



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

# Brief

## 2020

27<sup>th</sup> June 2020

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## Section 1: Overview of Department

### 1.1 Statement of Strategy 2018-2021

The Department of Business, Enterprise and Innovation's current mission, as set out in its Statement of Strategy 2018-2021, is

**“WE WILL LEAD ON THE CREATION AND MAINTENANCE OF HIGH QUALITY AND SUSTAINABLE FULL EMPLOYMENT ACROSS ALL REGIONS OF THE COUNTRY BY CHAMPIONING ENTERPRISE AND INNOVATION ACROSS GOVERNMENT, BY SUPPORTING A COMPETITIVE BUSINESS BASE TO INCENTIVISE WORK, ENTERPRISE, TRADE, INNOVATION AND INVESTMENT AND BY PROMOTING FAIR AND COMPETITIVE MARKETS AS WELL AS BEST BUSINESS PRACTICE THROUGH THE REGULATORY AND ENFORCEMENT WORK OF THE DEPARTMENT, ITS OFFICES AND ITS AGENCIES”.**

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

1. Lead on creating and sustaining high quality enterprise and employment across all regions of the country by supporting a strong indigenous enterprise base, the continued attraction of foreign direct investment and a strong entrepreneurial culture.
2. Lead a whole of Government approach to developing the most competitive environment for investment, productivity and sustainable jobs
3. Lead a whole-of-Government approach to position Ireland as a Global Innovation Leader, driving an internationally competitive research and development system, creating an innovative enterprise base and building a better society.
4. Deliver positive workplace relations supports, well-functioning dispute resolution mechanisms, robust enforcement of employment rights and a safe working environment.
5. Ensuring that business regulation facilitates business investment and development, competition in the marketplace, high standards of consumer protection and corporate governance and provides Ireland with a competitive advantage in the global market.
6. Work ambitiously across Government with our EU and international partners to achieve progress in EU and international fora, across a wide range of interests, including Brexit.
7. Invest in and support our staff to further enhance individual and collective capacity, ensure high standards of corporate governance and optimise all our resources to deliver our Strategy, Mission and Goals.

The Department plays a key role in implementing the Government's policies of stimulating the productive capacity of the economy and creating an environment which supports job-

creation. The Department also has a remit to ensure fair competition in the marketplace, protect consumers and safeguard workers. Through its agencies and Offices, the Department's remit covers a wide range of activity including:

- Facilitating the start-up and growth of indigenous enterprises,
- Attracting Foreign Direct Investment,
- Growing and deepening export opportunities, improving competitiveness and productivity,
- Promoting innovation and growth through investment in research and development,
- Promoting fair competition for businesses and consumers,
- 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, and
- Representing Ireland's interests in relevant EU fora, including the Competitiveness Council (incorporating Internal Market, Industry and Research), and the Foreign Affairs Council (meeting in its Trade formation) and relevant WTO, ILO, OECD and WIPO fora.

#### **COVID-19 – SENIOR OFFICIALS GROUP ON ECONOMIC RECOVERY**

The Department is a member of the Senior Officials Group (SOG) on Economic Recovery, chaired by the Department of An Taoiseach, which has been meeting over recent months to consider economic impacts of the COVID-19 crisis and to inform policy thinking on the economic response to COVID-19.

It has overseen preparation by the Department of the three reports prepared on economic considerations for reinstating economic activity at each of phases one to three of the Roadmap for Reopening Society and Business.

It is expected that this Group will now turn its attention to the development of the July Jobs Initiative and associated Recovery Fund set out in the Programme for Government.

A number of existing strategies, which were developed under the leadership of the Department of Business, Enterprise and Innovation, also currently inform priorities for the Department and its Agencies. These include:

**FUTURE JOBS IRELAND 2019** [HTTPS://DBEI.GOV.IE/EN/PUBLICATIONS/FUTURE-JOBS-IRELAND-2019.HTML](https://dbeI.gov.ie/en/publications/future-jobs-ireland-2019.html)

Future Jobs Ireland is a whole-of Government agenda aimed at addressing both a number of current economic challenges as well as positioning Ireland to successfully navigate the transition to a low carbon and digital future. Following extensive consultation with key stakeholders, Future Jobs Ireland 2019 was agreed by Government last year and is organised around 5 Pillars (focused on innovation, SME productivity, skills, labour force participation and a low carbon economy) and 26 “ambitions” or medium-term objectives. Following on from the first Future Jobs iteration in 2019, the intention is that each year Future Jobs will set out the further steps to deliver on these medium-term ambitions with the ultimate goal of increasing the resilience of our economy and future-proofing it.

