick Barry (S-PBP) James O'Connor (FF) Louise O'Reilly (SF) Matt Shanahan (Ind) David Stanton (FG) and Senators Garret Ahearn (FG) Ollie Crowe (FF) Róisín Garvey (GP) Paul Gavan (SF) Marie Sherlock (Lab).

In the period January to December 2024 in addition to core business such as legislation etc., it is open to the Committee to prioritise certain matters of policy, and to report on them to the Houses. The following is a list of some key policy areas that the Joint Committee indicates it may wish to consider in 2024. The Committee may decide to engage on any of the topics listed below, or to include other topics not listed below. Topics not considered by the end of 2024 can be brought forward for consideration as part of the Work Programme for 2025.

### JOC 2024 Policy Priorities- by DETE Division

#### CCC Division

- Companies (Protection of Employees' Rights in Liquidations) Bill 2021 – (PMB)
- Engagement with the CCPC
- Consumer Dispute Resolution
- Corporate Sustainability and Corporate Reporting
- ESG reporting
- Corporate Governance and Compliance
- Company Law Review Group

#### DEUC Division

- Engagement with the Digital Services Coordinator
- Digital Single Market
- Digital Economy
- Digitalisation and SME's
- A Digital Workplace

#### ESCED Division

- Rising costs of doing business
- Net Zero Industry
- Offshore Renewable Energy
- The challenges of sustainable business
- Employment Strategy
- Sustainable Development Goals
- Apprenticeships
- Bogus Self Employment
- Unemployment Blackspots

**IE Division**

- Business Start Ups
- Challenges facing the SME sector
- Regional Enterprise Plans
- Entrepreneurship
- Start-up Enterprises

**I&I Division**

- Space Strategy
- Foreign Direct Investment
- Enterprise Strategy and Innovation
- Intellectual Property
- Construction Innovation

**Trade Division**

- Ireland's trade relationship with Canada
- Trade Policy
- Trade imports and exports

**WREM Division**

- Industrial Relations
- Employment Regulation Orders
- Sectoral Employment Orders / Nonadherence to Sectoral Employment Orders
- Industrial Relations (Provisions in Respect of Pension Entitlements of Retired Workers) Bill 2021 – (PMB)
- Mandatory Retirement age
- Transposing the Adequate Minimum Wages Directive
- European Works Councils
- Collective Bargaining
- Employment Permits - intra company transfers
- Living Wage
- Employment Law Review Group
- Engagement with the WRC Work Programme 2024
- Platform Work
- Engagement with Trade Unions/Employer and Business groups

**2.3 International Meetings attended by the Minister**

The Minister (or appropriate Minister of State) is typically invited to attend the Ministerial-level meetings of the following EU and international bodies:

- EU Trade Ministers meetings including Foreign Affairs Council (FAC) Trade
- EU Competitiveness Council (COMPET)
- EU Employment, Social Policy, Health and Consumer Affairs Council (EPSCO)
- World Trade Organisation (WTO) Ministerial Conferences
- Organisation for Economic Co-operation and Development (OECD) Ministerial Council
- International Labour Conference of the International Labour Organisation (ILO).

## 2.4 Key Upcoming Events in the Minister's Diary

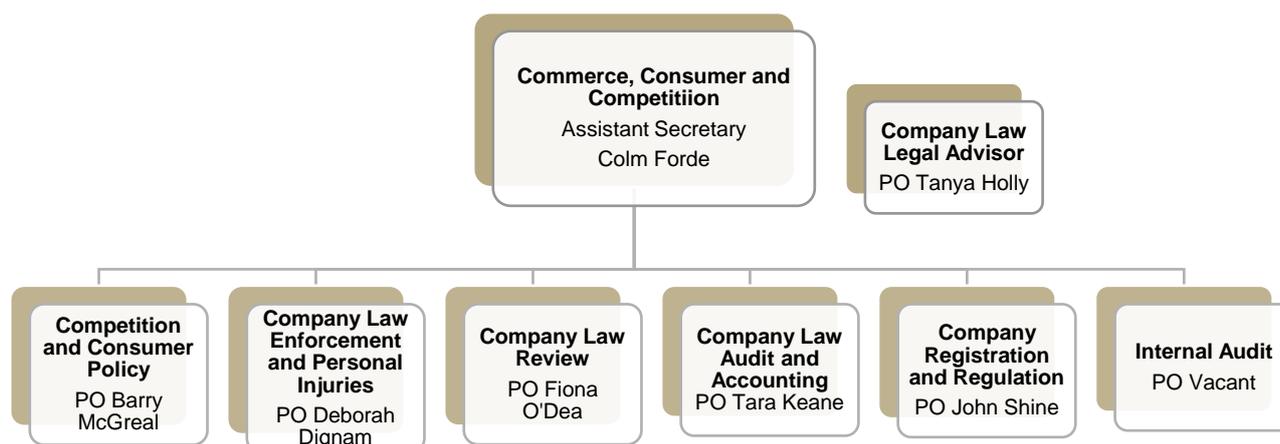
Month	Date	Meeting / Appointment	Location
April	16	TBC - Launch Innovate Island Ecosystem Map (subject to advice)	Government Buildings
		16:00 – 17:00 Briefing with DETE Officials re small business sector in Ireland & the cost of doing business (for Seanad appearance)	Kildare Street
	17	9:00 BioPharma Skills Report Launch Photocall	Kildare Street
		9:15 <i>Meeting with Colin Kelly, Group CEO of Lakeland Dairies (for consideration)</i>	Kildare Street
		10:00 <i>Meeting with Tara Buckley RGDATA (for consideration)</i>	Kildare Street
		10:00 DETE ESRI Conference	Dublin 2
		14:30 Statements in the Seanad re small business sector in Ireland and in particular the cost of doing business	Seanad
		16:00 Introductory meeting with new DG of the WRC	Kildare Street
	18	10:30 DETE Oral PQs – date may change	Dáil
		13:00 Minister Speech at EU D9+ Conference	Dublin Castle
		14:00 Meeting with Karan Bhatia of Google	Dublin Castle
		16:30 <i>Official launch of the Kildare Innovation Campus Development (subject to advice)</i>	Leixlip
	23	15:30 Trade and Investment Council	Kildare Street
	24	9:00 <i>Meeting with Denis Naughten and Regional Group (for consideration)</i>	Kildare Street
		10:00 <i>Meeting with Avolon (for consideration)</i>	Kildare Street
		11:00 <i>Meeting Mr. Mehul Asnani (Founder &amp; President Biotech) (for consideration)</i>	Kildare Street
	25	10:00 Regional Enterprise Plans NOG	Kildare Street
	30	Roundtable Q&A hosted by Pinsent Masons (for consideration)	TBC
May	1	10:00 Balance for Better Business 5-Year Launch	Exo, Dublin Docklands
		13:30 Meeting with Leo Clancy, EI	Kildare Street

	14	EI Start-ups Showcase	TBC
	16	<i>Open UPS new supply chain facility (for consideration)</i>	Horizon Logistics Park, Dublin
	21	16:00 Ministerial Management Board	Room 110 Kildare Street
	22	13:30 SME and Entrepreneurship Taskforce	Room 110 Kildare Street
	23	17:30 Launch of LEO Policy Statement 2024-2030 at National Enterprise Awards	Mansion House, Dublin
	29	TBC LEO 10- Year event	TBC
	30	FAC Trade (Brussels)	<b>Brussels</b>
<b>June</b>	6	9:00 WRC Conference	Radisson Dublin 8
	7	Referendum on Ireland's participation in the Unified Patent Court	Nationwide
		11:30 Student Entrepreneur Awards	UCC, Cork
	11-13	Ireland-Scotland Renewable Energy Conference	Dublin/Cork Locations TBC
	11	Dinner with Scottish First Minister	TBC
	12	9:30 Roundtable; Ireland-Scotland joint offshore wind conference	TBC
	13	Full day TBC Ireland-Scotland Renewable Energy Conference event	Cork
	20	Keynote Workplace Excellence Award (for consideration)	Dublin TBC
	26-27	Trade Mission, Switzerland	<b>Switzerland</b>
<b>July</b>	3	DETE All Staff Conference	Dublin Castle
	4	Trade Horizons conference	Dublin Castle
	15-19	Trade Mission, East Coast USA	<b>East Coast USA</b>
<b>September</b>	w/c 23	Trade Mission, West Coast USA	<b>West Coast USA</b>

## Section 3: Key Issues by Division

The following sets out in summary the key policy and related issues in each division of the Department.

### 3.1 Commerce, Consumer and Competition Division



#### Offices

Companies Registrations Office (CRO)	Maureen O'Sullivan - Registrar
Central Register of Beneficial Ownership of Companies and Industrial and Provident Societies (RBO)	
Registry of Friendly Societies (RFS)	

#### Agencies

Competition & Consumer Protection Commission (CCPC)	Brian McHugh - Chairperson
Corporate Enforcement Authority (CEA)	Ian Drennan - CEO
Injuries Resolution Board	Rosalind Carroll - CEO
Irish Auditing and Accountancy Supervisory Authority (IAASA)	Kevin Prendergast - CEO

#### Role of the Commerce, Consumer and Competition Division

The Division is the policy arm of the Department which seeks to help make markets work more effectively for consumers and through the promotion of keen competition, high standards of compliance and corporate governance and consumer protection but without unnecessary regulatory costs. Through the work of the Department's Internal Audit function, it seeks to promote the highest standards of internal corporate governance.

## **The key priorities and strategic issues for the Commerce, Consumers and Competition Division include:**

### **Ongoing review of the Companies Act 2014 and support for the Company Law Review Group (CLRG)**

The CLRG is a statutory advisory body charged with advising the Minister on company law matters. It has representation from a broad range of stakeholders. The Company Law Review Unit provides secretariat support to the Group. The CLRG works according to a two-year work programme, agreed by the Minister, to review company law and advise the Minister accordingly.

#### **Current position and next steps**

The four-year term of office of the current membership commenced in 2022 and the Group is nearing completion of its 2022 – 2024 work programme. Work has commenced on preparation of a new two-year work programme (2024 – 2026). Meetings of the various sub-committees as well as plenary meetings of the CLRG are ongoing.

### **Employment (Collective Redundancies and Miscellaneous Provisions) and Companies (Amendment) Bill 2023**

CCC Division is leading on this joint Bill with WREM Division. This Bill will deliver on key outstanding Government commitments in the *Plan of Action for Collective Redundancies following Insolvency* to further strengthen employees' protection during collective redundancies, particularly when their employer is insolvent.

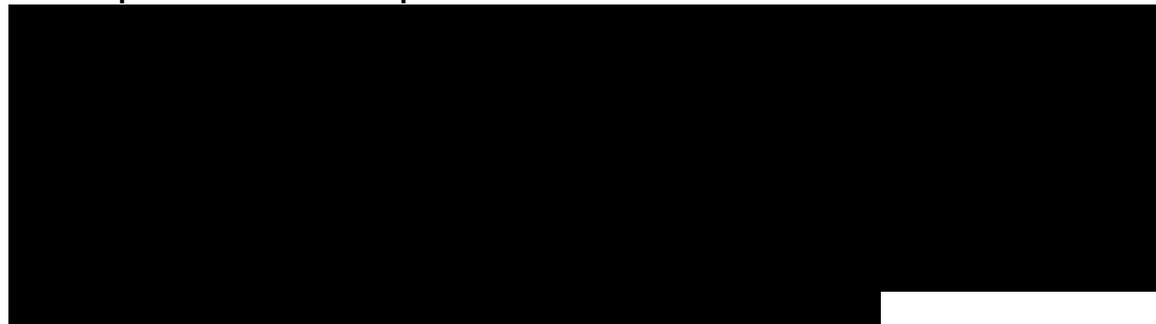
#### **Current position and next steps**

The General Scheme was approved by Cabinet and the Bill underwent pre-legislative scrutiny in May 2023. It was included on the summer legislative programme for priority drafting and was published to the Oireachtas website and DETE website on 27 October 2023. The Bill underwent Second Stage in the Dáil on 15 and 16 November 2023. Dáil Committee Stage took place on 14 February 2024 with Report and Final Stages completed on 28 February 2024. The Bill will now go to Second Stage in the Seanad on 10 April 2024.

### **Company Law Developments in the European Commission INSOL III**

On 7 December 2022 the European Commission published a proposal for a Directive on harmonising certain aspects of national insolvency law across EU Member States, the primary objective of which is to make them more efficient and effective with a view to facilitating more cross border investment.

#### **Current position and next steps**



### Multiple-vote shares (MVS) structures

Agreement has been reached on a proposal for a Directive of the European Parliament and of the Council on multiple-vote shares (MVS) structures in companies that seek the admission to trading of their shares on an SME growth market. Multiple-vote shares are a class of shares that carry higher voting rights than another class of shares with voting rights. The MVS Proposal for a draft Directive is designed to provide ease of access for SMEs to publicly listed status by allowing their owners to retain control of the company.

### Current position and next steps



### Ensure Ireland has an effective auditing and accounting regime

In light of the global nature of enterprise, the corporate reporting and auditing regime for companies is significantly shaped by harmonised EU rules. There are three legislative projects at different stages of maturity:

- The Disclosure of Tax Information by Certain Undertakings and Branches Directive was signed into law in June 2023 and country by country reports by large multinationals and standalone entities are due from financial years starting 22 June 2024
- Work on the transposition of the Corporate Sustainability Reporting Directive is progressing. Officials are working with the OPC on the draft regulations and it is expected that the deadline of 6 July 2024 will be met. Large companies and SMEs listed on a main EU stock market will be required to report on environmental, social and governance matters (ESG) relating to their operations. By way of webinars, presentations and dedicated mailing list the Department is ensuring stakeholders have clarity on the timing and impact of the new rules which will be phased in for reporting on financial years from 1 January 2024 onwards
- Work on the transposition of a delegated directive to increase the monetary thresholds of companies to account for inflation under the Accounting Directive for micro, small, medium and large has commenced. The main beneficiaries will be 3,100 small companies reclassified as micro companies with reduced reporting requirements as a consequence. Legal advice has been received and the transposition will be prioritised to ensure the companies due to benefit from the changes will do so, as soon as possible.

In addition, Primary legislation is being developed to modernise the Limited Partnership Act 1907 and the Registration of Business Names Act 1963. A General Scheme of Bill is at an advanced stage of development to reform the legislation, some of which, dates back over one hundred years. The legislation would address criticisms and questions raised arising from the *Pandora Papers* on the transparency and use of limited partnerships. A General Scheme will be proposed to the Minister in the coming weeks.

### Modernise the legislation relevant to the Co-operative Sector

The general scheme of the Co-operative Societies Bill 2022 provides a specific legislative framework for co-operative societies for the first time, with societies registering under the legislation being required to adhere to the co-operative ethos. It consolidates and modernises existing provisions and introduces modern corporate governance, financial

reporting and compliance requirements, thereby providing confidence to stakeholders and making co-operatives more attractive to investors.

#### **Current position and next steps**

Drafting of the Bill commenced in the Office of Parliamentary Counsel in Q2 2023. Officials continue to work closely with the drafting team to progress the drafting of the Bill. Due to the length of the Bill and its complex nature, it is not envisaged that drafting will be finalised and the Bill brought to Government for publication until end of Quarter 2 of this year. On that basis, it is intended to progress the Bill through the Oireachtas before end 2024.

#### **Proposed EU Directive on Corporate Sustainability Due Diligence**

The proposal focuses on establishing a system within company law to address adverse human rights and environmental impacts arising from companies' own operations and those of their subsidiaries and value chains.

#### **Current position and next steps**

Following difficult negotiations over a two-year period, agreement was recently reached on an amended proposal. Subject to formal ratification at EU level, it is expected that the proposal will come into effect in the latter part of 2024. Member States will then have two years to transpose the Directive.

#### **Companies (Corporate Governance, Enforcement and Regulatory Provisions) Bill 2024**

The Bill amends the Companies Act 2014 focusing on the areas of corporate governance, company law enforcement and supervision, company law administration and corporate insolvency. The main provisions of the Bill will provide the option for companies and industrial and provident societies to hold hybrid or fully virtual general meetings on a permanent basis and removes the automatic loss of the audit exemption for small and micro companies in respect of a first instance of late filing with the Companies Registration Office. It contains provisions aimed at ensuring that the statutory authorities established under the Companies Act 2014 – the Corporate Enforcement Authority, the Companies Registration Office and the Irish Auditing and Accounting Supervisory Authority – have appropriate legislative tools.

#### **Current position**

The Bill is included as a priority for publication in the Summer 2024 Legislation Programme. It was approved for priority drafting and referral to the Attorney General's Office for the appointment of a drafter on 5 March 2024. Pre-Legislative Scrutiny concluded on 21 March with no particular observations or recommendations.

#### **Next steps**

The appointment of a drafter is awaited, and Department officials will assist the OPC with any queries or clarifications with a view to expedient drafting and publication of the Bill and commencement of the legislative process in the Houses. The intention is for enactment before the end of 2024.

#### **Ensure that Ireland's insurance sector becomes more competitive and consumer friendly**

DETE leads on policy regarding personal injuries resolution and has policy responsibility for the legislation underpinning the Injuries Resolution Board. DETE has worked with D/Finance to lead on the development and implementation of the Action Plan for Insurance Reform. The Sub-Group on Insurance Reform was established in 2021 under the Cabinet Committee

on Economic Recovery & Investment and is chaired by the Tánaiste. The Minister for Trade Promotion, Digital and Company Regulation is a member of this Group.

### **Current position**

Approximately 95% of the actions in the Action Plan for Insurance Reform are now complete. Recent CSO data shows that motor insurance prices are now 41 per cent lower than their peak in July 2016 but are showing a 4 per cent increase year-on-year. It is vital that all savings from the reform package should be used to offset current inflationary pressures, so that the full benefits of the Action Plan are realised and consumers are protected to the maximum extent possible.

The Personal Injuries Resolution Board Act 2022 was commenced in December 2023. The Act transforms the Injuries Resolution Board by enabling it to offer mediation, retain more cases, address the possibility of fraudulent claims and gives it a data gathering and reporting role. The measures are intended to facilitate an increase in the number of personal injury claims that may be resolved through the Board's cost-efficient process and without recourse to litigation. Mediation is being introduced on a phased basis with mediation for employer liability claims introduced in December 2023.

### **Next steps**

Mediation for public liability claims is scheduled to commence in May 2024 and for motor liability claims in September 2024. An extensive programme of stakeholder engagement and a communications campaign highlighting mediation will be rolled out by the Injuries Resolution Board throughout 2024. Engagement with DETE Fora including the Enterprise Forum and the Retail Forum has already taken place in Q1 2024. The Cabinet Committee sub-group on Insurance Reform will continue its work in 2024.

### **Help make markets work effectively for consumers**

This work falls under two main headings – firstly, national and EU policy on competition and consumer rights: and secondly monitoring, supporting and liaising with the Competition and Consumer Protection Commission (CCPC), along with engagement with other relevant stakeholders.

**Competition policy** refers to ensuring that businesses compete fairly, and that competition law is enforced. Competition law is a fundamental prerequisite to an effective EU single market. The work of DETE in this area is legislatively heavy and is influenced by EU law.

**Consumer policy** relates to consumer rights i.e., the protections given to consumers to enable them to seek refunds / remediation / compensation. While this touches on consumer 'affairs' the Department and the CCPC are not solely responsible for these broader issues. The consumer rights laws the Department is responsible for set a floor across sectors in terms of rights. Some sectors are regulated and the regulators themselves have functions to protect the customers in those sectors. This is particularly important in the current cost of living context where sectoral regulators such as ComReg, CRU etc. have the lead on the consumer angle for their sectors. Consumer rights legislation affects the common law area of 'contract law'. As a result, caution always needs to be exercised in legislating in an area which intersects with the (constitutionally recognised) role of the judiciary and the status of common law in our legal system. A further cautionary factor is that such interventions affect commerce and the workings of the marketplace and therefore require a clear evidenced

based policy goal which corrects market failures, and which does not create unintended consequences.

### **Current position**

A key development was the commencement of the Competition (Amendment) Act in September 2023. This Act represented a sea change in competition enforcement in Ireland and ensures a coherent single regime to deal with breaches of EU and national competition law. The Act amended existing legislation to further empower the competition authorities, CCPC and ComReg, to challenge anti-competitive behaviour in the marketplace. For the first time in Irish law, breaches of competition law can be penalised through administrative sanctions taken by these authorities, with maximum fines of up to €10 million or 10% of turnover, whichever is greater. DETE is now working with the CCPC to effectively embed this new regime. The Department has engaged with the DPENDR in respect of the administrative requirements for the commencement of these new functions.

The Representative Actions for the Protection of the Collective Interests of Consumers Act 2023 was enacted in July 2023 and engagement with the OPC on drafting the Regulations required to commence the Act is at an advanced stage. This legislation is the first of its kind in Ireland as it will allow for a group of consumers to take an action against a trader to the High Court, through the services of a Qualified Entity for an alleged infringement of their consumer rights. It represents a change in consumer rights to bring both collective and cross-border actions.

