



Application of SME Test: **General Scheme of the Industrial** **Development (Miscellaneous** **Provisions) Bill 2025**

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Amendments to the Industrial Development Act, 1986

Screening question

Is the new policy, primary or secondary legislation, or regulatory compliance requirement relevant for SMEs?

The following questions must be answered:

- Are SMEs within the scope of the measure? Yes ☒ No ☐
- Does the measure specifically target SMEs? Yes ☐ No ☒
- Will or could SMEs be impacted directly or indirectly by the measure? Yes ☒ No ☐
- Are SME impacts likely to be more substantial than on other companies, for example, in terms of adverse effects? Yes ☐ No ☒

1. Consultation

1. What consultation will/has taken place to capture input from the SME community, particularly those most impacted by this measure?

- | | |
|--|-------------------------------------|
| Public consultation | <input type="checkbox"/> |
| Online consultation | <input type="checkbox"/> |
| Consultation with SME representative bodies | <input checked="" type="checkbox"/> |
| Notifications of consultation to database of interested stakeholders | <input type="checkbox"/> |
| Interviews and panels with experts | <input type="checkbox"/> |
| Webinars | <input type="checkbox"/> |
| Roundtables | <input type="checkbox"/> |
| Public meetings | <input type="checkbox"/> |
| Other | <input type="checkbox"/> |

If Other, please provide details:



2. Identification of affected businesses

2a: Please identify the type of SMEs that will be directly or indirectly (i.e. SMEs not in scope, but potentially affected indirectly, for instance through impacts on supply chain) affected by proposed policy change -

Micro (1-9 employees) ☐

Small (10-49 employees) ☐

Medium (50-249) employees ☐

All of the above ☒

2b: Has an estimate been carried out of the numbers of micro, small and medium companies affected directly or indirectly by the measure?

Yes ☐ No ☒

2c: Will the proposed policy change have a greater impact on SMEs in any particular economic sector?

Yes ☐ No ☒

If Yes, please specify.

2d: Will the proposed policy change have a greater impact on SMEs in any particular region?

Yes ☐ No ☒

If Yes, please specify.



3. Assessment of the impacts on SMEs

3a: What are the expected positive impacts of the policy change on SMEs ?

- Improved regulatory framework Yes ☐ No ☐
- Improved working conditions Yes ☐ No ☐
- Cost savings Yes ☒ No ☐

If other, please provide details.

3b: Will the proposed changes result in any of the following impacts for SMEs?

- Administrative costs, including the obligation to provide information on the activities or products of the company, including one-off and recurring administrative costs?
Yes ☐ No ☒
- Compliance costs, including the obligation to pay fees or duties; and costs created by the obligation to adapt the nature of the product/service and/or production/service delivery process to meet economic, social or environmental standards.
Yes ☐ No ☒
- Other impacts, including on business entry and exit; competition and competitiveness?
Yes ☐ No ☒
- Discourage entrepreneurship or innovation?
Yes ☐ No ☒
- Impacts of any proposed exemption thresholds on business growth?
Yes ☐ No ☒
- Impacts on SME population composition and location?
Yes ☐ No ☒
- Additional reporting requirements?
Yes ☐ No ☒



4. Assessment of alternative options and mitigating measures

4a. If the analysis above has shown that the proposed policy changes will result in negative impacts on SMEs, has there been consideration of any measures to mitigate against these impacts.

Examples of mitigating measures include

- Exemption for certain SME cohorts (e.g. micros);
- Simplification of administrative procedures and use of plain English;
- Reduction of information requirements;
- Less onerous or less frequent inspection regimes for small businesses;
- Provision of longer transitions periods for SMEs so that they can have more time to allocate resources when dealing with policies;
- Lower administrative fees;
- Access to financing or lower interest rates in order to comply;
- Training and assistance with compliance;
- Requirement for SMEs to have only to register for a certain activity rather than having to be fully licensed;
- One-stop shops.

Yes ☐ No ☐

Please provide details.

N/A – No adverse impacts identified.



5. Post-completion of SME Test

5a: Have you noted the outcome of the SME Test identifying the impacts and provision for mitigating measures, under the Impacts section of the Memorandum for Government proposing the policy changes?

Yes ☒

No ☐

5b: Have you made this form available publicly on your Department website?

Yes ☒

No ☐



Amendments to the Industrial Development Act, 1995

Screening question

Is the new policy, primary or secondary legislation, or regulatory compliance requirement relevant for SMEs?

The following questions must be answered:

- Are SMEs within the scope of the measure? Yes ☐ No ☒
- Does the measure specifically target SMEs? Yes ☐ No ☒
- Will or could SMEs be impacted directly or indirectly by the measure? Yes ☐ No ☒
- Are SME impacts likely to be more substantial than on other companies, for example, in terms of adverse effects? Yes ☐ No ☒



Amendments to the Freedom of Information Act, 2014

Screening question

Is the new policy, primary or secondary legislation, or regulatory compliance requirement relevant for SMEs?

The following questions must be answered:

- Are SMEs within the scope of the measure? Yes ☐ No ☒
- Does the measure specifically target SMEs? Yes ☐ No ☒
- Will or could SMEs be impacted directly or indirectly by the measure? Yes ☐ No ☒
- Are SME impacts likely to be more substantial than on other companies, for example, in terms of adverse effects? Yes ☐ No ☒



Amendments to Dangerous Substances Act, 1972

Screening question

Is the new policy, primary or secondary legislation, or regulatory compliance requirement relevant for SMEs?