Future Jobs Ireland provides a very valuable vehicle to the Minister and the Department to influence progressive developments across Government and in other Departments which are supportive of the Minister’s remit and the Department’s mission.

**REGIONAL ENTERPRISE PLANS TO 2020**

[HTTPS://DBEI.GOV.IE/EN/WHAT-WE-DO/BUSINESS-SECTORAL-INITIATIVES/REGIONAL-ENTERPRISE-PLANS/](https://dbeI.gov.ie/en/what-we-do/business-sectoral-initiatives/regional-enterprise-plans/)

The nine Regional Enterprise Plans to 2020, launched in early 2019, are two-year rolling Plans that are focused on enhancing each region’s potential for enterprise growth and job creation. The principle behind the Regional Enterprise Plans initiative is collaboration between regional stakeholders on the identification and delivery of ‘bottom-up’ initiatives that will build on regional strengths, address vulnerabilities and thereby support enterprise development in their region. The Plans are being implemented in each region by an enterprise led Steering Committee comprising a range of stakeholders including: Local Authorities, the LEOs, the enterprise agencies, the Regional Skills Forum, tourism bodies, private sector ‘enterprise champions’, the Higher Education Institutes and others.

**INNOVATION 2020**

[HTTPS://DBEI.GOV.IE/EN/PUBLICATIONS/INNOVATION-2020.HTML](https://dbeI.gov.ie/en/publications/innovation-2020.html)

This is Ireland’s strategy for Research and Development, Science and Technology. The overarching vision in Innovation 2020 is for Ireland to become a Global Innovation Leader driving a strong sustainable economy and a better society. Innovation 2020 sets out the role of innovation in helping to drive economic and jobs growth, increase collaborations between enterprise, higher education institutions and public service bodies to address major challenges.

Enterprise and innovation policies are broad reaching and their formulation and implementation require a whole of government commitment. Although DBEI is the principal governmental advocate for enterprise and innovation, many other government departments play a crucial role in delivering on complementary policy actions to provide an environment that is conducive to job creation and which support the development of a competitive and sustainable enterprise mix, including in the areas of skills and tax, quality of place and essential infrastructures such as broadband and housing. A key priority for the Department in 2020 is to develop a successor to Innovation 2020.

**ENTERPRISE 2025 RENEWED**

[HTTPS://DBEL.GOV.IE/EN/PUBLICATIONS/ENTERPRISE-2025.HTML](https://dbel.gov.ie/en/publications/enterprise-2025.html)

Enterprise 2025 Renewed, published in March 2018, sets out Ireland's medium-term national enterprise strategy. The vision set out is for Ireland to be the best place to succeed in business, delivering sustainable employment and higher standards of living for all. The policy approach set out is focused on building resilience in our enterprise base in the face of global challenges.

Internationally, enterprise policy is evolving towards a "system" approach, with a role of Government acting as a facilitator, coordinator and market creator in addition to an investor. Governments in other countries are increasingly engaging in creating networks, enabling cluster development, addressing coordination failures, and aligning strategic priorities through effective and ongoing dialogue with enterprise. This evolution in enterprise policy internationally informed the formulation of the policy approach set out in Enterprise 2025 Renewed. The strategy has been taken forward through the vehicle of Future Jobs Ireland (see above).

**KEY ECONOMIC STATISTICS**

		Time Frame
Nos. in Employment	2,353,500	@ Q1 2020
Unemployment Rate	5.6%	@ May 2020
Gross Domestic Product (GDP)	+ 4.5%	To Q1 2020
Gross National Product (GNP)	+ 5.5%	To Q1 2020
Consumer Price Index (CPI) (Inflation)	- 0.5%	In 2020

**COVID-19 KEY ECONOMIC STATISTICS**

		Time Frame

Live Register no.	225,662	@ May 2020
Pandemic Unemployment Payment (Number)	543,164	@ May 2020
Temporary COVID-19 Wage Subsidy Scheme (Number)	436,344	@ May 2020
Live Register and COVID-19 Related Payments Total (Number)	1,205,170	@ May 2020

#### CONTRIBUTION OF AGENCY CLIENTS TO THE IRISH ECONOMY

Total Employment (000's) in:	2018	2019
Enterprise Ireland client companies	217.2	221.9
IDA client companies	231.2	245.1
Total EI and IDA:	448.4	466.0
CSO Total Employment (Q1 LFS)	2,320.4	2,372.2

Total Exports € Million	2018	2019
Enterprise Ireland client companies	€25,999	€28,373 (e)
IDA client companies	€218,655	€223,523 (e)
Total EI and IDA	€244,654	€251,896 (e)
CSO Total Exports (Balance of payments)	€396,384	€440,254



## 1.2 Department Management Structure

Dr Orlaigh Quinn  
Secretary General



### DEPARTMENT STRUCTURE

The Department is comprised of seven Divisions. In addition, DBEI has seven Offices and eight Agencies.