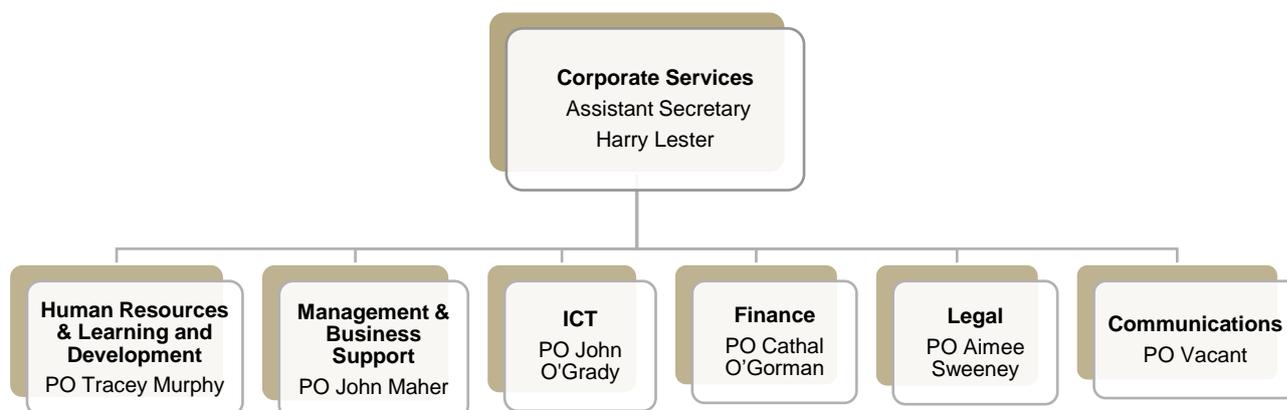
In addition, the Department has started work on two new EU Commission proposals concerning the amendment of the Alternative Dispute Resolution (ADR) Directive and the repeal of the Online Dispute Resolution (ODR) Regulation. The proposals are linked. Amendments to the ADR Directive will make it fit better to modern consumer markets and the repeal of the ODR Regulation will remove some administrative burdens from online businesses. Work is at an early stage on these proposals.

Two proposals for Directives in the consumer rights area were negotiated during 2022/23. The first is a Directive on Empowering Consumers for the Green Transition through Better Protection Against Unfair Commercial Practices and Better Information (Directive 2024/825). This concerns greenwashing and misleading claims of producers concerning the environmental and social impacts, durability and reparability of products. This Directive is required to be transposed by 27 March 2026, with an application date of 27 September 2026. The second is a Proposal for a Directive on Common Rules Promoting the Repair of Goods, which seeks to promote the repair of goods purchased by consumers within and beyond the legal guarantee. This proposal reached provisional political agreement on the 1 February 2024. This agreement is required to be endorsed and formally adopted by the Council and the Parliament. The text of the Directive is currently being refined.

### **Next steps**

Assessment has begun on the transposition requirements of Directive 2024/825 and it is expected that the transposition deadline will be met.

## 3.2 Corporate Services Division



### Role of Corporate Services Division:

The role of Corporate Services Division is to support the Department to deliver on its strategic goals. This is done through HR and Learning & Development supports, finance, budget and accounting services, ICT supports, legal advice, internal and external communications, governance and management support services, and facilities (accommodation, health and safety procurement, records management). Many of these functions are underpinned by various national and EU rules and legislative requirements and feature in annual audits by the Comptroller and Auditor General as part of the Department's Appropriation Account.

### The key priorities and strategic issues for Corporate Services Division include:

**Implementing the Department's People Strategy, focusing on the key priorities of becoming an 'Employer of Choice', a 'Resilient Workforce', and an 'Inclusive Workplace'.**

The strong labour market and consequent difficulties in recruiting staff into the Civil Service through the Public Appointments system is a key challenge for the Department. The key activity drivers underpinning our People Strategy are using all available options for recruiting, retaining, and providing promotional opportunities for staff; successfully embedding new ways of working brought about by Blended Working; providing high quality and targeted training opportunities aligned with the Department's strategic business priorities; and delivering on our Equality, Diversity and Inclusion strategy. Implementing effective blended working is a critical part of this work. DETE has a Blended Working Policy, which was reviewed in 2023, and is supported by individual Team Charters and manager training. The current pattern of blended working is 2 days in the office and 3 at home but can differ across the organisation depending on business needs (with some areas working more days in the office).

### Next steps

The priorities of our People Strategy will be considered in late 2024 and a new strategy will be developed. The Department's Blended Working policy will be reviewed over the next 6 months.

### **Climate Action Roadmap 2021-2023**

The Climate Action Plan 2024 (CAP24), launched in December 2023, builds on the CAP23 which set out a Public Service Mandate under which public bodies would be required to adhere to and report on under four headings; our targets, our people, our way of working and our buildings & vehicles. The Department's Climate Action Roadmap 2023 published in September 2023 sets out how the Department (excluding our offices and agencies) is delivering this Mandate. Led by our Climate and Sustainability Champion, (Assistant Secretary Corporate Services) the Department is committed to realising the ambitious targets for emissions reduction by 2030. Our Climate Action Roadmap 2023 sets out how the Department is reducing emissions and our commitment to meeting our decarbonisation and sustainability targets and will be reviewed annually in line with the Public Sector Climate Action Mandate.

### **Current Position**

At corporate level, the Department has a proven track record in climate action. Sustainable Energy Authority of Ireland (SEAI) data shows the Department reduced CO<sub>2</sub> emissions by 11% in 2022. We have improved our energy efficiency by 65% since the baseline year (2009). We have a long standing internal green team which over the past four years has facilitated the delivery of many significant decarbonisation initiatives, several in collaboration with partners in the Office of Public Works (OPW) and SEAI.

### **Next steps**

The Department is working with its partners in the OPW, DECC and SEAI in developing the Climate Action Roadmap 2024 which it intends to publish later in the year. The Department is also engaging with the OPW on its Dublin based buildings and extending its occupancy of Kildare St once the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media relocate.

### **National Disability Inclusion Strategy (NDIS)**

#### **Current Position and Next Steps**

The Department of Children, Equality, Disability integration and Youth are currently developing this strategy which is due to be finalised in Q2 2024. DETE is represented at senior level on the Sectoral Delivery Group with responsibility for Employment, Higher Education, Further Education and Training.

The National Autism Innovation Strategy is due to be launched shortly by the Minister for Children, Equality, Disability integration and Youth. DETE has agreed one action on this strategy. The Local Enterprise Offices (LEOs) will adapt their entrepreneurship training and mentoring programmes when accessed by an autistic individual, in consultation with that individual, so as to better support the needs of these individuals using LEO services.

#### **Information Technology Strategy**

ICT Unit provides ICT services and capabilities to the staff of DETE and its offices as well as to one of its independent agencies (the CEA). Recent years have seen significant changes to the Department's ICT capabilities where the ICT Unit rapidly responded to the COVID-19 pandemic through the provision of hybrid working and associated collaboration tools and these work practices are now well embedded across the Department.

The overall strategic direction for the Department's use of information technology is informed by a 5-year ICT strategy for the Department published in 2020 which will be refreshed next year. Key themes and objectives within this strategy include a cloud first approach to deploying new systems, enhancing the delivery of public facing digital channels and services and making better use of data across the Department.

### **Current position and next steps**

Major ICT projects scheduled to go live during 2024 include new public-facing systems for Employment Permits, Export Authorisation, Investment Screening as well as work to enhance the public-facing systems of the WRC and the IPOI. The Labour Court went live in late 2023 with a new public facing Case Management System. An AI project is currently in train in collaboration with Microsoft and OGCI0 to deliver a proof-of-concept chat agent which can respond to queries about the range of enterprise supports across Government which will trial the suitability of using Generative AI as a channel to provide information to the public. Ensuring that the Department's ICT infrastructure is appropriately protected and reflects best practice in ICT security is also a key focus and a project is currently underway to align the Department's ICT security approach to the National Cyber Security Centre's Cyber Security Baseline Standards. Overarching all of the foregoing initiatives, the ICT Unit continues to work collaboratively across the Department to strengthen ICT governance in relation to the delivery of ICT projects and services.

### **Departmental Communications**

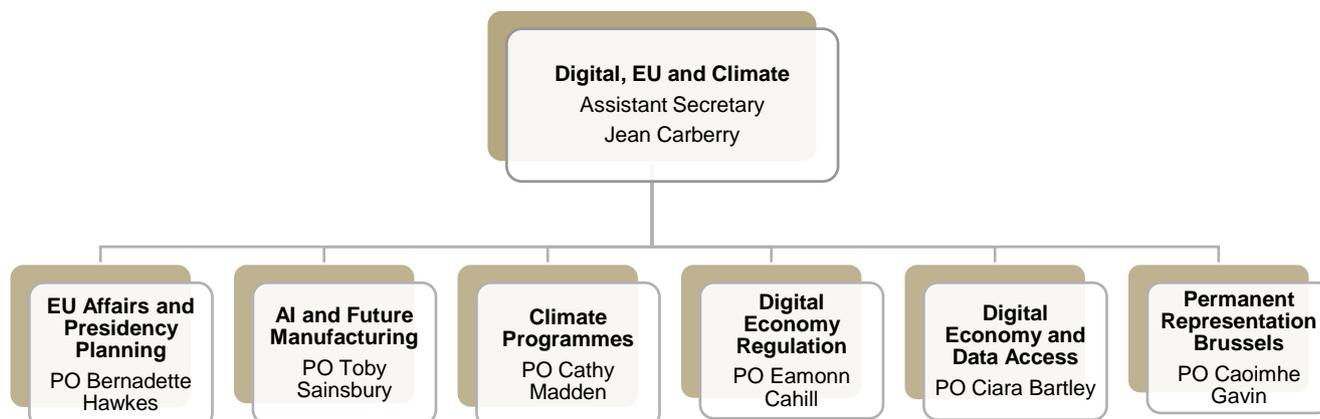
The Corporate Communications Unit is structured across five distinct areas: Media Relations; Campaigns & Digital; FOI and Customer Services; Internal Communications; and Data Protection.

Media Relations houses the Press Office, which promotes the work of the Minister and the Department, in close co-operation with advisers, through the dissemination of press releases, statements and the production of video and social media content. Our digital content is mainly focused on our website as well as LinkedIn and X. Our LinkedIn is the most followed Government Department account with over 86,000 followers, while the Department has over 34,000 followers on X. Current campaigns include the promotion of the National Industrial Strategy for Off-shore Wind, the D9+ Digital Ireland Conference, Responsible Business, Disruptive Technologies Innovation Fund (DTIF) projects and employment rights issues. The Department is currently liaising with the Office of the Government Chief Information Officer (OGCIO) in facilitating the migration of the Department's existing website to the gov.ie platform.

### **Legal**

The Legal Unit provides the Department and the Minister with independent and objective legal advice. It provides legal advice on all General Schemes of Bills and EU law transposition measures from an early stage in their development to their conclusion. It keeps abreast of major litigation involving the Department, particularly where such litigation threatens the Department's operations/legislation. It also acts as a link between the Department and the Office of the Attorney General and will request the advice of the Office of the Attorney General on complex and sensitive legal matters. There are four legal advisors in the Unit, three of whom are on secondment from the Office of the Attorney General. There is also a company law legal advisor embedded within the CCC Division. The Legal Unit reports to Management Board twice yearly, highlighting any legal trends/risks and suggesting potential solutions.

### 3.3 Digital, EU & Climate Division



#### Role of the Digital, EU & Climate Division

The Digital, EU & Climate Division plays an important role in driving the Digital and Climate transition and influencing the EU agenda. The division coordinates Ireland's position at the Competitiveness Council, advances the department's EU agenda across government and at EU level, and leads on the Department's preparations for Ireland's EU Presidency in 2026. The Division leads on negotiation and implementation of EU Digital regulations including the Digital Services Act, the Digital Markets Act, the Artificial Intelligence Act and the Data Act and on the digital transition for Irish enterprise, including adoption of AI. It also leads on development and implementation of climate programmes for Irish enterprise.

#### The key priorities and strategic issues for Digital, EU and Climate Division are:

##### Maintaining and optimising Ireland's engagement and influence at the EU Competitiveness Council, especially on Single Market and industry issues

Over the last two to three years, DETE has defended Ireland's interests in response to a growing support across the EU for what could be regarded as more protectionist policies, especially with respect to industrial, single market and competition policy. This trend, coupled with the departure of the UK, who were a key likeminded ally supporting an open trading policy and the efficiency of the Single Market, is likely to continue to be a challenge for us to address. A priority for DETE is to enhance and broaden our alliances with other member states and within EU institutions with a view to maintaining influence and mitigate for the loss of the UK as a likeminded ally within EU negotiations.

##### Next Steps

In mid-2024, following the European elections, a new Commission will introduce a new work programme. This programme will direct the European legislative programme for the next five years. A priority for DETE is to influence the work programme in relation to industry and competitiveness and, when the work programme is released, to ensure that DETE is actively engaged in the files that can affect Irish industry. The next Competitiveness Council (COMPET) will take place on 24th May 2024 in Brussels. Two further formal COMPET meetings (in Brussels) and one informal meeting (in Hungary) will take place during the

Hungarian Presidency of the Council of European Union (July – Dec 2024). Dates have yet to be confirmed.

### **Progress the Department's planning for the EU Presidency in 2026**

The EU Affairs and Presidency Planning Unit is engaging with the Departments of Foreign Affairs and An Taoiseach and across the Department on Presidency Planning Preparation. This includes participation in two planning fora – the IDG on Presidency Policy Planning and IDG on Operational Presidency Planning.

### **Current Position**

Engagement across the Department involves consulting with relevant business units and colleagues in PRB to map DETE working parties to estimate the additional staffing requirements needed to service the Presidency and to begin planning for DETE events that may be held in Ireland as part of the Presidency.

### **Next Steps**

We are now feeding into a Memo for Government that DFA plan to put to Cabinet in April. This will include a high-level indication of budget and resource requirements.

### **Support the Digital Transition in Irish Enterprise**

DETE is leading the implementation of the Enterprise Pillar of the National Digital Strategy to develop the optimal digital ecosystem for SMEs, increase Ireland's digital competitiveness and drive the digitalisation of enterprises in Ireland. The second progress report on the strategy was agreed by Government and published in January 2024.

DETE coordinates the work of and provides secretariat to the Enterprise Digital Advisory Forum (EDAF), which is chaired by the Minister for Trade Promotion, Digital and Company Regulation. The EDAF was established to provide a focused body for Government to be able to hear the views and perspectives of enterprise and experts to facilitate adoption of digital technologies among industry, including cloud, data analytics and AI. It supports the implementation of the enterprise aspects of the National Digital Strategy and provides an important setting for enterprise to be able to provide feedback to Government on various challenges and opportunities they identify in relation to digitalisation. The EDAF meets four times per year.

DETE has a range of digital transition funding schemes available for enterprise through IDA, EI and the LEOs. In June 2022, the Department launched the €85m Digital Transition Fund (DTF), which is being funded through Ireland's NRRP and dispersed by the enterprise agencies, to facilitate increased digitalisation and improved productivity across enterprises. The DTF is being used to provide direct financial support to companies as well as to fund the establishment of European Digital Innovation Hubs in Ireland.

### **Next Steps**

Funded by the DTF, the unit is working with Enterprise Ireland to develop the Digital Portal. This website will allow businesses to self-assess their digital readiness and find basic advice on their digital transformation, pointing them to Government and agency supports, including via Local Enterprise Offices. The main target audience are smaller companies that are at an early stage of the digital transition. Development of The Portal is well progressed, aiming for launch in June.

### **EU AI Act Implementation and National AI Strategy**

The use of artificial intelligence in the EU will be regulated by the AI Act, which was adopted by the European Parliament in March 2024 and is expected to be adopted by the Council in April 2024; it will likely come into force in May 2024. This groundbreaking Act sets out harmonised rules for the development, placement on the market and use of AI systems in the Union. It follows a proportionate, risk-based approach, where certain particularly harmful AI practices are prohibited as contravening EU values, while specific restrictions and safeguards are proposed in relation to certain high-risk areas.

The National AI Strategy, AI – Here for Good: was published in July 2021. It is a whole-of-government Strategy with actions across seven pillars (society, governance, business, public service, innovation, skills, infrastructure). An AI Advisory Council, chaired by Dr Patricia Scanlon, has been established to provide an agile sounding board for Government and is expected to look at a range of important issues including the role of AI in the future of work in Ireland. DETE is progressing work on a refresh of the National AI Strategy.

### **Current Position**

Application of the EU AI Act will be phased in over a period of 36 months after entry into force. DETE has lead responsibility for national implementation of the Act and is working to this end in close cooperation with other Departments and relevant State bodies. A key deliverable under the AI Act will be the establishment of an AI regulatory sandbox, work has commenced on scoping this to ensure delivery within 24 months of the EU AI Act entering into force.

### **Next Steps**

- Consider the optimal configuration of national competent authorities for the effective and efficient implementation of the Act.
- Determine legal requirements and prepare primary legislation to designate competent authorities.
- Identify Ireland's representative to the EU AI Board.

### **Digital Services Act - Levy and Resourcing Digital Services Coordinator**

The EU Digital Services Act (DSA) is an EU Regulation that imposes obligations on providers of online intermediary services such as social media platforms, online marketplaces and search engines. It came into force on 17 February 2024 and the national primary legislation (The Digital Services Act 2024) was commenced on 16 February. This legislation designated Coimisiún na Meán as the Irish Digital Services Coordinator and provided it with the necessary supervisory and enforcement powers to fulfil Ireland's obligations under the EU Digital Services Act. It also designated the Competition and Consumer Protection Commission (CCPC) as a competent authority for DSA obligations relating to online marketplaces. While the national primary legislation has been commenced there is still work to be done legislatively and operationally.

### **Next Steps**

- Enact primary legislation so that the Digital Services Division of Coimisiún na Meán will be fully industry levy funded from 2025. A memo to Government to approve the heads of the Digital Services (Levy) Bill is being finalised, with a view to bringing it to Government in April. The target is to have the legislation enacted in time so that the levy is in place for 2025.



### Transposition of the EU Data Act

The Data Act entered into force on 11 January 2024 and will be applicable from 12th September 2025. The Data Act is a key pillar of the EU's Data Strategy and is its second component alongside the EU Data Governance Act (DGA), which is applicable since September 2023 and is being implemented in Ireland by D/ECC. Together, the DGA and Data Act initiatives are intended to unlock the economic and societal potential of data and technologies. The Data Act aims to create a coordinated approach to using data across sectors and clarifies who can create value from data and under which conditions.

### Next Steps

The Department is working on national transposition to ensure it is in line with EU requirements and that the regulatory authorities and powers for their enforcement obligations are in place by Q3 2025.

### Hosting D9+ and Digital Ireland Conference

Ireland currently holds the Chairmanship of the D9+, an affiliation of digitally ambitious EU Member States. The D9+ Digital Ministers will meet in Dublin in on 19 April to coincide with the annual Digital Ireland Conference which brings together industry, policymakers, regulators and academia to discuss and shape digital developments.

### Next Steps

The D9+ ministerial meeting will be led by Minister Calleary. DETE is also organising the second Digital Ireland Conference, taking place alongside the meeting of the D9+ on 18 April. Both events are important in signalling Ireland's commitment to being a Digital leader. In particular, the D9+ is a way to influence thinking about digital regulation in advance of a new Commission work programme.

### Data Centre Policy

DETE responsible for data centre policy, as set out in a revised Government policy statement on data centres, published in July 2022. There are circa 80 data centres with a huge variety in size, energy use and ownership in Ireland. Data centres are an essential part of Ireland's digital infrastructure, with an economic impact that extends far beyond the physical assets. They also underpin other valuable investment in Ireland by the technology sector. However, the economic benefit must be balanced against energy security considerations and our carbon commitments. Over the period from now to 2030, renewable energy availability will be insufficient to meet all the data centre demands above and beyond those already connected (including those contracted but not yet connected).

### Current Position

A clear and objective way to ration connections is needed if we are to maintain credibility and provide certainty to the sector during the transition period to 2030. There is also an urgent need to progress long term planning to enable new renewable capacity. 





### **Drive the uptake and implementation of a comprehensive suite of climate programmes to incentivise and accelerate decarbonisation of enterprise.**

The Climate Programmes Unit was established at the end of January 2024 to work with the enterprise agencies and the Sustainable Energy Authority of Ireland (SEAI) to accelerate the reduction in industrial emissions. The target set out in the Government's Climate Action Plan for industry is a 20% reduction by 2025 and a 35% reduction by 2030, on 2018 levels.

In 2022, industrial emissions accounted for 9.7% of Ireland's total emissions. 93% of these emissions are accounted for in the client base of Enterprise Ireland and IDA Ireland and are highly concentrated in a group of manufacturing companies primarily in the cement, alumina, food & beverage, pharmaceutical and chemicals sectors. As it stands the EPA is projecting that the industry sector will exceed its 2026-2030 sectoral ceiling by 39%.

#### **Current Position**

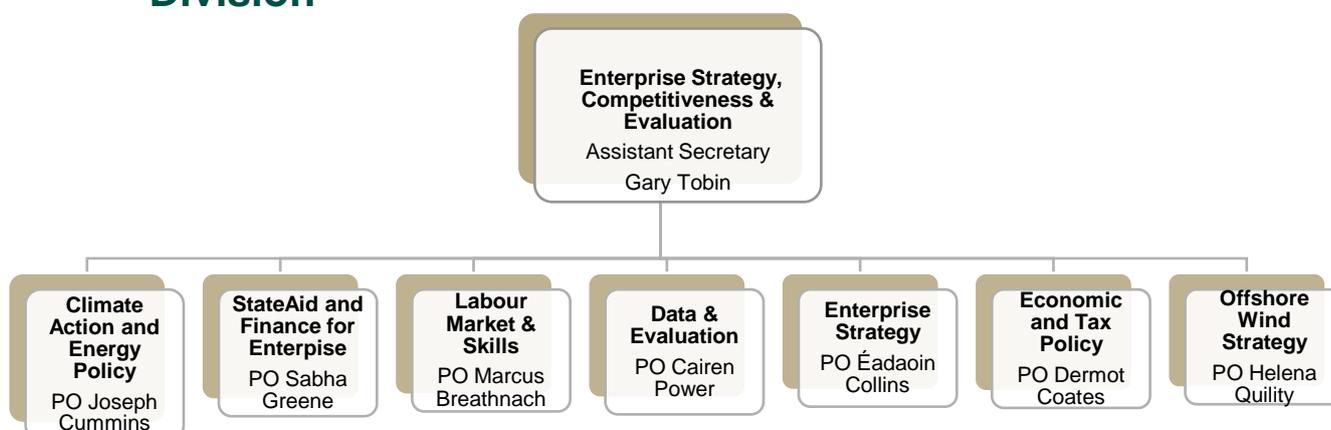
Enterprise Ireland and IDA Ireland have been actively working with the top emitters in their client portfolios (around 30 companies in total) to develop impactful decarbonisation plans. These plans are primarily focused on decarbonising how these companies generate heat during the manufacturing process. These plans are at a mature stage however they will not happen in the near term without some State aid in addition to commercial capital investment, as they have payback periods far in excess of those normally required on commercial capital investment decisions, typically 3.5 – 5 years in most sectors. This approach however will reap extremely positive rewards in terms of reducing carbon emissions.