The following questions must be answered:

- Are SMEs within the scope of the measure? Yes ☒ No ☐
- Does the measure specifically target SMEs? Yes ☐ No ☒
- Will or could SMEs be impacted directly or indirectly by the measure? Yes ☒ No ☐
- Are SME impacts likely to be more substantial than on other companies, for example, in terms of adverse effects? Yes ☐ No ☒

1. Consultation

1. What consultation will/has taken place to capture input from the SME community, particularly those most impacted by this measure?

- Public consultation ☐
- Online consultation ☐
- Consultation with SME representative bodies ☐
- Notifications of consultation to database of interested stakeholders ☐
- Interviews and panels with experts ☐
- Webinars ☐
- Roundtables ☒
- Public meetings ☐
- Other ☐

If Other, please provide details:



2. Identification of affected businesses

2a: Please identify the type of SMEs that will be directly or indirectly (i.e. SMEs not in scope, but potentially affected indirectly, for instance through impacts on supply chain) affected by proposed policy change -

Micro (1-9 employees) ☐

Small (10-49 employees) ☐

Medium (50-249) employees ☐

All of the above ☒

2b: Has an estimate been carried out of the numbers of micro, small and medium companies affected directly or indirectly by the measure?

Yes ☒ No ☐

2c: Will the proposed policy change have a greater impact on SMEs in any particular economic sector?

Yes ☒ No ☐

If Yes, please specify.

Specifically those operating Retail and Private Petroleum Stores and Petroleum Bulk Stores.

2d: Will the proposed policy change have a greater impact on SMEs in any particular region?

Yes ☐ No ☒

If Yes, please specify.



3. Assessment of the impacts on SMEs

3a: What are the expected positive impacts of the policy change on SMEs ?

- Improved regulatory framework Yes ☒ No ☐
- Improved working conditions Yes ☐ No ☐
- Cost savings Yes ☐ No ☐

If other, please provide details.

Improved compliance with the legislation and ensure the governance of safe working and retail environment for industry and consumers.

3b: Will the proposed changes result in any of the following impacts for SMEs?

- Administrative costs, including the obligation to provide information on the activities or products of the company, including one-off and recurring administrative costs? Yes ☒ No ☐
- Compliance costs, including the obligation to pay fees or duties; and costs created by the obligation to adapt the nature of the product/service and/or production/service delivery process to meet economic, social or environmental standards. Yes ☒ No ☐
- Other impacts, including on business entry and exit; competition and competitiveness? Yes ☐ No ☒
- Discourage entrepreneurship or innovation? Yes ☐ No ☒
- Impacts of any proposed exemption thresholds on business growth? Yes ☐ No ☒
- Impacts on SME population composition and location? Yes ☐ No ☒
- Additional reporting requirements? Yes ☐ No ☒



4. Assessment of alternative options and mitigating measures

4a. If the analysis above has shown that the proposed policy changes will result in negative impacts on SMEs, has there been consideration of any measures to mitigate against these impacts.

Examples of mitigating measures include

- Exemption for certain SME cohorts (e.g. micros);
- Simplification of administrative procedures and use of plain English;
- Reduction of information requirements;
- Less onerous or less frequent inspection regimes for small businesses;
- Provision of longer transitions periods for SMEs so that they can have more time to allocate resources when dealing with policies;
- Lower administrative fees;
- Access to financing or lower interest rates in order to comply;
- Training and assistance with compliance;
- Requirement for SMEs to have only to register for a certain activity rather than having to be fully licensed;
- One-stop shops.

Yes ☐ No ☒

Please provide details.

Since the commencement of the Dangerous Substances Act in 1979 there is an obligation to hold a license – Section 21 of the 1972 Act. SMEs can mitigate legal proceedings being initiated by complying with the legislative requirements in the first instance.



5. Post-completion of SME Test

5a: Have you noted the outcome of the SME Test identifying the impacts and provision for mitigating measures, under the Impacts section of the Memorandum for Government proposing the policy changes?

Yes ☒

No ☐

5b: Have you made this form available publicly on your Department website?

Yes ☒

No ☐

If not, please give reason why.



Amendment to Safety, Health and Welfare at Work Act, 2005

Screening question

Is the new policy, primary or secondary legislation, or regulatory compliance requirement relevant for SMEs?

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Amendments to Chemicals Act, 2008

Screening question

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- Notifications of consultation to database of interested stakeholders ☐
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- Roundtables ☐
- Public meetings ☐
- Other ☐

If Other, please provide details:

The Regulation is an update to a 2004 Regulations that has direct effect and is directly applicable to all Member States - the legislative process is public and the Commission is open as to when Regulations are being revised/updated.



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All of the above ☒

2b: Has an estimate been carried out of the numbers of micro, small and medium companies affected directly or indirectly by the measure?

Yes ☐ No ☒

2c: Will the proposed policy change have a greater impact on SMEs in any particular economic sector?

Yes ☐ No ☒

If Yes, please specify.

2d: Will the proposed policy change have a greater impact on SMEs in any particular region?

Yes ☐ No ☒

If Yes, please specify.



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3a: What are the expected positive impacts of the policy change on SMEs ?

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- Cost savings Yes ☐ No ☐

If other, please provide details.

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- Access to financing or lower interest rates in order to comply;
- Training and assistance with compliance;
- Requirement for SMEs to have only to register for a certain activity rather than having to be fully licensed;
- One-stop shops.

Yes ☐ No ☒

Please provide details.

While the focus of the amendment is technical in nature and required to give full effect to policy arising out of EU legislation that has direct effect across all EU Member States, non-adherence with Regulations will lead to compliance costs. Should Ireland not implement the EU Regulations to full effect the Irish regulatory regime will be out of step with EU counterparts. Potential infringement proceedings could be initiated by the European Commission.



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

5. Post-completion of SME Test

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Yes ☒

No ☐

5b: Have you made this form available publicly on your Department website?

Yes ☒

No ☐

If not, please give reason why.