While not large emitters, it is crucial that SMEs and micro companies also begin or accelerate the process of decarbonisation, as part of a wider drive towards zero carbon. DETE is currently engaged in an exercise to simplify the decarbonisation journey. It is examining the wide range of existing climate schemes operated by Government agencies, before clearly communicating what steps a company can take in order to decarbonise, and what supports are available from Government to help them with this.

#### **Next Steps**

- Secure additional multiannual exchequer funding streams to grant aid decarbonisation projects by large emitters
- Establish a working group between relevant agencies to ensure better information sharing and to identify priority decarbonisation projects
- Actively work with agencies to agree the steps and supports required for SMEs to put a decarbonisation plan in place and act on its recommendations
- Simplify the support landscape with respect to decarbonisation schemes for SMEs.
- Undertake market research to track the progress by SMEs.

### 3.4 Enterprise Strategy, Competitiveness & Evaluation Division



#### Role of the Enterprise Strategy, Competitiveness & Evaluation Division:

The Enterprise Strategy, Competitiveness and Evaluation Division works closely with other Divisions in the Department and with other Government departments with the aim of ensuring that policy supports a strong, competitive enterprise sector. The Division provides evidence-based support to the work of the Department and works with other Government departments to enhance the business environment in areas such as skills, climate action, taxation, energy infrastructure, competitiveness and productivity. The Division supports the work of, and provides the Secretariat for, three independent bodies that operate under the aegis of the Department; the Low Pay Commission, the National Competitiveness and Productivity Council (NCPC) and the Expert Group on Future Skills Needs (EGFSN). The Division leads on the overall Irish position with respect to EU State Aid policy matters. It has responsibility for oversight of several financing programmes, such as credit guarantee and loan schemes, including engagement with Microfinance Ireland, and enterprise investment funds such as the Seed and Venture Capital Fund.

#### The key priorities and strategic issues for the Enterprise Strategy, Competitiveness & Evaluation Division are:

##### Accelerating the Green Transition in Irish Enterprise

The Minister for ETE has responsibility under the Climate Action and Low Carbon Development (Amendment) Act 2021 to reduce Industry on-site emissions (manufacturing, including cement and alumina) by 20% by 2025 and 35% by 2030, while emissions from the heating of non-residential buildings (on-site built environment emissions) must be reduced by 20% by 2025 and 45% by 2030. Emissions from manufacturing industry in Ireland account for roughly 10% of national Greenhouse Gas (GHG) emissions.

##### Current Position

The Climate Action Plan 2024 (CAP24) is the third annual update to Ireland's Climate Action Plan. DETE is working with DECC on a range of industry abatement actions under the Plan, including through the Heat and Built Environment Taskforce. In order to achieve the required abatement and the associated levels of investment, businesses require unambiguous, long-term policy signals about the pathway Government has chosen to achieve national and sectoral decarbonisation. Delivery of this Department's emissions reductions targets is

further dependent on infrastructure, planning, licensing and energy policy changes to be delivered elsewhere in the Government system.

### **Next Steps**

Under the Heat and Built Environment Taskforce, the Unit is progressing:

- Publication of a Roadmap for the decarbonisation of our Manufacturing Industry
- Publication of a Roadmap for the decarbonisation of Commercial Buildings
- Develop a set of agreed policy actions for the electrification of industrial heat needs.
- Agreeing a biogas / biomethane policy framework and support mechanism with DAFM and DECC that makes this decarbonised gas available to industry
- Engaging businesses, through the Climate Programmes Unit and enterprise agencies, to better inform policy landscape to acetate and incentive investment by manufacturers that removes emissions and facilitates net zero output growth.

### **Progress Decarbonisation of Ireland's Cement sector**

The cement sector accounts for c. 43% of Ireland's total industry emissions, of which approximately one third is from burning fuel to heat the cement kiln, with the two thirds are 'industrial process' emissions.

### **Current Position**

The cement sector is understood globally as a 'hard to abate' sector. In the short-to-medium-term, shifting over 90% of fuel inputs away from fossil fuels to lower carbon fuel sources is a key objective. Significant R&D is also underway on 'alternative cementitious materials'. Carbon capture technology is scientifically established, but not yet deployed at commercial scale internationally. Decarbonisation investments in this sector are likely to be capital intensive and require significant incentivisation. DETE secured expert Services in 2023 to support the "Development of an Appropriate Procurement Criterion to Ensure the Reduction of Embodied Carbon in the Cement or Concrete Procured in Construction Projects by Public Bodies." The Unit has since developed a set of public procurement guidance, and an action plan, through the cross-Departmental Cement and Construction Decarbonisation Working Group chaired by DETE and have now reached a consensus. [REDACTED]

### **Next Steps**

The consultant's report on public procurement approach is being finalised for publication, and it is proposed to be brought to a Senior Officials Group in April, and then to Cabinet for approval to publish the report and guidance, issue procurement guidance to public bodies, and progress the recommended actions. M/ETE should thereafter meet with representatives of the sector to drive ambition. Actions agreed by the Working Group include a cross-Departmental working group on Carbon Capture and Storage (jointly chaired by DECC and DETE), and engagement on new product standards with NSAI.

### **Advocating for Enterprise-friendly Energy Policy**

Ireland's economic resilience now depends on access to affordable, renewable energy for enterprise customers small and large. The Department engages with DECC on energy policy matters with a focus both on the cost and the speed of transition in our energy system and its impact on enterprises.

### **Current Position**

Ireland is one of the most expensive energy markets in the EU and is already feeling the impact of this competitiveness deficit in Ireland's ability to attract new investment in energy intensive sectors. While Ireland's wholesale prices are only marginally higher than other jurisdictions – our cost of grid is multiples of peer locations and looks only set to rise as we undergo a very large investment in energy infrastructure and connection of renewables. We face a generation defining strategic challenge in assigning the costs of the transition to net zero to energy customers –the electricity grid needs huge levels of investment to integrate renewables, but we also have to be aware of its impact on the economy's competitiveness. To deliver price competitiveness over the medium-term, Government needs to deliver a diversified energy system, with significant support for energy efficiency and renewables, alongside independent regulation that protects consumers and delivers efficient, competitive energy retail and wholesale markets. Businesses need certainty to enable the investment and we cannot allow energy concerns and costs make Ireland a less attractive location for businesses to invest in on an ongoing basis, compared to other EU jurisdictions.

### **Next Steps**

- Progress actions for all enterprises, and particularly Large Energy Users (LEUs). under CRU's development of a National Energy Demand Strategy
- Engagement with DECC on Security of Supply review and policy option choices arising from the review related to storage and import infrastructure to ensure energy system resilience, including highlighting and demonstrating appropriateness of new industrial electricity demand as manufacturing sectors decarbonise
- Advocate for and facilitate better data and reporting of LEU electricity emissions carbon intensity through SEAI led research programme
- Key areas for cross-Government attention are an update on spatial planning and energy market regulation to allow for offshore wind and adjacent industrial development, progress on private wire legislation, delivery of significant investment in our electricity grid, and prioritising measures that enhance the commercial attractiveness of electrification versus a continued use of fossil fuel.

### **Implement the Offshore Wind Industrial Strategy**

The Government set a target in its Climate Action Plan 2023 to provide 80% of Ireland's electricity from renewable sources by 2030. At least 5GW of this is to come from offshore renewable energy (ORE). To enable and support the rollout of vast quantities of OWE generation capacity in Ireland over the coming years, DETE published *Powering Prosperity – Ireland's Offshore Wind Industrial Strategy* in March 2024. This industrial strategy will ensure that Ireland captures the value of the supply chain to deliver an OWE sector of scale and maximises the economic impact of the future end-uses of this renewable energy. It includes 40 actions to be implemented in 2024 and 2025.

### **Current Position**

The implementation phase for *the Strategy* began upon publication in March 2024. Priority will be given to the delivery of actions with near-term deadlines, including three actions due for completion by the end of Q2 2024, three further actions due for completion by the end of Q3 2024, and a further 15 actions due for completion by the end of 2024.

### **Next Steps**

DETE will oversee the implementation of the industrial strategy's actions, maintaining close contact with action owners across departments and agencies through its Interdepartmental

Group, RD&I Working Group and through membership of the Offshore Wind Delivery Taskforce, which is the cross-Government body designed to drive development and accelerate delivery of OWE in Ireland.

### **Progress DETE Data and Evaluation Projects**

The Data and Evaluation Unit undertakes reviews and evaluations of programmes funded through the Department's budget. Two key annual enterprise surveys produced by the Unit – the *Annual Employment Survey* and the *Annual Business Survey of Economic Impact* – monitor the employment and economic performance of the clients of EI and IDA Ireland.

### **Current Position**

DETE are working with the Companies Registration Office (CRO) to build a structured database of company performance for evidence-based policy analysis. DETE continues to work with Revenue and the Central Statistics Office to progress the development of a Unique Business Identifier Number which will improve the quality of business identity data held by public bodies. In line with DETE commitments under the Climate Action Plan and the White Paper on Enterprise, DETE has begun the implementation of an updated Economic Appraisal Model for the Enterprise Agencies which embeds emissions impacts into grant funding decisions.

### **Next Steps**

- Publish a review of the IDA Regional Property Programme
- Publish guidelines for the evaluation of DETE funding and develop a model to assess environmental aid projects in the Enterprise Agencies
- Periodic Critical Review of the Competition and Consumer Protection Commission.

### **Progress Expert Group on Future Skills Needs (EGFSN) Studies**

In its capacity as the Secretariat to the EGFSN, DETE undertakes research to identify the emerging skills needs of the Irish economy. The EGFSN generally undertakes 2-3 studies as part of its annual work programme.

### **Current Position and next steps**

An International Financial Services skills study is expected to be completed in early Q2 2024 and a Biopharma skills study is also expected in Q2 2024. A third study examining the skills required to transform Ireland's construction sector through widespread adoption of MMC is also nearing completion and will be published in Q2 2024. The EGFSN will also meet in the coming months to determine its work programme for the remainder of the year. The EGFSN secretariat is also continuing to support the implementation of previous EGFSN recommendations, by leading or participating in related implementation groups. These include recommendations related to SME Management, Construction, High Level ICT, Artificial Intelligence, Foreign Languages, and Logistics and Supply Chain Management

### **National Remote Work Strategy Implementation**

Making Remote Work, the National Remote Work Strategy, was launched in January 2021 and identified 15 actions to be taken to ensure that remote working becomes a permanent feature of the Irish workplace in a way which maximises its economic, social and environmental benefits. Implementation of these actions has been overseen by the Remote Work Interdepartmental Group (IDG), chaired by DETE. The Strategy and its actions reflect Programme for Government commitments to enable increased remote, flexible and hub-working arrangements to promote better work-life balance, higher female-labour-market participation, less commuting, and greater regional balance.

**Current Position and next steps**

The Remote Work IDG oversaw the development and implementation of the Strategy, with all 15 actions having been delivered. Actions delivered include legislating for the right of all workers to request remote working through the Work Life and Miscellaneous Provisions Act 2023, publication of the Workplace Relations Commission (WRC) Code of Practice for Employers and Employees on the Right to Request Flexible Working and Right to Request Remote working, the WRC Code of Practice for Employers and Employees on the Right to Disconnect, an enhanced income tax allowance for remote workers covering 30% of heating, electricity and broadband expenses for days spent working from home, and the launch of the National Hub Network. The Remote Work IDG will continue to meet in 2024. Development of the first National Hub Strategy by DETE and DRCD is at an advanced stage, with publication expected in Q2 2024.

**Progress recommendations of the Low Pay Commission**

DETE provides the Secretariat to the Low Pay Commission (LPC), the body responsible for making recommendations on the National Minimum Wage (NMW).

**Living Wage**

The LPC and the LPC Secretariat will be responsible for giving effect to the November 2022 Government decision to progress to a living wage by January 2026. The LPC has been tasked with recommending annual increases in the NMW to ensure it reaches the living wage of 60% of median wages by January 2026. The Secretariat will ensure adequate resourcing etc. to allow the LPC monitor the effects of the progression to the living wage.

**Current Position**

As per the establishing legislation, the LPC is required to submit its recommendation and annual report to the Minister before the third Tuesday in July. When making its recommendation, the LPC considers a number of factors, including - changes in earnings; changes in income distribution; whether un/employment has been increasing or decreasing, whether productivity has been increasing or decreasing; international comparisons; the need for job creation; and the likely effect that any proposed order will have on employment, the cost of living, and national competitiveness. Government approved the recommendation of the LPC to increase the NMW to €12.70 an hour in the context of Budget 2024. The increase came into effect 1 January 2024. This increase in the NMW can be considered the second phase of a four-year transition to 2026, at which point the Living Wage will replace the National Minimum Wage.

**Next Steps**

Progress towards a National Living Wage by January 2026 on foot of Government decision, including engagement with CSO on measurement of median wages. The LPC recommendation for 2025 National Minimum Wage is due by 16th July 2024.

**Sub-minimum / Youth rates of the National Minimum Wage**

The statutory minimum wage for those aged under 20 is less than the full minimum wage. The question of subminimum wage rates for those aged 20 and under is an issue that receives political attention.

**Current Position and next steps**

On March 6th, 2024, the LPC submitted their report and recommendations on youth rates. This report was accompanied by a background research report prepared by ESRI under the

terms of the LPC/ESRI Research Partnership Agreement. Under the National Minimum Wage Acts the LPC report must be published by 5th June 2024. DETE plans to initiate inter-departmental consultation on the LPC report, commission an economic impact assessment and seek legal advice on the LPC recommendations.

### **Transpose the minimum wage elements of the EU Directive on Adequate Minimum Wages**

The Directive on Adequate Minimum Wages in the European Union ((EU) 2022/2041) was published on 19th October 2022 and must be transposed by November 2024. The Directive aims to ensure that workers in the Union are protected by adequate minimum wages by increasing collective bargaining coverage, outlining requirements for minimum wage setting mechanisms and improving enforcement and monitoring of minimum wage protections.

#### **Current Position**

Legal advice suggests that the current minimum wage setting framework, namely the Low Pay Commission, is largely already in compliance with the provisions of the Directive. Transposition options are being assessed.

#### **Next Steps**

It is proposed to transpose the minimum wage elements of the directive by Statutory Instrument before the transposition deadline of November 2024.

### **Access to Finance for SMEs and Microenterprises**

SMEs and microenterprises can experience difficulties in accessing market credit. This is a problem across the EU but is particularly acute in Ireland. Microenterprises - in particular start-ups - often lack credit history and cannot access any market credit. Even for SMEs with a credit history, it is very difficult to access unsecured loans – a significant barrier for many businesses, as interest rates are significantly higher than in other EU markets. DETE develops and manages schemes to help SMEs and micros to access loans at affordable rates and favourable terms and conditions.

### **Growth and Sustainability Loan Scheme**

The €500 million Growth and Sustainability Loan Scheme (GSLs), launched in September 2023, is currently available from Bank of Ireland, AIB and Finance Ireland. A key priority is to assist a further two lenders launch the scheme in Q2 2024. It provides longer-term lending to SMEs, including farmers and fishers and small mid-caps. The GSLs will operate until 30 June 2026 or until the scheme has been fully subscribed (whichever is earlier). The GSLs leverages European Investment Bank funding to address financing challenges holding back business investment.

### **Ukraine Credit Guarantee Scheme**

The Department, in conjunction with the Strategic Banking Corporation of Ireland (SBCI) and participating lenders will continue to promote the Ukraine Credit Guarantee Scheme launched in January 2023. There are currently two banks, two non-bank lenders and thirteen credit union providing lending on the scheme. A priority action is to finalise the entry of the two remaining non-bank lenders to the Scheme early in Q2. The Scheme provides €1.2 billion in loans for low-cost working capital and medium-term investment, especially in energy saving measures, to SMEs, primary producers and small mid-caps. The scheme is operated by the SBCI and loans are provided by finance providers. The Scheme will run until 31 December 2024.

### **Microfinance Ireland & the Microenterprise Loan Fund (Amendment) Bill 2024**

Microfinance Ireland (MFI) was established in 2012 to provide loans to microenterprises with fewer than 10 employees and with an annual turnover of less than €2 million, which do not meet the conventional risk criteria applied by commercial lenders. MFI has been successful in addressing a gap in the lending market and responsive to emergencies such as Brexit, Covid-19 and the recent flooding and extreme weather events that disrupted many businesses. Following a Government decision on 30 May for the approval of the transfer of Microfinance Ireland into State Ownership, it is a priority action to progress legislation to provide for ownership of MFI to transfer from Social Finance Foundation to the Minister for ETE. This will put in place the related governance structures reflecting the increasingly vital role of State supported lending to microenterprises for job creation, and assistance to start-up and existing businesses to survive and grow in uncertain economic conditions. Pre-legislative scrutiny of the General Scheme with the Joint Committee on ETE was successfully completed on 20 September 2023. Government approved the Microenterprise Loan Fund (Amendment) Bill 2024 for publication and initiation in the Houses of the Oireachtas on 5 March 2024. Second stage [Dáil] was completed on 20 March 2024 with the Bill referred to Committee Stage.

### **Finance for Growth**

Innovative businesses need risk capital (i.e. equity) to fund their growth. The private equity investment market has grown significantly over the last decade, but there are sections of the market that are still in need of intervention, primarily seed/start-up and scale-up. The State, through Enterprise Ireland and the Ireland Strategic Investment Fund, is a significant player at every stage of the investment cycle (in particular at the seed/start-up stage via the Seed and Venture Capital scheme and the Innovation Seed Fund).

### **Current Position and next steps**

The Seed and Venture Capital scheme (SVC) has been operated by EI on behalf of DETE since 1994. During this time, EI have committed more than €700m to the venture capital industry in Ireland. This funding provided essential risk capital for Irish start-ups, served as a cornerstone for early-stage funds and attracted significant levels of domestic and international private capital into the Irish funding eco-system. The current cycle of the SVC scheme ends on 31 December 2024. Following a positive independent review of the SVC, DETE will seek sanction for a new 5-year cycle of the fund, to begin on 1 January 2025. This will allow EI to carry out a call in 2024, with funding to be committed in early 2025.

In early 2022, following consistent feedback from the market that scale ups are having difficulty accessing finance in Ireland, officials from DETE established a Finance for Scale Ups working group. The objective of the group was to develop recommendations to support high potential firms to access scaling finance. The group's report, "The Use of Finance as a Catalyst to Develop a Scaling Ecosystem", includes their findings and recommendations to support investment and entrepreneurship. It is expected that the report will be published in Q2 2024 and an Implementation Group to be formed soon after.

### **Contribute to the development and implementation of State Aid rules to promote a level playing field and to support policy that facilitates growth, innovation, and sustainability for Irish businesses in the EU**

As part of the wider push for Open-Strategic Autonomy, liberalisation of State Aid rules has come to the fore in 2023 and 2024. While the new EU policy developments including State Aid flexibilities, opens some opportunities, the overall direction of travel is unlikely to be in Ireland's interests. DETE is working with the Commission and like-minded Member States to

advocate for robust control of State Aid by the Commission to ensure a level playing field between Member States. The latest Joint Letter signed at Ministerial level including by Ireland, describes how State Aid should be used as a policy tool to address market failures and ensure that businesses compete on the market based on their offer and excellence, and not on the amount of aid received. The Joint-Letter was discussed at the COMPET Council Meeting on 7 March 2024.

#### **Current Position and next steps**

DETE secured agreement from the EC to examine and revise the rules pertaining to aid for businesses in difficulty which affects eligibility for State Aid across all schemes and is of significance for supporting innovative start-ups. The Rescue and Restructuring Guidelines are being extended for two years to facilitate this. DETE continue to work with the EC and other Member States to examine and revise the rules on aid for businesses in difficulty.

#### **Implement the White Paper on Enterprise**

In March 2022, the Government commissioned an in-depth review of Ireland's medium- to long-term enterprise policy conducted through a White Paper on Enterprise, which was published in December 2022. The White Paper seeks to protect the core elements that make Ireland's economy attractive for enterprise while responding to emerging challenges and opportunities, such as those from the twin transitions. The vision of the White Paper on Enterprise is for Irish-based enterprise to succeed and deliver rewarding jobs and livelihoods by increasing their sustainability, innovation, and productivity.

#### **Current Position**

The first Implementation Plan covering the period from 2023 to 2024 was published in May 2023. The Implementation Plan details 40 key initiatives across all seven enterprise policy priorities set out in the White Paper. Progress on the implementation of the White Paper is reported to the Cabinet Committee on Economy and Investment every six months. The first report was delivered in November 2023. In addition to providing updates across the 40 initiatives, the report included updates where available on progress towards the 15 targets identified in the White Paper.

#### **Next Steps**

The second update report, covering H2 2023, is expected to be published in April 2024, subject to approval. The Department will prepare the second biennial Implementation Plan, covering the period 2025-2026, which is due to be launched in early 2025.

#### **National Clustering Policy & Framework**

DETE is working on finalising the development of a national clustering policy to maximise the impact of clustering as an enterprise policy tool to drive enterprise competitiveness, resilience and transition.

#### **Current Position and next steps**

The approach to the National Cluster Programme was agreed in 2023, with the aim of funding five National Cluster Organisations under a new National Clustering Programme by 2025. DETE officials continue to engage with a range of stakeholders to ensure the National Clustering Programme is tailored effectively to support and enhance the Irish clustering ecosystem and is in line with International best practice. Following the finalisation of the National Clustering Programme, implementation will commence by Q4 2024.

### **Engage with EU Industrial Policy including IPCEI, and Transition Pathways**

Important Projects of Common European Interest (IPCEI) are large-scale, multi-country projects (usually >€50million) for global state of the art innovation to address market or systemic failures in particular sectors. For Ireland, as an open and global economy at the heart of the EU, IPCEI represent a significant contribution to economic growth, jobs, the green and digital transition and competitiveness.

In June 2023, the EC approved an IPCEI in the field of Microelectronics and Communication Technologies (IPCEI ME/CT). The IPCEI ME/CT, which is the first IPCEI in which Ireland is directly participating, is expected to result in a clear innovation advantage for Europe. The Irish participant, Analog Devices Inc. from Limerick, is investing €630 million in this project, which will result in 600 new jobs in Limerick over the next five years, as well as an additional 520 jobs during the construction phases.

#### **Current position and next steps**

Key priorities for 2024 include ensuring compliance with detailed annual reporting requirements for IPCEI ME/CT. Further engagement with stakeholders is also underway to determine how best Ireland can take advantage of opportunities to build capacity in sectors and subsectors of strategic interest.

### **Implementation of the Net Zero Industry Act (NZIA)**

The NZIA, due to be formally adopted in early April 2024, aims to ease conditions for investing in green technologies, by simplifying permit-granting procedures and supporting strategic projects. It also proposes to enhance the skills of the European workforce in green sectors (notably through the launching of net-zero industry academies) and create a platform to coordinate EU action in this area.

#### **Current position**

The timeframe for implementation for various aspects of the Act is very ambitious, ranging from 3 months to 18months and DETE has commenced preparations to develop secondary legislation to give effect to the Regulation. Ireland was ambitious in the negotiations and secured a number of key wins, to ensure that MS are not required to use nuclear technology and to ensure the provisions around procurement and renewable energy auctions are workable and will not delay Ireland's own renewable deployment plans.

Work is progressing with relevant Government Departments (D/Housing, DECC, DFHERIS, D/Education and DPENDR) to determine responsibilities and timelines for the implementation of the various aspects of the Act, so that these can be incorporated into the secondary legislation.

### **Improve gender balance in senior business leadership**

Balance for Better Business (B4BB) is an independent, business-led Review Group established by the Government in 2018 to improve gender balance in senior business leadership in Ireland, with a view to the benefits of diversity for business performance. DETE provides policy and administrative support for this initiative including on procurement, research and secretariat for the Review Group and Advisory Group.

#### **Current Position and next steps**

The Sixth Annual Report of the B4BB Review Group launched in December 2023, showing the progress made against the round of 5-year targets set by the initiative. A new 5-year

strategy and set of targets has been developed by the Balance for Better Business Review Group, which will be announced in May 2024. The first annual report under this new strategy will be published in Q4 2024, work is ongoing to improve data sourcing.

### **Progress the work of the National Competitiveness and Productivity Council**

The Council reports to the Taoiseach and the Government, through the Minister for ETE, on key competitiveness issues facing the Irish economy and offers recommendations on policy actions required to enhance Ireland's competitive position.

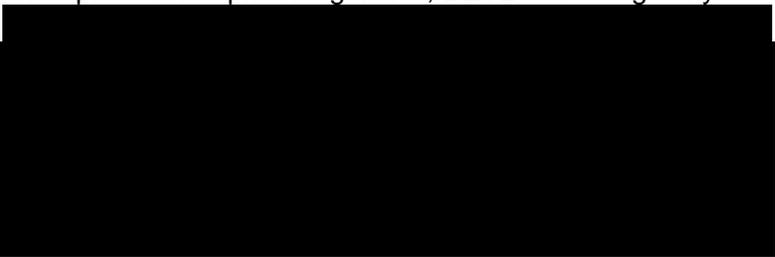
#### **Current position and next steps**

The Council has 15 members and includes representatives of the employer and trade union social partnership pillars, people with relevant expertise in competitiveness and a representative of DETE. Senior representatives from 12 Government Departments attend quarterly Council meetings in an advisory capacity. The Council is chaired by Dr Frances Ruane. The NCPC is scheduled to deliver Ireland's Competitiveness Challenge 2024 in May 2024. The timeline for publication of the NCPC's annual Challenges report has been brought forward to provide sufficient time to input into Budget 2025. This report will outline the challenges to Ireland's competitiveness and productivity over the medium term and the policy responses required to meet them.

### **Preparation of DETE Pre-Budget Submission 2025**

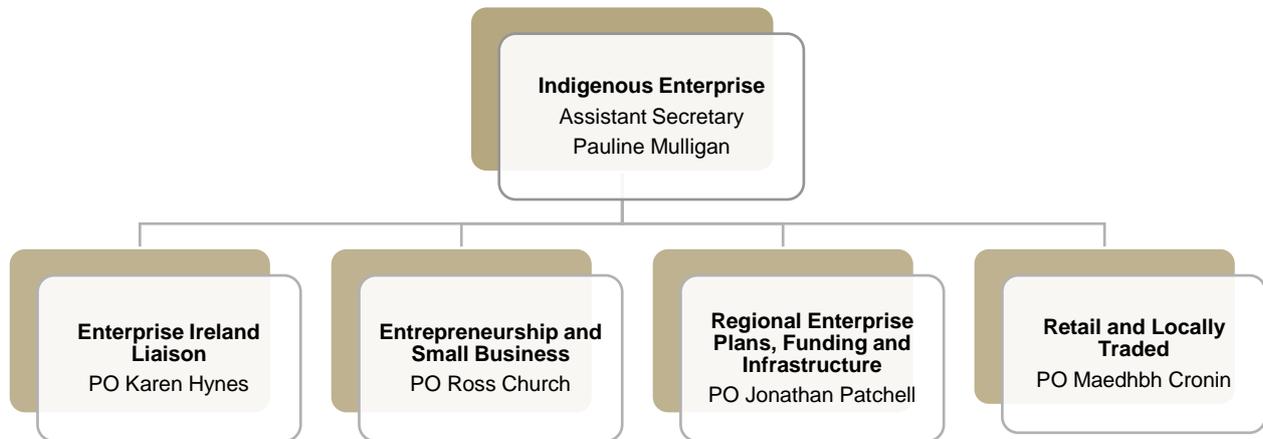
DETE provides analysis of enterprise tax measures, monitors international tax developments in the provision of advice to the Minister and liaises with the Department of Finance with a view to enhancing the taxation environment for entrepreneurs and businesses. DETE also engages with the enterprise development agencies and stakeholders to prepare a submission reflecting enterprise needs in advance of the Budget annually and ensures the submission reflects the Minister's taxation priorities.

#### **Current position and next steps**

Following consultation with the enterprise development agencies, DETE is drafting early-stage proposals and costings. 

 This is a vital element of the annual budget process for DETE, as it will assist in exchanging ideas and feedback between the Department and wider business stakeholders. In addition, the engagement will be key in identifying emerging issues and ensuring that enterprise taxation policy in Ireland remains competitive and responsive to wider developments.

### 3.5 Indigenous Enterprise Division



**Agencies:**

Enterprise Ireland	Leo Clancy - CEO
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**Associated Bodies:**

Design and Crafts Council of Ireland	Rosemary Steen – CEO
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**Role of the Indigenous Enterprise Division**

The primary role of the Indigenous Enterprise Division is to support indigenous enterprise across all regions in Ireland. The division works 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 advise across the wider system for a supportive business environment. Working with Enterprise Ireland, the 31 Local Enterprise Offices, the Design and Crafts Council of Ireland, and nine Regional Enterprise Plan Steering Committees the Division ensures supports are aligned to meet evolving business needs to adapt to global challenges and opportunities, in particular climate change and digitalisation.

**The key priorities and strategic issues for the Indigenous Enterprise Division are:**

**Implementation of the Increased Cost of Business (ICOB) Scheme**

As part of the Budget 2024, the Government signed off on a package of €257m for the ICOB grant as a vital measure for small and medium businesses. The grant is based on rates paid by businesses in 2023, however it is not a rates waiver.

**Current Position**

All 31 Local Authorities across the country are administering this scheme on behalf of this Department. A service level agreement is in place between each LA and the Local Government Management Agency. Local Authorities have written out to all rate payers with information on how to register for this scheme, this includes a customer ID and PIN to access the ICOB portal. Eligible businesses will receive a once-off grant payment. It is

important to note, it is not a Commercial Rates waiver and businesses should continue to pay their Commercial Rates bill as normal. The grant is based on the value of the Commercial Rates bill received by an eligible business in 2023. The grant is as follows:

- For qualifying businesses with a 2023 Commercial Rate bill of <€10,000, the ICOB grant will be paid at a rate of 50% of the business's Commercial Rate bill for 2023
- For qualifying businesses with a 2023 Commercial Rate bill of between €10,000 and €30,000, the ICOB grant will be €5,000
- Businesses with a 2023 Commercial Rates bill greater than €30,000 are not eligible to receive an ICOB grant.

The grant scheme has been set up in this way so as to ensure that the scheme is accessible to smaller businesses, who may have had difficulties availing of previous schemes. Eligibility for the grant will be assessed on the basis of a firm satisfying a minimum of the below conditions:

- the business is a commercially trading business operating directly within a premises that is commercially rateable by a Local Authority
- the business has provided confirmation of its bank details to the respective Local Authority
- the business is rates compliant, including those businesses with a phased payment arrangement in-place
- the business is tax compliant, and in possession of a valid Tax Registration Number.

### **Next Steps**

Local Authorities (LAs) are currently verifying the information they have received through the portal registrations. The LAs will begin to make payments to businesses from 22 April 2024. The closing date for the scheme is 1 May, where all businesses should have registered with their LA.

### **Rollout of LEO Energy Efficiency Grant**

The Energy Efficiency Grant (EEG) was launched in May 2023 and is administered by the Local Enterprise Offices. It supports businesses to reduce their carbon emissions and overall energy costs by accelerating the adoption of low carbon technologies or processes. Small firms can receive a grant of 50% towards eligible expenditure of energy efficiency projects up to a maximum of €5,000.

### **Current position**

In March 2024, Government took a decision to make available up to an additional €15m to the LEOs to enable a top up payment of up to €3,000 in the EEG for businesses in the hospitality and retail sectors. Under the business case submitted to DPENDPR, businesses in these sectors will be eligible to apply for up to €8,000 in capital grant assistance under the scheme. A proposal to increase the contribution rate to 75% was included in the sanction request. There will be an enhanced communication campaign through the National Enterprise Hub and State agencies to encourage take up.

### **Next steps**

DETE submitted a sanction request to DPENDR on 28<sup>th</sup> March 2024, which also included a proposal to introduce additional eligible expenditure categories including projects that go beyond just energy efficiency, e.g. food waste and water management systems. Projects such as solar panels and biomass boilers would continue to be excluded as these are supported by SEAI funding schemes.

### Oversight of the LEO Network

The Department oversees the policy and governance of the LEO network and manages the exchequer allocation. Over the last 10 years, and in particular since 2020, the LEOs have developed new services to support the manufacturing and internationally traded services sector and its mandate has been expanded to support firms in those sectors with up to 50 employees. They have also broadened their engagement with the locally traded enterprise sector of the economy, which has been in response to Government policies to grow the overall productivity of the economy and meet the challenges of a digital, low carbon economy.

### Current position

These developments, together with the White Paper on Enterprise, have given rise to a need to clarify and communicate the role of the LEO network. There is also a need to set out a pathway and policy direction of how the LEOs will align their work with the priorities of the White Paper and to ensure that the high calibre of dedicated service by the LEOs can continue. The draft **LEO Policy Statement** captures the current level of activity of the LEOs and outlines how their work will need to adapt to contribute to the implementation of four of the priorities of the White Paper – decarbonisation, digitalisation, increasing exporters, and enabling the locally traded sector to thrive. Above all, there is an emphasis on a consistency of approach across the LEO network and a clear intention to show that the LEOs are, and remain, the first stop shop for all businesses regardless of sector. While the Policy Statement has deliberately avoided going into operational details, there are number of key changes that are signalled:

1. Climate focused assessment criteria will be introduced for capital grants to manufacturing and internationally traded services businesses
2. Ex-post measurement of the impact of climate related supports (Energy Efficiency Grant, Green for Business)
3. Changes to the digitalisation offers to ensure consistency and greater eligibility
4. Greater emphasis on the role of the National Enterprise Hub and its signposting service
5. Introduction of a new export accelerator through the LEOs and EI
6. Commitment to deliver the LEO CRMS digitalisation project.

### Next steps

The draft **Local Enterprise Office Policy Statement 2024 – 2030** is in the final stages of development in partnership with a number of stakeholders including EI, the LEOs, and Local Authorities. It is currently out for a consultation period with the SME and Entrepreneurship Taskforce. Following approval by the Minister, it is planned to publish and launch the LEO Policy Statement on 23<sup>rd</sup> May to coincide with the 10-year anniversary of the establishment of the LEOs at the National Enterprise Awards.

### SME & Entrepreneurship Taskforce

The Programme for Government committed to delivering a National SME Growth Plan to map out an ambitious long-term strategic blueprint for SMEs and Entrepreneurs. The SME and Entrepreneurship Taskforce was appointed to produce a report with a broad range of measures to help SMEs and entrepreneurs to start up, scale up and access foreign markets, as well as recommendations aimed at helping SMEs to become more productive and ready for the transition to a digital, green economy. The SME Taskforce's Report: National SME and Entrepreneurship Growth Plan was published in January 2021. The Taskforce, jointly

chaired by the Minister and both Ministers of State, is currently overseeing the implementation of priorities that are agreed on an annual basis.

### **Current position**

The Taskforce met in February 2024 to agree a list of priorities for the year. The eight priorities for 2024 are: Access to Finance (including funding and insurance); Digital Transformation; Increasing first time exporters & Enhanced assistance for high-potential businesses; SME Management Skills; Reducing the regulatory burden for SMEs & Cost of doing business; Delivery of the National Enterprise Hub; Ireland's climate ambitions; Inclusive entrepreneurship.

### **Next Steps**

The Taskforce is Scheduled to meet in May, July and November 2024. Each meeting will focus on a priority issue for the Taskforce and will feature a presentation from invited policy experts. An update will be provided to Government on the work and achievements of the Taskforce at year end.

### **SME Test**

The Programme for Government seeks “to cut bureaucracy for SMEs and support the SME Test across Government to assess the potential for less-stringent requirements and simplification of regulatory adherence.” A cross-Government network to support application of the SME Test within Government Departments has been established and DETE is working with several Departments on the implementation of the test on relevant legislation and policy initiatives.

### **Current position**

The SME Test has been implemented across Government through the establishment of a cross-Government network in March 2022. A key deliverable of the SME and Entrepreneurship Growth Plan, the Test is designed to encourage policymakers to consider the impact that any new regulations or laws will have on SMEs, and to mitigate against those impacts where appropriate. eleven Departments (including DETE) have confirmed their application covering 23 pieces of legislation.

### **Next Steps**

As part of the policy response by Government to the report on the cumulative impact of measures to improve working conditions in Ireland the SME Test (both implementation and process) is being reviewed and a number of steps are being taken to increase uptake across Government. These include an increased number of meetings of the cross-Government network and a review of the template of the current test.

### **National Enterprise Hub**

To simplify the process of accessing supports for businesses, a new National Enterprise Hub (NEH) online portal is being developed by Enterprise Ireland under the guidance of DETE. The NEH was announced in October 2023 as part of Budget 2024. The NEH will provide a centralised signposting service for Government supports to encourage take up of available assistance in areas such as decarbonisation, digitalisation, skills development and innovation. Once fully functioning, it will provide business owners with an easy entry point to the wide enterprise supports eco-system. The Hub will include access to a team of expert EI advisors through a dedicated phone line and enquiry form. These advisors will help to diagnose the needs of the individual business, directing them to the appropriate available supports or indeed put them in direct contact with the relevant agency.

**Current position**

DETE chairs a coordination group with representatives from Government Departments and agencies to ensure the NEH includes comprehensive and up to date information on the range of business supports available across Government departments and agencies. The National Enterprise Hub is currently in beta format with partial functionality.

**Next Steps**

Following the recent Government decision on policy responses to the increased cost of business, Enterprise Ireland will accelerate the roll out of a fully functioning National Enterprise Hub. Recruitment of advisors is underway and work on the operating model and website platform are ongoing. It is expected that work will be completed, and a formal launch will take place before the end of H1 2024.

**Innovation Hub Ireland**

While Ireland has several notable indigenous MNCs, there is potential to create more enterprises that are internationally impactful. EI and the LEOs currently provide an integrated suite of supports for both start-ups and entrepreneurs, and EI supports regional accelerators and incubators, which are now well established and providing a strong pipeline of high potential start-ups. However, as international competition for deeptech start-ups increases, there is an opportunity for Ireland to differentiate itself by building an internationally significant national accelerator hub – Innovation Hub Ireland - that leverages our existing well-connected ecosystem and policy agility.

**Current position**

DETE and EI are progressing this proposal and DETE has commissioned the OECD to examine how public policies can support the exporting and international scale up activities of start-ups, with a particular focus on the role of incubators and accelerators. The OECD review, which involves substantial stakeholder engagement, will map out the existing ecosystem of accelerators and incubators, identify gaps or opportunities and also identify international best practice that Ireland can learn from.

**Next steps**

EI have commenced a targeted stakeholder engagement process on the Innovation Hub proposal. It is intended that a detailed proposal will be developed for further consideration and discussion by May 2024.

**National Design Centre**

The National Design Centre (NDC) was identified as a key part of bringing the policy framework for design in enterprise to life, and its development was included as part of Project Ireland 2040. In 2020, the Department commissioned a feasibility study to scope out options for creating the NDC that would meet policy objectives and be well integrated into the current design and enterprise sector.

**Current position**

Progress on this project has stalled due to other pressing demands. However, with the recent launch of the Digital Creative Industries Roadmap, an agreed Programme for Government commitment coordinated by colleagues in DTCAGSM and this Department, DETE has agreed to a renewed focus on the establishment of a National Design Centre. This is now a key priority for the Division.

**Next steps**

The Department is reassessing the methodology and approach to delivering on the objectives of a NDC in Ireland. DETE will develop a business case to include objectives, functions, resources, SME engagement model, funding and governance based on international best practice and in consultation with stakeholders. It will be proposed this is enacted in order to secure approval and resources to establish and oversee the NDC.

**National Hub Strategy**

DETE and DRCD are working to develop the first National Hub Strategy, in close cooperation with the Western Development Commission.

**Current position**

A number of consultation workshops have taken place to inform the content of the Strategy which will focus on the areas of enterprise, employment, community and climate. The development of the Strategy is at an advanced stage.

**Next steps**

The draft Strategy will be finalised by the National Hub Interdepartmental Group and brought to Government for approval in Q2 2024. The Strategy is expected to be published shortly afterwards.

**Implementation of Regional Enterprise Plans**

The Department launched nine Regional Enterprise Plans (REPs) in early 2022 to run to the end of 2024. The REPs are developed by regional stakeholders using a 'bottom-up' approach and focus on collaborative initiatives that help strengthen the enterprise ecosystem and promote enterprise growth and job creation across Ireland.

**Current position**

Implementation of the agreed Strategic Objectives and actions of the REPs is underway. The Department oversees implementation nationally while implementation is driven regionally by Steering Committees, chaired by a senior person from the private sector and supported by a Programme Manager.

**Next steps**

The Department will continue to encourage and support the establishment of robust regional implementation structures to ensure the REPs are primed to take advantage of upcoming funding. The Department published nine mid-term progress reports in early April 2024 which document implementation to end Q3 2023. The Department is considering how best to drive implementation of the current REPs while beginning the process to prepare successor plans.

**Regional Enterprise Funding**

Balanced regional development is a priority for Government. Regional enterprise funding is required to drive implementation of the Regional Enterprise Plans and support Smart Specialisation across the regions.

**Current position**

€145 million in funding has been secured, co-funded under the European Regional Development Fund (ERDF), for the Smart Regions Enterprise Innovation Scheme (SREIS) to support regional enterprise development to 2027. The Scheme is administered by Enterprise Ireland and the first call of €35 million is currently open for applications. The Scheme supports innovative clusters, local infrastructure projects, programmatic supports to business and feasibility and priming funding for early-stage project development. There will

be further calls on an annual basis. The SREIS is intended to build on previous funding schemes including the Regional Enterprise Development Fund, Border Enterprise Development Fund and Regional Enterprise Innovation Scoping Scheme.

### **Next steps**

Enterprise Ireland, who administer the SREIS on behalf of the Department, are evaluating project applications under the first call. The second call of c.€40 million is expected to be announced later in the year.

### **Economic Infrastructure**

The Department's work in the area of economic infrastructure involves the mapping of infrastructure investment needs and policy issues, primarily across the areas of energy, water services and transport, to inform engagement with relevant Government Departments and agencies, and to support the delivery of priority infrastructure for enterprise in the context of Project Ireland 2040. This includes contributing to the ongoing First Revision of the National Planning Framework (NPF). The team delivering this work is relatively new and the economic infrastructure and NPF policy function is still being developed.

### **Current position**

Work is now under way on the first of a series of updates to the Department's identified infrastructure priorities. The Department is also contributing to the ongoing First Revision of the National Planning Framework, which is to be published in September.

### **Next steps**

The Department will shortly submit material to the Department of Housing, Local Government and Heritage to inform revision of the National Planning Framework. The Department will continue to work on identifying the key infrastructure priorities of enterprise and to engage with relevant stakeholders to advance these priorities.

### **Humanitarian Flooding Scheme**

The Humanitarian Flooding Scheme is an emergency humanitarian contribution towards the costs of returning business premises and community, voluntary, and sporting bodies to their pre-flood condition, including the replacement of flooring, fixtures and fittings and damaged stock. The scheme is available to organisations with up to 20 employees that cannot secure flood insurance. It is instigated on an ad hoc basis by a Memo for Government on the occasion of each severe weather event that causes flooding. Because of the increasing frequency of such severe weather events, the issue of devising a more efficient administrative process for instigating the Scheme has arisen.

### **Current position**

To date in 2024, €8,376,019 has been paid out under the Humanitarian Flooding Scheme since the Department took it over in 2018. Funding for the Scheme is provided from the Department's supplementary estimate each year. On the 24th of October 2023, the Government agreed to open up the scheme for damage caused by flooding arising from severe weather conditions in the period 17th to 23rd October 2023; the scheme would be referred to the Emergency Business Flooding Scheme. A second scheme referred to as the Enhanced Emergency Business Flooding Scheme was agreed which would provide enhanced levels of financial support due to the exceptional nature of the flooding in some areas and the damage to businesses and other eligible organisations. €11 million was allocated to both schemes and the cost of both Schemes to be met by savings identified in DETE's exchequer capital allocation. Both schemes closed on the 15th of December 2023.

349 applications were received for both schemes and to date, a total of € 7,375,797.98 between 240 applicants has been paid out.

### **Next Steps**

The Department is currently examining future options for the running of the scheme and international best practice.

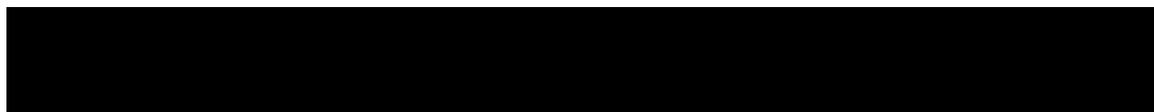
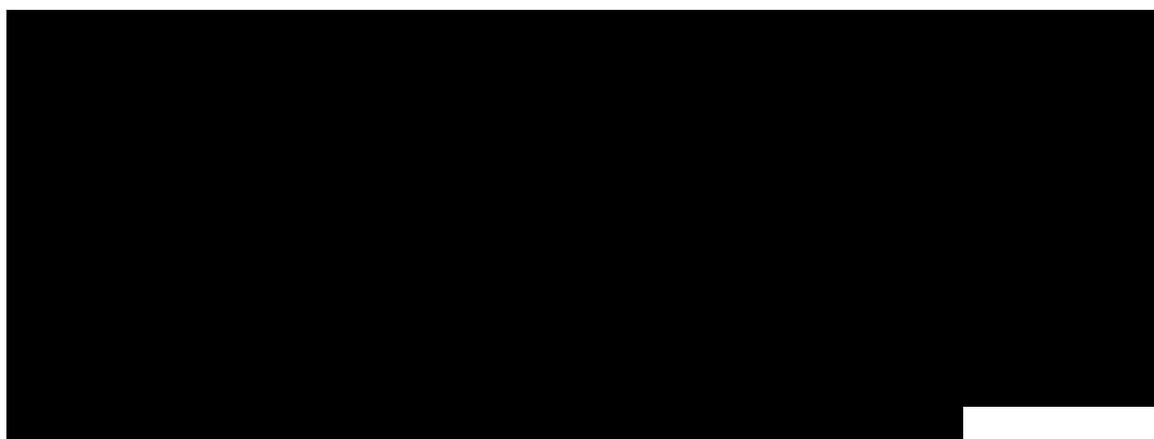
### **Emergency Support for Businesses**

The Ukraine Enterprise Crisis Scheme was launched in October 2022 and is targeted at assisting vulnerable but viable companies suffering liquidity problems and those impacted by severe rises in energy costs. Sanction was subsequently received for an additional Stream of the Scheme which provides for assistance for the microelectronics manufacturing sector through IDA Ireland. Following a decision by the EU Commission to extend the crisis provisions of the TCTF, Government has approved the extension of the UECS until the end of June 2024.

### **Engagement on Major Job Losses**

IED is leading on several ongoing engagements in situations where major job losses have been announced or are possible, including Tara Mines in Navan and Wyeth Nutrition in Limerick. This process includes:

- Direct engagement with companies that have experienced difficulties which have resulted in decisions to temporarily or permanently cease operations.
- Liaising with relevant Departments and agencies on efforts to assist workers facing redundancy or temporary lay-off.
- Liaising with relevant Departments to ensure that all available support is provided to companies that are experiencing difficulties.



### Oversight of Enterprise Ireland and new EI Strategy 2025-2029

Oversight, monitoring and management of the performance of EI is strategically important to ensure that the agency delivers programmes and services that align with the Government's enterprise policy objectives, as set out in the White Paper on Enterprise. DETE supports EI to secure the resources that are necessary to enable delivery of a range of programmes and services which contribute to enterprise development and job creation across the regions.

#### Current position and next steps

A 2024 Oversight and Performance Delivery Agreement (OPDA) between DETE and EI has been agreed. EI's 2024 work programme and performance metrics, as set out in the OPDA, align with the agency's existing 2022-2024 strategy, Leading in a Changing World. EI has commenced a consultation on the development of its new Strategy, which will cover the period from 2025-2029. Views are being sought from all relevant stakeholders and it is intended that a draft strategy will be submitted to DETE in Q2 2024.

### Developing data to help improve the locally traded sector

DETE are engaging with the CSO to obtain data to provide a more informed understanding of the locally traded sector business landscape with particular regard to the priorities of digitalisation and decarbonization.

#### Current position and next steps

CSO are engaged in a data sourcing and mapping exercise, as a precursor to a potential external research study in 2024 on the 'Extent of Locally Traded Enterprises (LTEs) engagement with the digitalisation and decarbonisation agendas, and to consider the supports and challenges for LTEs in moving to net zero economy and embracing digitalisation'. CSO interaction is ongoing in Q1 2024, with anticipated data results Q2 2024.

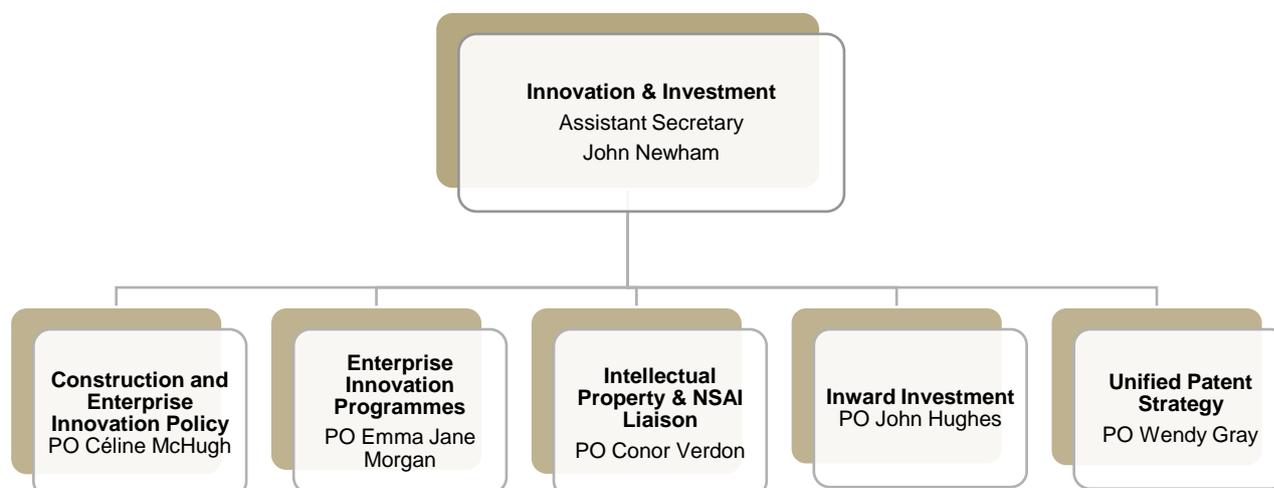
### Engage directly with stakeholders from the business community on priorities and issues of concern

There are several Fora which meet regularly and provide valuable opportunities for Ministerial engagement on a range of issues. The first meeting of the **Retail Forum** in 2024 took place on 27 March and the remaining dates are 19 June, 18 September and 4 December. The Forum has three Working Groups to progress the 2024 Retail Forum Work Programme. The first round of meetings took place in March 2024.

1. Town Centre First/Night-Time Economy Working Group
2. Green Transition Working Group
3. Digitalisation and Skills Working Group.

The **Enterprise Forum** last met on 6 March 2024, with the next meeting scheduled for 12 June 2024. The **Hospitality & Tourism Forum** (in collaboration with D/TCAGSM) met on 24 January 2024, further dates of the Forum in 2024 are still to be communicated.

## 3.6 Innovation and Investment Division



### Offices:

Intellectual Property Office of Ireland	James Kelly - Controller of Intellectual Property
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### Agencies

IDA Ireland	Michael Lohan - CEO
National Standards Authority of Ireland	Geraldine Larkin - CEO

### Role of the Innovation & Investment Division

The Innovation and Investment Division has policy and delivery management responsibility for the attraction of foreign direct investment to Ireland, enterprise innovation policy and programmes, standards policy and certification, and intellectual property policy and protection. This mandate includes responsibility for, and oversight of, IDA Ireland, the innovation programmes of Enterprise Ireland, the National Standards Authority of Ireland (NSAI) and Intellectual Property Office of Ireland (IPOI). The Division also leads DETE engagement on Construction Sector Innovation to deliver on Housing for All and the DETE actions in the National Development Plan.

### The key priorities and strategic issues for the Innovation & Investment Division are:

#### Promote and facilitate FDI to attract jobs and investment to Ireland

IDA Ireland reported an increase in the number of investments into Ireland during 2023, totalling 248, which are expected to deliver almost 19,000 jobs to the economy. A third of investments won, 83, were first-time investments. IDA Ireland has over 1,800 client companies within its portfolio employing 300,583 in 2023, holding above 300,000 jobs for the second consecutive year. Accounting for 11.3% of national employment, this represents a slight decrease in client employment of just 0.3%, despite a slowdown in Information and Communications Services (down 2.9%). Job growth was recorded across all other sectors

underscoring the importance of diversification across knowledge intensive and growth sectors to enable continued enterprise and economic impact. Balanced regional development remains a priority for IDA Ireland and in that regard, 132 of the 248 investments secured during 2023 were in regional locations, representing 53% of the overall figure. The total number of regional jobs now stands at 163,471, 54% of total IDA client employment.

There were several significant regional announcements during 2023 and among investments announced was Project FANFARE, a €663 million investment in Analog Devices Limerick campus over 5 years in line with the IPCEI process – the first IPCEI participation by Ireland. Key focus remains on transformation agenda and driving a 35% reduction in carbon, digitalisation and Industry 4.0 and increasing RD&I and training investments by multinationals in Ireland.

The Department also continues to work to manage the fallout and expectations arising from the slowdown in the tech sector. We received 127 EWRs (Early Warning Reports) in 2023 in respect of 101 IDA client companies with total potential job losses of 8,075 at risk, including 9 company closures. However, there were also 69 investment announcements by IDA client companies involving over 8,759 additional jobs in 2023. The Department also, of course, supports Ministers' engagements with IDA client companies.

#### **Current position and next steps**

During 2024 IDA Ireland will develop a new strategy for years 2025+. The strategy will be aligned with the White Paper on Enterprise to support delivery of its objectives by the agency. The strategy development process will focus on these new opportunities and the steps the IDA needs to take to realise them, while at the same time putting the IDA client at the centre of everything they do.

To enable continued high performance of the organisation, resources of the agency will be enhanced by 30 additional permanent posts and 5 additional fixed term contract graduate posts, as sanctioned by the Department in March 2024. Recruitment is underway.

The Department is also considering a number of technical amendments to the IDA governing legislation to allow it partner on Property development as well as adjust the terms under which IDA client companies can be grant assisted, especially in relation to the environmental or sustainability agenda.

#### **Progress IDA Ireland's Regional Property Programme and Strategic Sites Initiative**

The Department continues to work with the IDA on a significant Next Generation Strategic Sites (NGSS) investment initiative to provide for future enterprise investment requiring facilities of scale (more than 500 acres) as part of considerations of investment priorities under the revisions to the NDP ceilings and forthcoming NDP review.

Under the Regional Property Programme the IDA is progressing the delivery of 19 Advanced Building Solutions in 15 regional locations. The Exchequer Budget for the Programme in 2024 is €65 million (€5m increase on 2023), which together with use of Own Resource Income and carryover should bring the total IDA property budget to over €110 million for 2024. Many factors can impact on delivery timelines and budgetary drawdown for capital-intensive property investment projects including delays with respect to planning and procurement processes along with challenges in finding appropriate land banks for development within the calendar year. In this regard, in 2023, a number of these matters

contributed to capital savings of €27.5m. The Department is emphasising the importance of budget management and alerting IDA Ireland to the impact that underspends have on obtaining additional budgets for new proposals. IDA is also maintaining a focus on land banks and utility intensive strategic sites to future proof the ability of their property portfolio to support the project pipeline.

### **Next steps**

The Department hopes to have a formal submission on the NGSS proposal for the Minister early in Q2.

### **EU Chips Act Investment in Ireland**

DETE leads Ireland's implementation of the Chips Act, which entered into force in September 2023. The Act aims increase the EU's security of supply of semiconductors and to develop new markets for cutting-edge European technologies. As a country with a strong domestic and international semiconductor industry and R&D ecosystem, this is an important initiative for Irish industry.

In December 2023, the Minister approved the development of a high-level national semiconductor strategy which aims to ensure Ireland can play its proportionate part in reaching the EU Chips Act target of capturing 20% of global market supply by 2030. The Strategy will capitalise on opportunities for the semiconductor sector at EU level and set an ambition and direction for activity in the sector.

### **Current position and next steps**

Work is underway in DETE to develop the National Semiconductor Strategy and the results of a stakeholder consultation are currently being reviewed. The Department will publish the high-level strategy in Q2 2024.

### **Increase the level of RD&I performed by indigenous enterprise including through our new ERDF co-funded programmes**

DETE is responsible for administering c.25% of exchequer spending on R&D, with much of this delivered through EI programmes with a capital budget of €152.9 million. The €16.5 million Capital Equipment Call for EIs Technology Centres and Technology Gateways had the successful applications announced in November 2023. Drawdown of this scheme will continue into 2024. This initiative will help increase the RD&I capacity of Irish companies by giving them access to state-of-the-art equipment through the Technology Centres and Gateways. Also work on proposals for amendments/refresh of certain RD&I schemes, such as the Innovation Vouchers and Innovation Partnerships as well as research talent pathways and tech centre scaling, are expected to be advanced in Q1/2.

Additional funding of almost €117 million has been secured through the European Regional Development Fund (ERDF) over the period 2023-2029 to fund three new programmes:

- Technology Gateways Programme which will provide industry access to TU expertise
- Knowledge Transfer 'KT Boost' which will provide knowledge transfer support
- Innovators' Initiative, a sector focused, needs led innovation training for industry.

The programmes are intended to drive the commercialisation of academic research and to deliver spin out companies from research conducted by Higher Education Institutes.

**Current position and next steps**

All three ERDF programmes have been launched, with two operational and the Innovators' Initiative due to start training participants from September 2024. In addition, DETE and the Knowledge Transfer Office in Enterprise Ireland are hosting a national Knowledge Valorisation Conference on 23 April 2024 to facilitate the EU Commission's promotion of EU Codes of Practice around the management of intellectual assets for knowledge valorisation, standardisation, citizen engagement and industry-academia co-creation. The conference will also focus on understanding the value of knowledge transfer in Ireland.

**Implementation of National Smart Specialisation Strategy 2021-2027 (S3)**

The development of a National Smart Specialisation Strategy (S3) was an essential pre-requisite for Ireland to receive structural funding under ERDF. Ireland's total allocation under the 2021-2027 ERDF programming period is €853 million – €396 million from Europe and €457 million from national co-financing. Of this total, just under €400 million is available for programmes which support innovative and smart economic transformation, led by the agencies of DETE and DFHERIS. S3 was developed by DETE, agreed by Government and published in July 2022. It sets out a vision for how innovation, enterprise and regional policies will work together over the coming years. As well as delivering the innovation programmes named in the previous section, it is also delivering the Smart Regions Enterprise Innovation Scheme under the REPS, which aims to address regional innovation ecosystem/infrastructure gaps. ERDF also supports 'Accelerating Research Commercialisation' Labs through Science Foundation Ireland/DFHERIS and will also help the TUs to build capacity and accelerate research commercialisation.

**Current position**

As required by the EC, the Department has established a National Implementation Group (IG) for S3 with representation from DPENDR, DFHERIS, Enterprise Ireland, IDA Ireland, Science Foundation Ireland, and the three Regional Assemblies. As part of the New European Innovation Agenda, the EC is creating Regional Innovation Valleys (RIVs) across the EU to link regional strengths. 'Designation' as an RIV is a requirement to access certain current and emerging EU funding programmes. The Regional Assemblies, with the support of the S3 IG, have applied for all three of Ireland's NUTS2 regions to be part of the Regional Innovation Valleys platform in October 2023. Following on from this the EC has sought more information on the research and enterprise ecosystem in each region. The results of this assessment will be known imminently.

**Next Steps**

DETE will continue to engage with stakeholders to ensure the ongoing monitoring and implementation of S3. In 2024 a Progress Report on Ireland's S3 implementation will be compiled and published by DETE. DETE will continue to explore the RIV initiative and exploit opportunities for Ireland's SMEs in this area.

**Deliver healthcare innovation through Health Innovation Hub Ireland**

The Health Innovation Hub Ireland (HIHI) is overseen by DETE and the Department of Health while being supported by EI and the HSE. HIHI drives collaboration between the health service and enterprise - offering early-stage companies the opportunity for pilot and clinical validation studies, as well as offering the health service access to innovative products, services and devices. Phase 2 of HIHI commenced in 2021 with an ambitious 5-year plan. This phase continues to see HIHI providing extensive support to Irish companies with innovative healthcare solutions, who value and benefit from formalised access to the HSE network and infrastructure.

**Current position and next steps**

An independent mid-term review will be conducted of HIHI in 2024 to assess their strategic performance relative to their agreed 5-year plan. As this is Phase 2 of HIHI, EI's expectation with regard to HIHI's "return on investment" and EVA will be higher than 2019 (€0.61 for every €1 funding from 2016-2019, expected to rise to €2.03 for this Phase).

**Disruptive Technology Innovation Fund – Management of New and Existing Calls**

The Government established the Disruptive Technologies Innovation Fund (DTIF) in 2018 as one of four National Development Plan (NDP) 2018-2027 Funds under Project Ireland 2040. It is aimed at encouraging collaboration and innovation in the development and deployment of disruptive technologies, on a commercial basis, targeted at tackling national and global challenges. It is managed by DETE and administered by Enterprise Ireland.

To date, €371 million has been allocated to 104 projects involving collaborative partnerships (comprising of 393 organisations) between industry, especially SMEs, and public research bodies in applying industrial research in areas such as health, climate action, food, ICT and manufacturing. SME participation is mandatory for a project to be eligible for funding.

**Current position**

DTIF has launched and finalised six Calls to date, including a sector specific Call on Advanced and Smart Manufacturing. DTIF will continue to provide support to active projects ensuring they are given the opportunity to accomplish what they have set out to achieve.

**Next steps**

Work has commenced on preparing a seventh DTIF Call expected to launch in the coming weeks as an open, rolling call. This, along with other improvements, are aimed at increasing engagement with the scheme. In 2024, the unit will also conduct a stakeholder consultancy exercise that will examine: if the Fund is still meeting its objectives; if the Fund is meeting the needs of its stakeholders; the future direction of the Fund and the potential options available.

**Increase Digitalisation for SMEs through the European Digital Innovation Hubs (EDIHs)**

Ireland has four EDIHs, all established in 2023, forming part of an EU-wide network of Hubs. They are FactoryXChange, CeADAR, Data2Sustain and ENTIRE. These Hubs are playing an essential role in facilitating the digitalisation of Irish SMEs across industries and regions, and in new technology areas. They provide low and no-cost services such as "test before invest", innovation and financing advice, training and skills development and networking opportunities across the ecosystem. Between 2023 and 2026 each Hub will receive a total of over €5.5m from DETE under the National Recovery and Resilience Facility, and in the case of FxC and CeADAR 50% will come from the EU Digital Europe Programme.

**Current position and next steps**

All four EDIHs are operational. DETE officials are currently liaising with the European Commission and Enterprise Ireland on funding and reporting requirements relating to the administration of the programme. Also, it is intended that the Commission will start conducting a review of the Programme from June this year, covering the first 18 months.

**Implement the National Space Strategy for Enterprise & EU Space Policy**

Ireland has been a member of ESA since 1975 with the view to facilitating innovative Irish companies develop leading edge space technologies for commercial exploitation in the global space and non-space markets, leading to increased exports, sales and employment.

Ireland opts to participate in ESA programmes which deliver the greatest impact in terms of enabling in-company RD&I, supporting industry to successfully transfer technology between the space and non-space markets.

Ireland's first National Space Strategy for Enterprise 2019-2025 was published in June 2019. The vision of the strategy is for Ireland to develop 'an economically sustainable and expanding space active industry, delivering quality jobs for the economy of tomorrow'. DETE is well on the way to meeting its target of increasing public and private investment in the European Space Agency (ESA) by 50% (on the 2019 level) by 2025 and has already exceeded its target of supporting 100 companies to win contracts with ESA. By the end of 2023 over 100 companies had engaged with ESA, while at the ESA Ministerial Council Meeting, CM22, in November 2022, Ireland made a commitment of over €125m in funding for ESA for the period 2023 - 2027. Work will commence later in 2024 to scope out future funding commitments for the next Ministerial Council meeting of ESA in 2025.

DETE also has horizontal responsibility for space matters at the EU Council. This includes servicing the Working Party on Space and representation at Competitiveness Council Meetings. DETE, supported by EI, also leads on EU Commission Expert Groups including on Space Policy, Copernicus (Earth Observation), Space Surveillance and Tracking, Space Weather, and Security.

#### **Current position and next steps**

The third Space Strategy progress report is being drafted. Work on preparing the second National Space Strategy for Enterprise will start later this year. DETE is also engaging with DFA and D/Transport in seeking to develop cross-departmental structures to support engagement across Government departments on Space issues which are multi-sectoral.

#### **Promote construction sector innovation under Housing for All**

Under the whole of Government Housing for All Plan, DETE is working to promote construction sector innovation and to increase productivity, including through the adoption of Modern Methods of Construction (MMC), to facilitate the delivery of higher-quality, environmentally sustainable and affordable housing.

#### **Current position**

DETE led the development and publication in 2023, of the '*Roadmap for increased adoption of MMC in public housing delivery*' in partnership with DHLGH. Several actions from the Roadmap have been included in the updated Housing for All Plan, which was published in November 2023. Implementation of the Roadmap continues in 2024.

DETE has also overseen other key initiatives to support innovation and MMC in residential construction, including:

- the new €5m 'Construct Innovate' Technology Centre hosted by University of Galway with UCC, UCD, TCD and Irish Green Building Council
- the extension of EI innovation and productivity supports to the domestic residential cohort of companies under the '*Built to Innovate*' programme; and
- expansion of NSAI Agrément certification for innovative and off-site residential construction systems.

#### **Next steps**

- Commencement of a significant housing research programme by Construct Innovate
- delivery of a MMC Data Dashboard, to benchmark and track MMC use in housing

- an assessment of the EI Built to Innovate programme to ensure its ongoing impact
- an EI commissioned study into the scaling potential of the Irish residential construction sector
- strengthening of NSAI Agrément capacity (for MMC) through additional recruitment; and
- the commencement of construction of the first phase of the (DFHERIS/Solas/ETB led) MMC Demonstration Park in Mount Lucas, Offaly, where the latest technologies and methods will be showcased for industry. DETE is contributing €2 million in funding to this project in 2024 alongside DFHERIS and DHLGH.

### **Agreement on a Unified Patent Court**

The Unified Patent Court (UPC) is an international court that will when operational, have exclusive competence for actions for infringement and validity in respect of European patents. For Ireland to ratify the Agreement on the Unified Patent Court (UPCA), a successful Constitutional referendum will be required.

### **Current position**

On the 23 January 2024, Government agreed to hold a constitutional referendum on the Agreement on a Unified Patent Court on 07 June to coincide with the European and Local elections. The legislative process initiated in the Dáil on 29 February and completed on 06 March 2024. The Seanad second stage commenced on Thursday 21 March to allow for a swift passage through the Oireachtas.

### **Next steps**

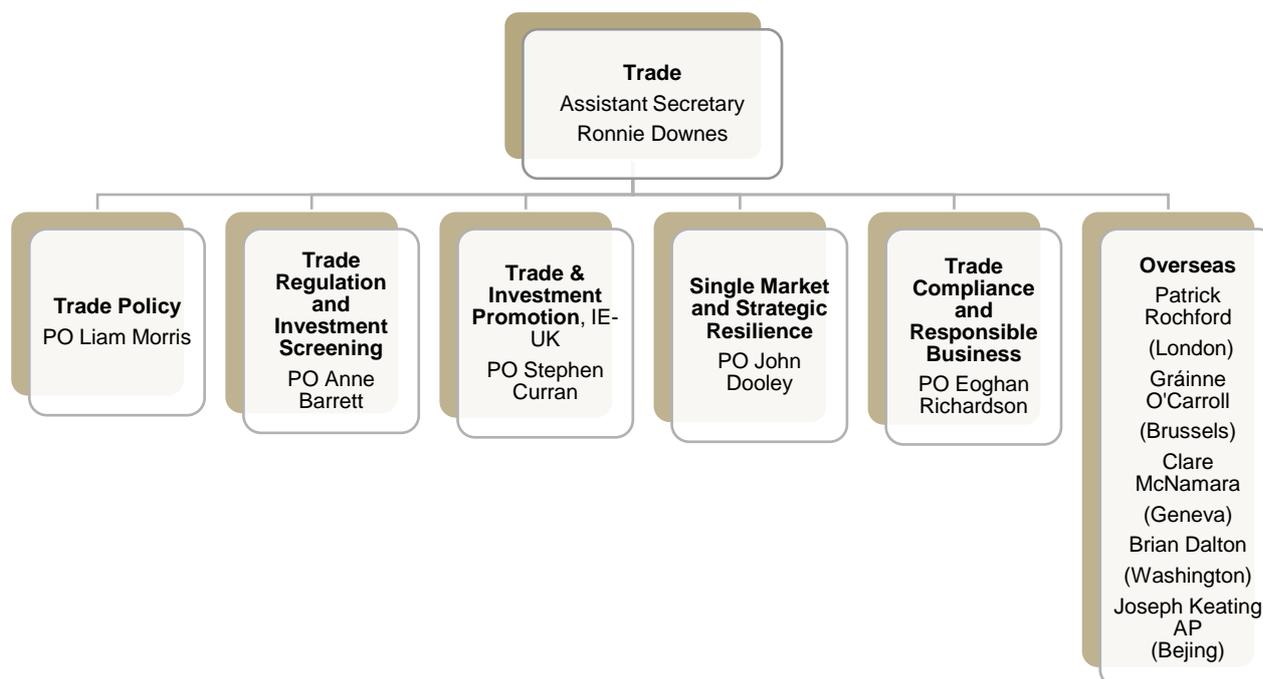
Remaining Committee, Reporting and Final stages are scheduled for the week beginning 08 April to be completed by Thursday 11 April. This timeline is to facilitate the Electoral Commission in their planning and rollout of information to the electorate. Extensive briefing on the UPC, the referendum, and related matters were developed to help inform Government on policy choices.

### **Progress Intellectual Property Policy and Legislation**

DETE has overall responsibility for Intellectual Property (IP) Policy in Ireland and liaises directly with the EU and with the World Intellectual Property Organisation (WIPO) on the range of relevant policy issues. As per the 2022 joint EPO/EUIPO industry-level analysis report, 45% of GDP in the EU (65% in Ireland) is attributable to IP-intensive industries, worth EUR 6.6 trillion. Current issues of note in IP policy and legislation include:

- The EU Patents Package - comprises six new regulations, currently being negotiated, which aim to assist industry, particularly SMEs, make the most of their inventions
- Regulation On Compulsory Licensing - introduces a regulatory framework for the compulsory licensing of patented crisis-relevant products, currently undergoing an article-by-article discussion in Council
- Regulation On Standard Essential Patents (SEPS) - aims to create a balanced system, setting a global benchmark for SEP transparency, a reduction of conflicts and efficient negotiations. Will not be tabled again until 2025
- Regulations on unified supplementary protection certificates (SPCS) for medicinal products and plant protection products - these regulations propose the establishment of a centralised procedure for the grant of national SPCs. Unless Ireland ratifies the UPCA by way of a successful referendum, these regulations will not take effect here.

### 3.7 Trade Division



#### North South Body

InterTradelreland (ITI)	Margaret Hearty - CEO
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#### Role of the Trade Division

The Trade Division is responsible for the development of Ireland’s international trade policies, including at European Union trade policy negotiations and through active participation in the World Trade Organization, and including all-Island and UK links. The Division is also responsible for the administration and enforcement of EU export controls and EU trade sanctions, along with other new measures such as investment screening, which form part of the growing agenda of ‘economic security’. It is also the lead Division for DETE staff located in five overseas missions and embassies.

#### The key priorities for Trade Division include:

**Promote free, open trade to support Ireland’s economic model and to protect critical supply chains, advocate for new EU Free Trade Agreements and for maintaining and deepening transatlantic trade relations**

Trade is of fundamental importance to Ireland’s economic model, supporting approx. 1.3 million jobs directly and indirectly, and helping to generate significant public resources so that the Government can deliver public services. The EU’s Free Trade Agreements (FTAs) open new markets for Irish firm’s goods and services and increase export and investment opportunities.

#### Current Position

Amid geopolitical tensions, there are growing calls for the EU to move away from open trade and towards protectionism and industry subsidies, in the name of ‘EU strategic autonomy.’ Ireland along with other like-minded Member States are looking to ensure the appropriate

balance between strategic autonomy and being open for trade and an attractive destination for investment. DETE is currently undertaking a review of EU Trade Policy objectives in the context of upcoming European Elections and an ending of the mandate of the current EU Commission and Parliament.

The **EU/IE – US** relationship is currently positive, with both the EU and US engaged in discussions on several areas of mutual interest, including technology, the green transition and trade, under the framework of the Trade & Technology Council (TTC) that was established under the Biden Administration. The sixth TTC took in Belgium on 4 – 5 April with progress made on semi-conductor supply chains and greater trans-Atlantic cooperation on technology and information sharing. On the trade side, progress was limited given election pressures, however both sides will continue to develop common understandings on export controls and developing new digital tools such as e-invoicing, to better aid trans-Atlantic trade. In addition, both sides are committed to advancing negotiations toward a Critical Minerals Agreement which, once agreed, will allow EU firms to access the benefits of the US Inflation Reduction Act. As this is the final TTC before the US Presidential Elections in November, Ireland, along with many other Member States are hoping that the TTC can be bedded down as an established forum between the EU and US which will remain in place beyond the 2024 cycle of EU and US elections.

[REDACTED]

As the current EP and Commission enter the final stretch of their mandate, several important free trade agreements are under negotiation, but agreements remain elusive including with **Australia**, [REDACTED]

[REDACTED] The European Parliament ratified the trade agreement between the EU and **New Zealand** in November 2023. The Agreement will come into force on 1 May 2024. Six rounds of negotiations with **India** have taken place but yielded little progress,

[REDACTED] Negotiations in respect to the joint instrument (on enhanced environmental protections) for the **EU-Mercosur Agreement** are ongoing. [REDACTED]

### Next steps

Our work to ratify **CETA**, and other trade agreements with investment protection provisions, continues. [REDACTED]

[REDACTED]

**Advance Ireland's economic and trading interests in multilateral contexts, including the WTO and the OECD, and work jointly with the EC and EU Member States to ensure that the WTO is at the heart of a global, rules-based, multilateral trading system.**

DETE is responsible for the development of Ireland's international trade policy positions and actively articulates Ireland's interests at WTO, OECD and EU level with the view to

influencing decision making which supports an open, rules-based, multilateral approach to international trade policy.

**Current Position**

Ireland and the EU are looking to strengthen the multilateral rules-based system under the auspices of the WTO [REDACTED]

[REDACTED]

[REDACTED]. The main positive outcome from the Irish and EU perspective was the decision to extend the e-Commerce moratorium to until the next Ministerial Conference (MC14) or to 31 March 2026, whichever is the earlier.

**Next steps**

Work is continuing in Geneva on the reform agenda with most members focusing on reform of the Dispute Settlement system, which is crucial to the upholding of the Multilateral Trading System. The next WTO Ministerial Conference will be held in Cameroon, likely in Spring 2026. Negotiations on key files will continue in the lead up to MC14, in the hopes of reaching Agreements for Ministerial approval.

**Work across Government and with our EU partners to identify and remove barriers to trade, particularly in services, to secure a fully functioning EU Single Market for the benefit of our exporters, businesses and other consumers**

DETE has policy responsibility for the implementation of the Services Directive in Ireland, as well as the management of the Single Market tools - SOLVIT, the Internal Market Information System (IMI) and the Irish Point of Single Contact.

**Current Position**

An independent High-Level Report on the future of the Single Market is due in April 2024 under the auspices of the European Council (EUCO) – the so-called “Letta report” after its author, former Italian PM Enrico Letta. [REDACTED]

[REDACTED]

**Next Steps**

A series of important EU Council meetings take place in mid-April including the European Council (Heads of Government) to consider the above report and the state of the Single Market. DETE will work across Government to ensure that there is clear messaging in support of Ireland’s priorities.

**Work with our EU and international partners and build and strengthen alliances to shape emerging policies, standards, regulation and international agreements that impact Ireland’s economic and business environment – with particular regard to ‘economic security’**

DETE is responsible for coordination on economic security themes, as well as the implementation of the EU Regulation on Forced Labour. DETE will be undertaking a review

of trade regulatory structural arrangements within the Department, in light of developments arising from the economic security agenda.

### **Current Position**

The European Commission published its European Economic Security Strategy in June 2023. This represents a response to the perceived threat to the EU's economic security from third countries, principally China, which it has deemed a systemic rival. The paper sets out the Commission's approach to "de-risking without decoupling" in its relationship with China and other third countries, while reiterating the importance of open, rules-based trade. The strategy also reflects the ongoing trend towards an interventionist approach to Trade and industrial policy which, when taken cumulatively, could be damaging to the EU trade and investment environment and the bloc's competitiveness. Several actions committed to in the Strategy are currently being undertaken:

- Four critical technology risk assessments, two of which- Artificial Intelligence and Semiconductors- are the responsibility of this Department
- In January 2024, the Commission also published an Economic Security package, with a draft proposal on revising the existing FDI screening and consultative white papers containing proposals on Dual Use Export Controls and Outbound Investment Screening (DETE elements). The package also includes a white paper on enhancing support for dual use research and a proposal for a Council Recommendation on enhancing research security (DFHERIS elements)
- In February proposals were also published around the digital infrastructures and submarine cable security and resilience (largely the responsibility of DECC).

The Department welcomes the discussions initiated by the European Economic Security Strategy, aimed at developing a shared understanding of Europe's economic dependencies. While the evolving geopolitical situation may call for proportionate, precise and targeted responses to new security challenges, Ireland's aim will be to preserve maximum levels of economic openness and dynamism.

DETE is also responsible for the implementation of EU's Forced Labour regulation. Its aim is to effectively prohibit the placing and making available on the EU market and the export from the EU of products made with forced labour, including forced child labour. Final adoption of the regulation is expected in September 2024, after which a 3-year timeline has been set for Members to fully implement the regulation. Initially this implementation work will focus on the designation of Ireland's national competent authority for the regulation, which will be responsible for enforcing the ban on products made with forced labour. This authority must be designated no more than 12 months after the regulation has entered into force.

### **Next Steps**



### **Ensure that Ireland has a robust legal and operational framework for regulating the export of controlled goods, in support of global security**

Export controls are a multi-lateral, global mechanism that contribute to international peace and security. The primary purpose of export controls is to prevent the proliferation of weapons, both conventional weapons and weapons of mass destruction (WMD), and to protect human rights and international humanitarian law. Controls usually take the form of a

legal obligation on exporters to obtain prior authorisation to export designated items to third countries.

The principal categories of goods subject to EU Export Controls are “Dual-use” items as specified in the EU “Dual-use” Regulation and “Military” equipment. Many standard business ICT systems are classified as ‘Dual-use’ as they incorporate strong encryption for data protection. These account for the majority of controlled exports from Ireland. An authorisation is required for the export of controlled goods. All applications for export authorisations are subject to rigorous scrutiny and assessed against the criteria set out in EU legislation. The Department issued Dual-use and Military export authorisations with a total value of €2,321 million and €135 million, respectively, in 2022.

### **Current Position**

The Control of Exports Act 2023 was signed into law by the President on 26 October 2023 and replaces the Control of Exports Act 2008. The updated legislation will ensure that Ireland has a comprehensive and robust framework for regulating the export of controlled goods, principally “Dual-use” and “Military” items. It will mitigate the risk that controlled items could be exported from Ireland in breach of regulations and used to cause injury in regional conflicts or to violate human rights in third countries.

The EU Commission White Paper on Export Controls is currently being examined by Member States at the Dual Use Working Party where a coordinated Council response is being developed. It is intended that a response will issue by the Commission deadline of 30 April.

### **Next Steps**

It is expected that the Control of Exports Act 2023 will commence in Q2 2024 upon completion of a range of implementation workstreams including:

- Updating internal processes and policies to align with the new Act,
- Development of improved IT Systems in parallel with commencement of the legislation,
- Outreach to stakeholders to ensure a smooth transition and minimal disruption for exporters,
- Implementing the various appeals processes, as set out in the Act.

### **Introduce a mechanism to screen third country investment into Ireland**

'Inward Investment Screening' refers to a procedure allowing the State to assess, investigate, authorise, condition, prohibit or unwind foreign direct investments based on a range of security and public order criteria. This approach is an important element of the developing 'economic security' agenda. DETE will need to ensure that a balanced approach is taken, which is effective in achieving security objectives while retaining Ireland's positioning as a favourable and attractive destination for Foreign Direct Investment (FDI).

### **Current Position**

DETE is responsible for the development and implementation of the Screening of Third Country Transactions Act 2023 which establishes a screening mechanism in Ireland and will allow Ireland to screen investments from non-EEA countries for the first time.

DETE is also responsible for the implementing the EU FDI Screening Regulation under which DETE acts as Ireland's National Contact Point for cooperation with the European Commission and with other EU member States on investment screening matters. As part of

the European Economic Security Strategy published in June 2023, the EC has issued a Proposal to repeal and replace the current Regulation. The new Proposed Regulation would impose more stringent obligations on Member States. The Unit is examining the proposal, and consulting with other Member States. While the text raises several issues for consideration, it is likely that the Irish Screening Act will adhere to many of the requirements set out in the proposal.

### Next Steps

To prepare for the implementation of the Act (early September 2024), and to contribute to the development of the new EU FDI Screening Regulation, DETE workstreams include:

- The development of clear processes and policies ahead of commencement of the Act. This includes the drafting of detailed guidance for stakeholders, and the development of internal policy and procedures manuals to clearly set out the responsibilities and obligations arising for investors and other relevant parties,
- The establishment of a bespoke adjudications process, as set out in the Act, that balances transparency and accountability, with the need to maintain security and public order,
- The development of an IT (case management) system to support efficient processing of notifications received,
- The expansion and upskilling of the screening team to undertake all the new functions that will arise from the enactment of this legislation; and,
- Participation in negotiations relating to the drafting of the Proposed EU FDI Screening Regulation, to ensure that Irish concerns are priorities are reflected in the final text, and in a manner that maintains Ireland's attractiveness as a location for FDI.

### Outbound Investment Screening

In June 2023, the European Commission published the “*European Economic Security Strategy*”, which was developed to minimise the risks to economic security on foot of increased geopolitical tensions and accelerated technology shifts. Whilst the strategy recognises the importance of open global markets for the success and economic security of the European Union, it also acknowledges the growing concerns regarding **outbound investments** in a narrow set of advanced technologies that could enhance military and intelligence capacities of actors who may use these capabilities to threaten international peace and security.

### Current Position

In July 2023, the Commission established an Expert Group on outbound investments with Member States to advance discussion on these issues. A White Paper issued by the EC in January recognises a lack of available data on which to base any potential policy intervention. As a result, the Commission has set out a revised phased approach, encompassing:

- A public consultation (to run from January to April 2024)
- Monitoring of outbound investment (Summer 2024 until Summer 2025)
- A risk assessment (Summer 2025) to be conducted by Member States.

### Next Steps

The Member States, through the Expert Group, are considering the feasibility of the “monitoring” process. This work stream presents the most immediate challenge for Ireland –

it is essential that clarity is provided to Member States in relation to the legal basis for any data collection, the nature and depth of data to be collected, and the types of outbound activities that are to be monitored. Any policy intervention will require careful consideration to ensure that it is proportionate, targeted and effective, and that it does not place undue administrative burden on enterprise or inadvertently restrict positive outbound investment.

**Implement UN and EU Trade Sanctions in support of international law and human rights**

The EU has over forty different sanctions regimes in place. When an EU Sanctions Regulation is amended, which occurs 2-3 times per month, a Statutory Instrument must be enacted. This responsibility is shared between the Minister for ETE and Minister for Finance. Work is ongoing between the two departments and the AGO to ensure that the SIs are updated in the most efficient and legally effective manner. DETE is working very closely with other Competent Authorities, Government departments and State bodies, and the European Commission to ensure that there is comprehensive and effective implementation of EU sanctions.

The Department is one of three National Competent Authorities for EU sanctions. The EU has adopted thirteen packages of sanctions in response to Russia's war of aggression against Ukraine since 23 February 2022, and a fourteenth package is currently being negotiated. The trade elements of the packages are unprecedented in their breadth and sophistication and apply prohibitions to the export / import of many goods and services to / from Russia and Belarus.

**Current Position**

[Redacted]

**Next Steps**

[Redacted]

**Personnel Security Clearance**

Enterprise Ireland and IDA Ireland have raised their serious concerns that innovative and high-technology Irish companies have difficulty in competing for international procurement calls owing to the lack of any official procedure for obtaining security clearance, either in respect of personnel, facilities or cybersecurity. [Redacted]

[Redacted]

**Current Position**

[REDACTED]

**Next Steps**

[REDACTED]

**Promote responsible business practices against the background of developments at an EU, OECD and international level**

Responsible Business is the umbrella term for a range of inter-related issues that regulate the quality of business conduct. These issues include OECD Guidelines for Responsible Business Conduct; new EU initiatives including the Corporate Sustainable Reporting Directive (CSRD) and Due Diligence (the CSDDD); and Ecodesign initiatives.

**Current Position**

To promote a coordinated approach with stakeholders, a Responsible Business Forum has been established, chaired by Minister Calleary. DETE will also be responsible for the development of a Responsible Business Compass tool which received EU funding. The second National Action Plan on Business and Human Rights is being developed by DFA, with the support of this Department. The new Plan is expected to cover a multi-annual timeframe as was covered in the first Plan and build on its achievements.

**Next Steps**

The Department continues to promote a coherent and coordinated approach on Responsible Business matters through the Responsible Business Forum and Contact Group. Quarterly webinars will continue to be organised, focussing on some of the initiatives within the Department's remit which relate to this broad topic. Work is expected to get underway in Q3 on the development of the Responsible Business Compass. The OECD Responsible Business Conduct Centre will carry out the project on behalf of DETE and DG Reform.

**Implement the Government's Trade and Investment Strategy 2022-2026, overseen by the Trade and Investment Council**

DETE is responsible for the implementation of the Government's Trade & Investment Strategy, 2022-2026, *Value for Ireland, Values for the World* which sets out seven priority actions for developing and strengthening Ireland's global trading relations and diversifying export markets. Implementation of the Strategy is overseen by the Trade & Investment Council which is chaired by the Minister for Enterprise, Trade & Employment (next meeting scheduled on 23 April) and which is supported by a Senior Officials Group chaired by DETE.

**Current Position**

Progress on the priority actions has been strong since the Strategy was launched in April 2022. Current issues include:

- Implementation and monitoring of the recommendations of the review of worldwide Local Market Teams;
- planning for the Taoiseach-led *Team Ireland Trade Mission Week* in 2024, building on the success of the inaugural event to S. Korea in November 2023;
- identification and monitoring of economic ecosystem issues that impact on Ireland's trade and investment performance
- publication of the Expert Group report on global value chains and supply chains - opportunities and threats
- roll out of the communications strategy to promote trade and investment including to younger age cohorts
- hosting a high-level annual *Trade Horizons* conference on the theme of trade and sustainability targeted at a business audience, in particular Irish SMEs, to take place on the 4<sup>th</sup> of July 2024.



**Strengthen cross-border trade and foster opportunities for North-South collaboration to enhance the all-Island economy, deliver on Shared Island objectives, and support economic growth in strategic border locations, including through business supports provided by Intertrade Ireland**

North South matters under DETE include responsibility for (i) the North South Ministerial Council; (ii) oversight of InterTradeIreland (see Offices and Agencies of the Department, below); (iii) DETE projects under the EU-funded INTERREG VA programme and its successor programme, PEACE PLUS; and (iv) DETE's contribution to the Shared Island Initiative, including projects to be supported by the Shared Island Fund. Broader East West matters for which DETE is responsible include engagement with the devolved regions of the UK, e.g. through the annual Ireland Wales Forum.

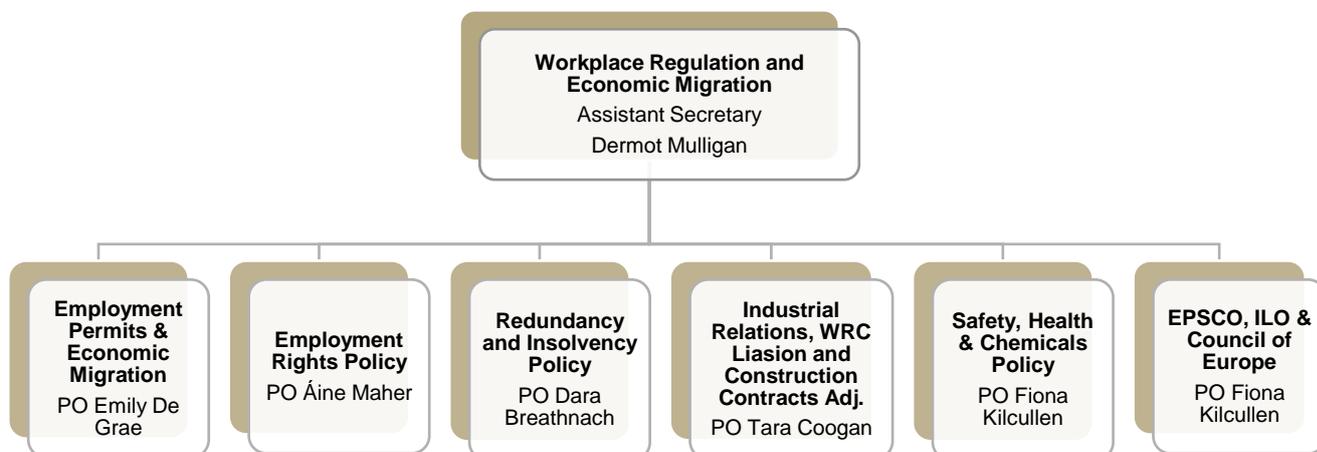
**Current Position and next steps**

A current priority is the further development the Shared Island Enterprise Scheme, based on a proposal from InterTradeIreland, Enterprise Ireland and Invest Northern Ireland that was recently awarded €30m under the Shared Island Fund. Progress on issues relating to the InterTradeIreland, including decisions related to staffing and resourcing, are being progressed with the re-establishment of the Northern Ireland Executive and the institutions established under the Good Friday Agreement.





### 3.8 Workplace Regulation & Economic Migration Division



#### Offices:

Workplace Relations Commission	Audrey Cahill, Director General
Labour Court	Kevin Foley, Chairman
Employment Appeals Tribunal	Kate O'Mahony, Chairman

#### Agencies:

Health and Safety Authority	Conor O'Brien, CEO
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#### Role of the Workplace Regulation & Economic Migration Division

The role of the Workplace Regulation and Economic Migration Division is to deliver positive workplace relations, well-functioning dispute resolution mechanisms, robust enforcement of employment rights, a safe working environment and a responsive economic migration policy aligned with the needs of the economy, along with an efficient employment permits process to regulate the entry of workers from non-EEA countries. The Division coordinates the Departments engagement with the Labour Employer Economic Forum (LEEF), which is the Governments formal structure for high level dialogue between employer and worker representatives to discuss the impact of economic and social policies on employment and the workplace.

The Division leads on Ireland's engagement with the International Labour Organisation (ILO), a United Nations agency based in Geneva, dealing with employment and labour market issues; co-ordinates Ireland's participation on the employment, equality and social policy elements of the EU's Employment, Social Policy, Health and Consumer Affairs Council (EPSCO), and represents Ireland on the Council of Europe's Revised European Social Charter.

## **The key priorities and strategic issues for the Workplace Regulation & Economic Migration Division are:**

### **Implement measures to allow employees to stay in employment until State Pension Age via Employment (Restriction of Certain Mandatory Retirement Ages) Bill**

The purpose of the Bill is to introduce measures which provide that a provision in an employment contract which sets out a retirement age below the age at which an employee may first access the State pension will generally be unenforceable, without the consent of the employee. This was recommended by the Pensions Commission in 2021. In September 2022, Government committed to introduce legislative measures to allow, but do not compel, an employee to stay in employment until State Pension Age (age 66 currently).

#### **Current position**

- Government approved the General Scheme in March 2024
- The General Scheme was referred for pre-legislative scrutiny in March 2024.

#### **Next steps**

- Engage with the Joint Committee during the pre-legislative scrutiny process
- Work with the OPC to draft the Bill.

### **Address Glegola Supreme Court judgment through Protection of Employees (Employers' Insolvency) (Amendment) Bill**

The Supreme Court has held that Ireland incorrectly transposed the relevant EU Directive 2008/94/EC. Currently, where an employer ceases trading but does not liquidate their company because there are insufficient assets ("informal insolvency"), their employees may be owed monies but are unable to claim them via the Insolvency Payments Scheme. This does not meet the Directive's requirements. Until this is resolved, the State is in breach of EU law and may be at risk of infringement procedures (though there has been no contact from the Commission to date).

#### **Current position**

- Government approved the policy and drafting of a General Scheme in July 2023
- The General Scheme will address the Supreme Court judgment and make other targeted improvements to the Act's operation
- The drafting of the General Scheme is at an advanced stage.

#### **Next steps**

- It is intended to submit the General Scheme to the Minister for approval during Q2 2024, with a Memo for Government to follow.

### **Payment of Wages (Amendment) (Tips and Gratuities) Act 2022**

This Act obliges employers to display prominently their policy on the distribution of both cash and card tips and service charges and obliges employers to distribute these in a manner that is fair.

#### **Current position**

The Act came into effect on 01 December 2022. It has a built-in review mechanism at the end of 12 months from its commencement. The report must be published not later than 6 months from 28 October 2023 and a copy of that report is to be laid before each House of the Oireachtas

### **Next steps**

Work on the statutorily required 12-month review is being finalised and the statutory report will be published and laid before each House of the Oireachtas before 26 April 2024.

### **Establishing an Employment Law Review Group**

The Employment Law Review Group (ELRG) will be set up in Q3 2024 on a statutory basis to monitor, review, and advise the Minister for ETE on matters concerning the design, delivery and implementation of employment and redundancy law; judgments of courts related to the enforcement of employment and redundancy law; EU and international developments in employment and redundancy law and related matters. In advising the Minister, the Review Group will seek to ensure that the State's suite of employment rights and redundancy legislation remains relevant and fit for purpose and is updated to reflect international developments.

### **Current position**

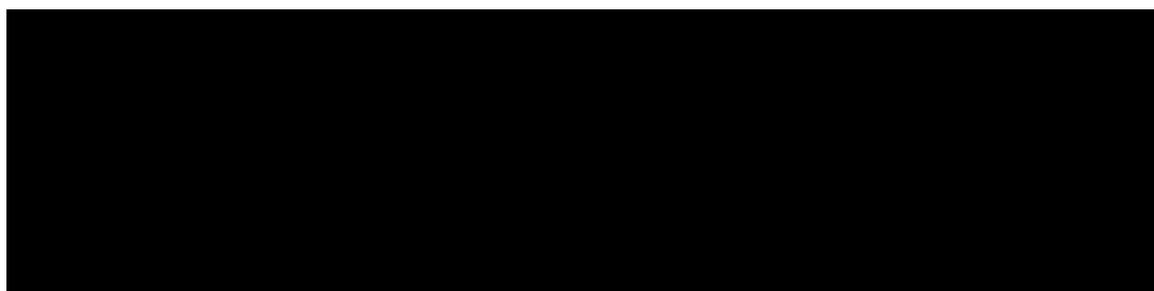
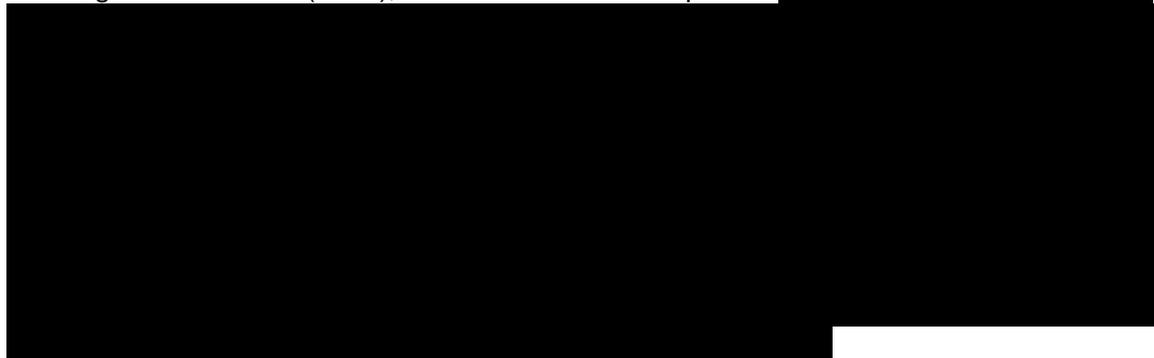
The Review Group will be established on a statutory basis following enactment of the Employment (Collective Redundancies and Miscellaneous Provisions) and Companies (Amendment) Bill 2023.

### **Next steps**

The Employment (Collective Redundancies and Miscellaneous Provisions) and Companies (Amendment) Bill 2023 has passed all Stages in Dáil Eireann and is scheduled for 2<sup>nd</sup> Stage in Seanad Eireann on 10 April 2024.

### **Bringing members of the Defence Forces and An Garda Síochána within the scope of the Organisation of Working Time Act 1997**

The Organisation of Working Time Act 1997 (OWTA) sets out minimum rest and maximum working time for employees as well as holidays and other miscellaneous issues. The OWTA excludes members of An Garda Síochána and the Defence Forces from its scope. This type of so-called 'blanket exclusion' has been found by the CJEU to be non-compliant with the EU Working Time Directive (WTD), which the OWTA transposed.





### **Increase in the entitlement to Statutory Sick leave to 7 days**

The Sick Leave Act 2022 introduced employer-paid statutory sick leave for the first time in Ireland. Commencing on 1 January 2023, the initial statutory entitlement was to up to 3 days' sick leave, increasing to 5 days in 2024. This is in line with the Government commitment to gradually increase the entitlement until 2026, when it will reach 10 days.

The introduction of a statutory sick leave scheme brought Ireland in line with many other OECD countries, ensuring that all employees are entitled to a minimum level of financial compensation if they are unable to work due to illness or injury. It is primarily intended to provide sick pay coverage to those employees, often in low-paid and precarious roles, who do not have access to a company sick leave scheme. The scheme offers a floor level of protection and does not interfere with existing, more favourable, sick pay schemes.

Payment for statutory sick leave days is currently set at 70% of an employee's average gross earnings, up to cap of €110. The rate of 70% was chosen to ensure excessive costs were not placed on employers, who in certain sectors may also have to deal with the cost of replacing staff who are out sick at short notice.

#### **Current position**

It is the stated policy intention that this entitlement will increase to 7 days in 2025, before reaching 10 days in 2026. This is to be achieved by way of Ministerial Order, per section 6 of the Sick Leave Act 2022. The proposed increase has been well-flagged. While some concerns have been raised about the cumulative cost of regulation to business, statutory sick leave has been recognised by employer groups as beneficial to society and the economy.

#### **Next steps**

Research is due to be delivered in Q4 2024 to provide a robust evidence base to inform the Ministerial decision regarding the planned entitlement increase.

### **Operate an efficient employment permits regime for the benefit of businesses and workers**

Across 2022 and 2023 the Department made significant progress in improving the employment permits processing system to address increasing demand, reducing the number of applications awaiting processing from about 11,000 in January 2022 to just over 2,700 at the beginning of January 2024. However, there has been a recent increase in applications submitted as a result of the changes implemented following the 2023 Review of the Occupational Lists (that made changes to the eligibility of 43 occupations), which came into effect on 17 January 2024. Processing times range across 11 – 28 days depending on the employment permit application type.

At the end of 2023, the minimum salary thresholds for employment permits were increased as they had become seriously outdated, having not kept pace with wage inflation in the nine years since they were established in 2014. The increases announced are proposed to be introduced

on a phased basis through a planned roadmap over the course of the next three years. This approach aims to give sectors sufficient time to reach income thresholds which are better aligned with median earnings and Ireland's high cost-of-living.

### **Next Steps**

The Employment Permits Unit is committed to reducing processing times still further across Q2 2024, based on demand remaining at current levels with additional resources having been provided to assist under workforce planning 2024. In addition, the Employment Permits Unit is moving to replace its existing ageing IT systems with a modern Cloud-based solution. The technical development work for the new system is well under way with an anticipated go live date in early Q4 2024.

The Employment Permits Bill 2022 has passed Dáil stages and progressed through Seanad Second stage. Seanad Committee and Report stages are expected to be complete in April 2024. The purpose of this Bill is to consolidate and update the legislative provisions that regulate the Employment Permits system, namely the Employment Permits Acts of 2003 and 2006 (as amended in 2014). It includes a number of improvements, including a new option for permit holders to change employer without needing to apply for a new permit and moving operational details to secondary legislation for easier modification and to ensure a more responsive employment permit system. Indexation provisions in the Bill will ensure minimum salary thresholds for employment permits remain, at least, in line with average wage growth.

**Enable the Health and Safety Authority (HSA) to fulfil its statutory mandate in securing safe and healthy working environments and in supporting business growth, productivity and competitiveness.**

### **Current Position**

The Department has secured additional exchequer funding has allowed the HSA to undertake restructuring and targeted recruitment. Its current staff complement is over 270 full time posts, and this is expected to increase to over 290 by the end of 2024. The Department also supports the HSA by ensuring that an up to date, fit for purpose, occupational safety and health policy and legislative regime.

### **Next Steps**

Continue to support the HSA in completing its restructuring including the roll-out of its new core ICT platform and its Occupational Health Division. The Department will continue to work with the HSA and the Irish National Accreditation Board (INAB) to ensure that Ireland is fully prepared to take on new accreditation roles set out in several new EU legislations.

**Ensure Ireland has a strong chemical regulatory framework in place by leading across Government and working with stakeholders and industry.**

### **Current Position**

The Unit is currently working on arrangements for the transposition of the following EU directives:

- Update to Directive 2009/148/EC on the protection of workers from the risks related to exposure to asbestos at work (Directive 2023/2668) which is due for transposition by 21 December 2025
- A codification of Directive 2004/37/EC and its amending Directives to that date. It will be necessary to formally transpose the codified Directive

- Directive 2024/869, which is an update to both the Carcinogens, Mutagens or Reprotoxic substances Directive (CMRD) and the Chemical Agents Directive (CAD). This is a technical update and is due for transposition by 9 April 2026. A new proposal to further update CMRD is anticipated in June 2024.

### **Next Steps**

Work has begun on assessing the transposition requirements for Directives 2023/2668 and 2024/869, and it is anticipated that both transposition dates will be met. The codification of Directive 2004/37/EC is being monitored. When the next proposal to update CMRD is published, SHCPU will engage with stakeholders in the Health and Safety Authority and the Permanent Representation of Ireland to the European Union (PRB) to ensure the Irish position is presented during negotiations.

### **Provide leadership and promote collaboration across Government and stakeholders on cross-cutting European and national chemicals policy matters.**

The Department has the lead responsibility under the Chemicals Acts (2008 & 2010) for the implementation and enforcement of EU chemicals-related legislation within the State. As part of the Chemicals Strategy for Sustainability, the EU is currently revising a number of pieces of chemicals legislation:

#### **Classification, Labelling and Packaging Regulation (CLP)**

The CLP Regulation ((EC) No 1272/2008) is based on the United Nations' Globally Harmonised System (GHS) and its purpose is to ensure a high level of protection of health and the environment, as well as the free movement of substances, mixtures and articles. It sets out guidelines for labelling as well as identifying chemicals' hazard classes. A targeted update to the CLP Regulation was agreed at Trilogues in December 2023 and is currently in a corrigendum process at EU level. It is expected to be adopted in Q2/Q3 2024.

#### **The REACH Regulation**

The REACH Regulation governs the registration, evaluation and authorisation of hazardous chemicals in the EU. It defines the roles and responsibilities of importers, manufacturers, distributors and national enforcement (competent) authorities in protecting EU workers, citizens and the environment for the risk of exposure to hazardous substances. A proposal for a revision of the REACH Regulation was anticipated in Q4 2023 but has been delayed. The EU Commission have not indicated when the proposal can be expected, but it will likely be under the next Commission.

#### **One Substance, One Assessment (OSOA)**

Currently, chemicals are assessed separately by multiple EU Agencies – the European Chemicals Agency (ECHA), the European Food Safety Authority (EFSA), the European Environment Agency (EEA) and the European Medicines Agency (EMA). This current system also lacks certainty for industry, as they cannot be sure when a chemical may be restricted and under what legislation. A more effective system would be one where the hazards of a chemical are assessed under multiple pieces of legislation simultaneously and by the same body where possible. In December 2023, the Commission published three proposals to create a One Substance, One Assessment system, consisting of:

### **ECHA Founding Regulation**

The EU Commission is currently developing a proposal for a founding Regulation for ECHA. It is anticipated that this proposal may allocate more resources for ECHA due to the increased workload from the OSOA proposal.

### **Detergents**

The Commission published a proposal to update the EU Detergents on April 28th, 2023. This is to simplify complicated detergents labelling and introduce provisions for microbial cleaning products, refillable detergents and digital labelling. The latest meeting was in March 2024 and a General Approach is expected to be agreed by June 2024. Due to the European elections, this is not likely to go to Trilogues until 2025.

### **Next Steps**

It is anticipated that the draft revised CLP Regulation will be finalised and published in Q2/Q3 2024, at which point DETE will assess if it will require any amendments to national legislation to enforce. DETE will continue to coordinate the Irish position for both OSOA and Detergents throughout Q2 of 2024 and will engage in Trilogues in 2025. When the proposal for the ECHA founding Regulation and the REACH revision are published, DETE will assess them to identify the appropriate stakeholders and engage with them.

### **Employment, Social Policy, Health and Consumer Affairs Council (EPSCO)**

The EPSCO Council brings together Ministers responsible for employment and social issues from EU member states. There are usually four formal EPSCO meetings a year - two in Brussels and two in Luxembourg along with one informal EPSCO meeting in the country of the current EU Presidency. Meetings are usually attended by the Minister of State for Business, Employment and Retail. The Department has responsibility for coordinating Ireland's participation in the EPSCO Council which, given the cross-cutting nature of the issues, includes managing and representing the inputs of a wide range of other Government Departments.

### **Next Steps**

The social and employment programme of the Belgian Presidency includes working towards an ambitious social agenda and an emphasis on socio-economic governance. Files of note which are relevant to DETE include the European Works Council Directive and the Directive on improving working conditions in platform work, the text of which was agreed at EPSCO in March. In addition, the Department co-ordinates, prepares and develops inputs for EPSCO on the European Semester and European Pillar of Social Rights which is due to be revised in 2025. In this regard, the Belgian Presidency are holding a high-level conference in La Hulpe in April to agree with the other EU Member States a Declaration on the Future of the European Pillar of Social Rights.

### **Council of Europe**

The Department manages Ireland's obligations and interests in employment and social policy with regard to the Council of Europe's Revised European Social Charter which promotes and protects socio-economic rights, and guarantees rights related to employment, housing, health, education, social protection and welfare. DETE ensures that Ireland is represented at official level on the Governmental Committee of the European Social Charter, which examines and adjudicates on Member States nonconformity with the Charter and issues follow up recommendations.

**Next Steps**

The Department coordinates Ireland's annual national reports under the Charter which involves managing inputs across relevant Government Departments.

**International Labour Organisation (ILO)**

The Department leads on Ireland's engagement with the ILO, which is a United Nations agency based in Geneva dealing with employment and labour market issues. Ireland currently attends the ILO Governing Body (GB) as an observer member state.

The International Labour Conference will be held from 3 to 14 June 2024. Each member State is represented by a delegation consisting of two Government delegates, an employer delegate, a worker delegate, and their respective advisers. DETE attend the ILC along with social partner representatives from ICTU and IBEC.

**Next steps**

Ratification of Convention 187 Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187). The Unit is currently reviewing the Convention to ensure that there are no legislative gaps in existing national law before progressing further.

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## Section 4: Offices and Agencies of the Department

### 4.1 Introduction

The Department currently funds and staffs six discrete offices. In addition, it funds eight agencies<sup>1</sup>, 31 Local Enterprise Offices, the Design and Crafts Council of Ireland and jointly funds one North-South Body. 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 the 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 the Agency and the Chief Executive.

#### **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 agree, 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 agree, on an annual basis, an Oversight and Performance Agreement (OPDA) which acts as a performance contract between the Department and the Office. These OPDAs, 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.

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<sup>1</sup> PIRB is a self-funding Agency.

## 4.2 Offices

The Department includes six 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 is the sole appellate Body under employment rights legislation. Determinations of the Labour Court arising under employment rights legislation are legally binding on the parties but may be appealed to the High Court on a point of law. Based in Dublin 4, the Q4 2023 headcount is 30.

In Industrial Relations disputes, the Labour Court 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.

### Workplace Relations Commission (WRC)

**Director General: Audrey Cahill**

The activities of the Workplace Relations Commission (WRC) are concerned both with facilitating and assisting workplace change and creating an environment of equity and fairness in employment. The WRC 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. Based in Dublin 4, the Q4 2023 headcount is 201.

The WRC provides 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.

### Employment Appeals Tribunal (EAT)

**Chairman: Kate O'Mahony**

The functions of the Employment Appeals Tribunal (EAT) were transferred to the WRC in October 2015. At that time there were c3,500 cases still awaiting adjudication by the EAT. In early 2024, that legacy caseload has been completed. The Department will now progress the formal dissolution of the body while managing any residual obligations or outstanding customer service commitments.

### Intellectual Property Office of Ireland (IPOI)

**Controller: James Kelly**

The Intellectual Property Office of Ireland (IPOI) is an independent statutory office under the control of the Controller of Intellectual Property and is responsible for the grant and registration of intellectual property rights in Ireland, specifically patent, trademark and industrial design rights. IPOI's end of year headcount figure for 2022 is 47 and is headquartered in Kilkenny. The IPOI 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.

### **Companies Registration Office (CRO)**

**Registrar: Maureen O’Sullivan**

The CRO is the authority for the incorporation of new companies and registration of business names and Limited Partnerships 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. Based in Dublin 1, the Q4 2023 headcount is 101.

### **Registry of Friendly Societies**

**Registrar: Maureen O’Sullivan**

The Registry of Friendly Societies is a statutory independent office responsible for the registration of industrial and provident societies (co-operatives) and trade unions. The office is also responsible for the receipt and registration of post incorporation documents from co-operatives, trade unions and friendly societies and the provision of information to the public.

### **Registrar of Beneficial Ownership of Companies and Industrial and Provident Societies**

**Registrar: Maureen O’Sullivan**

The Registrar of Beneficial Ownership of Companies and Industrial and Provident Societies is a statutory independent office responsible for the registration of information on beneficial owner(s) of companies and industrial and provident societies the enforcement of filing obligations and the provision of information to the public and to competent authorities.

## **4.3 Agencies**

DETE funds eight agencies and, through Enterprise Ireland, supports the work of 31 Local Enterprise Offices and the Design and Crafts Council of Ireland.

### **Enterprise Ireland (EI)**

**CEO: Leo Clancy**

**Chair: Michael Carey**

Enterprise Ireland (EI) is the Department’s main agency for developing Irish business. EI’s primary goal is to start, scale, and internationalise Irish business. Headquartered in Eastpoint Business Park, Dublin 3, EI also has a national network of nine regional offices throughout Ireland and 33 international locations, facilitating access to more than 60 countries worldwide. Enterprise Ireland’s headcount figure for Q4 2023 is 674. This figure includes Irish based staff, expatriate staff and locally hired staff across the network of international offices. EI works with and supports over 4,000 Irish companies, which employed 225,495 people in 2023 and delivers a range of supports across key sectors e.g. Food and Beverage, Industrial, Life Sciences, ICT and International Services.

**EI at a glance:**

- 225,495 people employed in EI client companies.
- 15,530 new jobs in EI client companies created in 2023 with 5,011 net jobs created (2% employment growth overall).
- 68% of all new jobs were created outside Dublin
- 67% of client employment outside Dublin.
- EI client exports of €32.1bn billion in 2022
- Spend in the Irish Economy by EI clients was approximately €37.8 billion in 2022.

**IDA Ireland****CEO: Michael Lohan**

IDA Ireland is the Department's inward investment promotion agency and works – through its domestic operations and offices abroad – to attract foreign direct investment (FDI). The Agency partners with potential and existing investors to help them establish or expand their operations in Ireland, with the aim of job creation and increased expenditure in the Irish economy. IDA Ireland supports investment throughout all regions of Ireland, including through the provision of strategic property solutions.

Headquartered at 3 Park Place, Dublin 2, IDA Ireland has a national network of eight regional offices throughout the country. The Agency also operates 19 overseas offices across four main territories including North America, Asia/Growth Markets, Europe and the UK. The IDA's headcount is sanctioned for an additional 30 posts plus five graduate posts to be recruited in 2024 to bring the agency total to 395, including the graduates. This figure includes Irish based staff, expatriate staff and locally hired staff in its offices abroad.

IDA Ireland has approximately 1,800 clients across key sectors including Medical Technology, Pharmaceuticals, Financial Services, Life Sciences and Information and Communications Technology (ICT). The Agency supports clients who are considering investing or expanding in Ireland through a range of different means including financial supports, property solutions and showcasing Ireland as a place to invest.

**IDA at a glance:**

- 300,583 people employed in IDA client companies.
- 19,000 new jobs in IDA client companies created in 2023.
- 248 investments won in 2023, 132 investments outside of Dublin.
- 54% of client employment outside Dublin
- Total exports from client companies €383.1bn in 2023.

## **Corporate Enforcement Authority (CEA)**

### **Sole Member and CEO: Ian Drennan**

The mission of the CEA is to promote and serve the public interest by ensuring high levels of compliance with company law through effective advocacy and proportionate, robust and dissuasive enforcement. Headquartered on Parnell Square, it has a staff of 55. The CEA functions include enforcing and encouraging compliance with company law; investigating suspected offences under the Companies Act; prosecuting detected breaches of the Companies Act; referring cases to the Director of Public Prosecutions for prosecution on indictment; and exercising a supervisory role over the activities of liquidators and receivers. Section 944D (4) of the Companies Act 2014 provides that the CEA shall be independent in the performance of its functions and the Minister has no function in respect of the CEA's day to day operations.

## **Competition and Consumer protection Commission (CCPC)**

### **Chair: Brian McHugh**

The Competition and Consumer Protection Commission (CCPC) 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. It is an independent investigative and enforcement body and the Minister and Department are statutorily restricted from directing it especially in the area of competition law. It has gained responsibilities under the Competition Act and Consumer Rights Act. The CCPC also has a role in relation to product safety as one of 19 market surveillance authorities (MSA).

The CCPC is growing as additional functions are ascribed to it. There are a suite of proposals and legislation agreed at EU level designed to further strengthen protections for consumers and fairness in the operation of online markets. DETE will continue to engage with the CCPC on the role it will play in relation to this developing area of regulation.

The CCPC is the competent authority under the Digital Services Act (DSA) and is engaging with Comisiún na Meán as the Digital Services Coordinator (DSC) to implement and enforce the obligations on providers of online platforms allowing consumers to conclude distance contracts with traders. Under the Digital Markets Act (DMA), the CCPC will be expected to support market investigations led by the European Commission on request. This could involve assisting the European Commission in carrying out investigative or fact-finding measures such as inspections or providing information to the European Commission. The CCPC has been designated via Cabinet decision as the competent authority for the Data Governance Act (DGA). The CCPC will continue to engage with the Department of the Environment, Climate and Communications on the necessary secondary legislation to designate it competent authority and endow it with the relevant powers and functions. The CCPC have also been designated as the market surveillance of certain products and checking the compliance of services under the European Accessibility Act (EAA). The CCPC's annual funding and sanctioned staffing levels have grown in recent years on account of these additional roles. Headcount at the of Q4 2023 was 188.

## Health & Safety Authority (HSA)

**CEO: Conor O'Brien**

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 Enterprise, Trade and Employment. Headquartered in Dublin 1, it has a staff of 262.

The Authority is also responsible for the administration and enforcement of more broadly based chemicals legislation, including REACH (Registration, Evaluation, Authorisation and Restriction of Chemicals), CLP (Classification, Labelling, Packaging) and Seveso and incorporates the Irish National Accreditation Board (INAB), which has responsibility for the accreditation of laboratories, certification bodies and inspection.

## Injuries Resolution Board

**CEO: Rosalind Carroll**

**Chair: Dermot Divilly**

The Injuries Resolution Board is an independent statutory Body which resolves personal injury claims through assessment and mediation. The role of mediation was assigned to it in the Personal Injuries Resolution Board Act 2022. In resolving personal injury claims without the need for costly and lengthy litigation, the Board has significantly reduced the cost of delivering compensation. Headquartered in Clonakilty, it has a staff of 74.

## Irish Auditing & Accounting Supervisory Authority (IAASA)

**CEO: Kevin Prendergast**

The mission of the Irish Auditing & Accounting Supervisory Authority (IAASA) is to contribute to Ireland having a strong regulatory environment in which to do business by supervising and promoting high quality financial reporting, auditing and effective regulation of the accounting profession in the public interest. Arising from the transposition of the Corporate Sustainability Reporting Directive, IAASA will also have a role in the oversight of corporate sustainability reporting and assurance. The Chair of IAASA Board, Martin Sisk, will conclude his second term in December 2024 and a total of eight years, the maximum permissible under the Code of Practice for the Governance of State Bodies. The vacancy will be filled by way of open competition run by the Public Appointments Service. Headquartered in Santry, it has a staff of 30.

## National Standards Authority of Ireland

**CEO: Geraldine Larkin**

**Chair: James Kennedy**

NSAI has grown into a hybrid organisation, providing 'public good' services such as national and legal metrology (weights and measurements), certification of products and services for trade, and the development of standards, while also providing commercial services to industry which generates a considerable income for the organisation (€31m in 2023) e.g., the certification of medical devices.

Headquartered in Naas, it has a staff of 210.

**NSAI at a glance (2023 Metrics):**

- 1,372 standards published
- 258,128 standards viewed/downloaded
- 6,770 premises visited across Ireland
- 24,607 trade instruments inspected
- 2,935 audit days completed for medical device certifications
- 9,051 motor vehicle products approved
- 989 construction products approved
- 320 insulation installers registered.

## 4.4 North/South Body

### InterTrade Ireland

**CEO: Margaret Hearty**

**Chair: Richard Kennedy**

InterTradeIreland (ITI) is one of six North-South implementation bodies established under the Good Friday Agreement and is responsible for the promotion of trade and business on an all-island and cross-border basis. It is headquartered in Newry and employs 60 full time staff. ITI operates under the oversight of the North South Ministerial Council and its two sponsor Departments which jointly fund it, i.e. DETE in Ireland and the Department for the Economy in Northern Ireland.

## 4.5 Associated Bodies

### Local Enterprise Offices

The 31 Local Enterprise Offices (LEOs), located in the Local Authorities (LA) nationwide are the 'first-stop-shop' for advice and guidance, financial assistance and other supports for anyone intending to start or grow a business. Policy, funding and legal responsibility rests with DETE through Enterprise Ireland (EI). A Service Level Agreement (SLA) is in place between EI and each LA, which sets out respective roles and responsibilities.

The LEOs can offer direct grant aid to microenterprises (up to 50 employees) in the manufacturing and internationally traded services sector which, over time, have the potential to develop into strong export entities. The LEOs also provide a 'signposting' service in relation to all relevant State supports available through agencies such as Revenue, the Department of Social Protection, Education and Training Boards, the Credit Review Office and Microfinance Ireland. The LEOs can also offer advice and guidance in areas such as Local Authority rates, Public Procurement and other regulations affecting business.

#### LEOs at a glance:

- 38,726 people employed in LEO client companies
- 6,640 new jobs in LEO client companies created in 2023 with 2,131 net jobs created (6% employment growth overall)
- 82% of all new jobs were created outside Dublin

### Design and Crafts Council of Ireland

#### CEO: Rosemary Steen

The Design and Crafts Council of Ireland (DCCoI) is a registered private company limited by guarantee that promotes craft and design activities in Ireland. From this Department's perspective design is seen as an intrinsic part of the innovation agenda and the wider enterprise development agenda 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. DCCoI receives funding through EI for the purpose of promoting crafts and design initiatives in Ireland.

## Section 5: Legislation

### 5.1 Published Bills

Title and Purpose of Bill	Status
<p><b>Forty-first Amendment of the Constitution (Agreement on a Unified Patent Court) Bill 2024</b></p> <p>Ratification of the Agreement on the Unified Patent Court (UPCA) necessitates a transfer of judicial jurisdictional power outside of the State. As such, a referendum must be held to allow Ireland to ratify the Agreement.</p> <p>This entails holding a constitutional referendum to facilitate an amendment to Article 29 of the Constitution to include the UPCA as an international agreement recognised by the State.</p> <p>The Bill provides for an amendment to Article 29. It also provides that the State may ratify the Agreement on a Unified Patent Court signed at Brussels on the 19th day of February 2013.</p>	<p>The Bill is short with just two Heads in the General Scheme and was brought to Government on 23 January 2024. Government agreed to hold a referendum alongside the European and local elections in June and approved the priority drafting of the Bill.</p> <p>DETE officials engaged with the OPC and received a stamped copy of the Bill which was brought to Government on 13 Feb 2024. Government approved the Bill's publication which was subsequently published on the 15 February 2024.</p> <p>The legislative process initiated in the Dáil on 29 February and completed on 06 March. The Seanad second stage commenced on Thursday 21 March to allow for a swift passage through the Oireachtas. Completing all stages by 11 April to facilitate the Electoral Commission in their planning and rollout of information to the electorate.</p>
<p><b>Microenterprise Loan Fund (Amendment) Bill 2023</b></p> <p>This new legislation is to provide for ownership of Microfinance Ireland (MFI) to pass from its current parentage, the Social Finance Foundation to the Minister for ETE and to put in place the related governance structures. It will give greater oversight to a body which is responsible for an increased amount of state sponsored lending than its original mandate. Furthermore, it will create a more established and regular relationship between the funding Department and the body delivering the funding directly to recipient businesses. This will assist the start-ups, micro businesses, and the body itself in giving certainty to the continued existence and development of MFI.</p>	<p>Government decision received on 20 June 2023, approving the drafting of the Bill.</p> <p>Following completion of Pre-Legislative Scrutiny (PLS) on 20 September 2023, the Department worked with the OPC on the drafting of the Bill. OPC issued the stamped draft Bill on 26 January 2024.</p> <p>Government approved the Bill for publication and initiation in the Houses of the Oireachtas on 5 March 2024. Second stage was completed on 20 March 2024 with the Bill referred to Committee Stage.</p>

## 5.2 Priority Legislation for Publication Summer Session

Title and Purpose of Bill	Status
<p><b>Companies (Corporate Governance, Enforcement and Regulatory Provisions) Bill</b></p> <p>To enhance and strengthen the enforcement and regulatory provisions in the Companies Act 2014. Amendments relate to four distinct areas of company law: corporate governance, company law enforcement and supervision, administration, and insolvency.</p> <p>The General Scheme will include provisions to place the facility for companies and I&amp;Ps to hold meetings by electronic means on a permanent basis, following its introduction as a temporary measure during the Covid-19 pandemic. This period has been extended to 31 December 2024 and will not be extended further.</p>	<p>On 5th March, Government approved the priority drafting of the Companies (Corporate Governance, Enforcement and Regulatory Provisions) Bill based on the circulated General Scheme.</p> <p>A letter of instruction was sent to the Office of Parliamentary Counsel on 11 March 2024 requesting the assignment of a drafter.</p> <p>The Scheme was sent to the Joint Oireachtas Committee on Enterprise Trade and Employment for pre-legislative scrutiny (PLS) and the Department was advised that the Committee had concluded its PLS on the Scheme at its meeting of 20 March 2023. The Bill has now been included on the priority list for publication in the summer.</p>
<p><b>Digital Services (Levy) Bill 2024</b></p> <p>1. To extend Coimisiún na Meán's levy raising power to service providers in scope of, (a) EU Digital Services Act &amp; (b) EU Terrorism Content Online Regulation.</p> <p>2. Introduce a power for the CCPC to charge a levy on online marketplace providers in scope of the EU Digital Services Act.</p>	<p>It is anticipated the General Scheme will be submitted to Government seeking approval to draft the Bill in April 2024.</p> <p>The General Scheme will be developed in consultation with Dept. Justice and Dept. Tourism, Culture, Arts, Gaeltacht, Sport and Media.</p>

## 5.3 Other Legislation

Title and Purpose of Bill	Status
<p><b>Co-operative Societies Bill 2022</b></p> <p>The proposed legislation aims to place the co-operative model on a more favourable and clearer legal basis, thereby creating a level playing field with companies and encouraging the consideration of the co-operative model as an attractive formation option for entrepreneurs.</p>	<p>Government approval for drafting the Bill received in Nov. 2022. OPC drafting resources assigned in March 2023.</p> <p>PLS completed and report published in May 2023. Drafting is ongoing and not expected to be completed until Q1 2024, with publication in Q2 2024.</p>

<p><b>Employment (Restriction of Certain Mandatory Retirement Ages) Bill</b></p> <p>To introduce measures that allow, but do not compel, an employee to stay in employment until the State Pension Age.</p>	<p>General Scheme approved by Government on 5 March. Referred to JCETE for PLS on 12 March.</p>
<p><b>EU Data Bill</b></p> <p>The EU Data Act (Regulation) creates a harmonised framework on fair access and use of data and clarifies who can create value from data and under which conditions, to ensure fairness in the allocation of the value of data among actors in the data economy and to foster access to and the use of data.</p> <p>DETE has received legal advice that primary legislation is needed to give effect to the Act in Ireland. This enabling legislation needs to be in place by 12 September 2025.</p>	<p>Work will commence in Q2 2024 on the general scheme based on legal advice, and a memo will be brought to Government seeking permission to draft.</p>
<p><b>Industrial Development (Miscellaneous Provisions) Bill</b></p> <p>The primary purpose of the Bill is to amend the Industrial Development Act 1986 to strengthen IDA's provision of (i) environmental aid grants, (ii) training aids, and (iii) consultancy grants.</p> <p>It will also provide that IDA Ireland be permitted to establish jointly owned bodies corporate, with the sole purpose of developing critical industrial and commercial property and infrastructure.</p> <p>This Bill also contains four additional unrelated amendments in respect of Enterprise Ireland (re FOI), and the Health and Safety Authority (two technical enabling amendments to the Dangerous Substances Act 1972) [REDACTED]</p>	<p>The Heads of the original Bill were approved at Cabinet on 5 July 2018. Since then, delays arose due to other legislative commitments and the consideration of additional provisions. It is intended to seek renewed Government approval for the General Scheme of the Bill as soon as possible.</p> <p>The Joint Committee on ETE decided not to undertake pre-legislative scrutiny on the original proposed Bill following a hearing in November 2018. However, in view of the proposed expansion in scope, it is intended to write to the current Committee to make them aware of the revised proposal and ask whether they wish to undertake PLS.</p>
<p><b>Registration of Trade Unions Bill</b></p> <p>The purpose of the Bill is to modernise and consolidate the existing legislation regarding the registration requirements for trade unions.</p>	<p>Work on finalising the general scheme will be progressed in the context of available resources and other competing legislative priorities (particularly the Co-operative Societies Bill). General scheme unlikely before end 2024.</p>

<p><b>Miscellaneous Provisions (Transparency and Registration of Limited Partnerships and Business Names) Bill</b></p> <p>To reform the Limited Partnerships Act 1907 and the Registration of Business Names Act 1963, strengthening Ireland's regulatory framework and responding to concerns raised in relation to the transparency of Limited Partnerships.</p>	<p>A General Scheme of Bill is at an advanced stage with a view to seeking Government approval for drafting by end Q1 2024</p> <p>Policy formulation and consultation with legal advisor and relevant Departments and agencies is ongoing.</p>
<p><b>Protection of Employees (Employers' Insolvency) (Amendment) Bill</b></p> <p>To address several issues identified with the operation of the Act governing the protection of employees during their employer's insolvency. Addressing Supreme Court judgment by fully transposing Article 2(1) of Directive 2008/94/EC. Incorporating various technical amendments to improve the operation of the Employees (Employers' Insolvency) Act 1984.</p>	<p>General Scheme under development. Aiming to submit to the Minister by end Q1 2024.</p>