### Management Board

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

The Management Board meets weekly, usually on Tuesday morning.

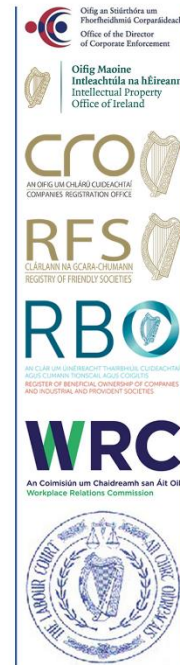
### MINISTERIAL MANAGEMENT BOARD

Currently, Ministerial Management Board meetings take place every week to deal with COVID-19. Prior to this, meetings were held every four weeks. The Minister, the Ministers of State and the Special Advisors to the Minister attend these meetings, along with the members of the Management Board. The Agenda is set by the Minister, who also chairs the meeting.

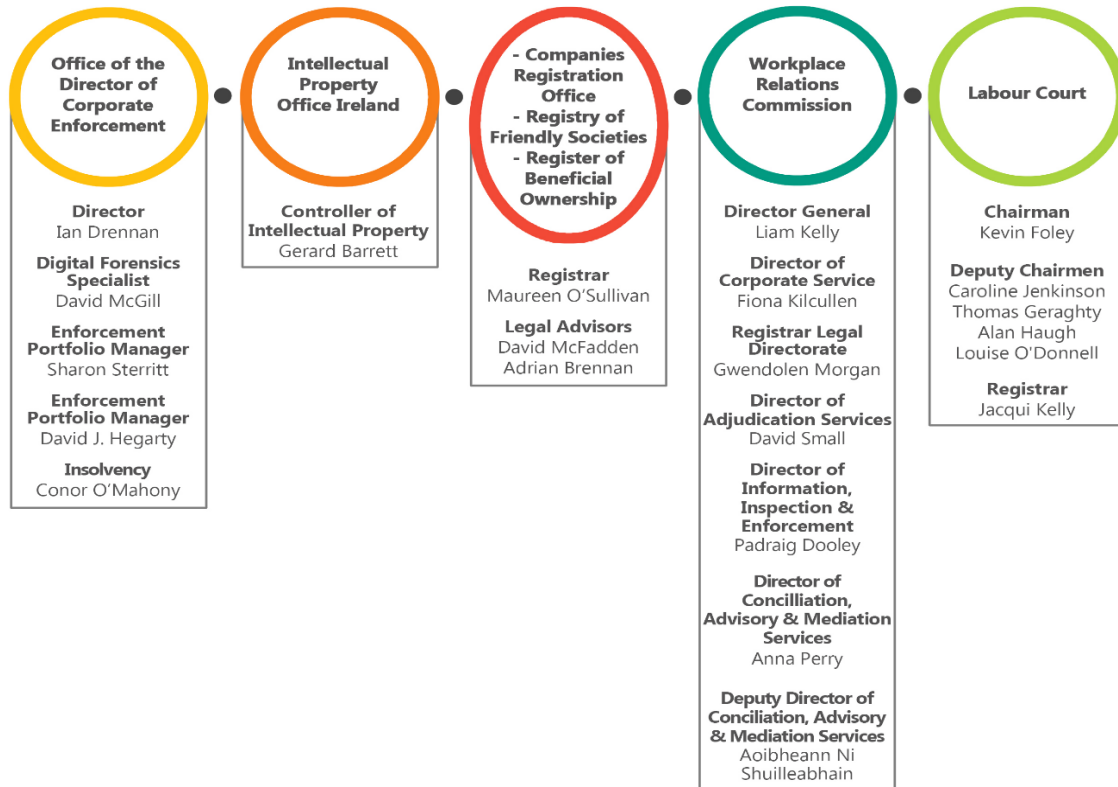
## 1.3 Organisation Chart



## 1.4 Offices & Agencies of DBEI



## Staff of the DBEI Offices



## 1.5 Staffing Numbers and Locations

<b>DBEI AND OFFICES</b>	<b>STAFF</b>
<b>DBEI</b> <ul style="list-style-type: none"> <li>▪ 23 Kildare Street, Dublin 2</li> <li>▪ Block C, Earlsfort Centre, Earlsfort Terrace/Hatch St. Dublin 2</li> <li>▪ 59 Dawson Street, Dublin 2</li> <li>▪ DBEI Staff in Embassies of Ireland Overseas: (London (1); Berlin (1); Washington (1); Beijing (1); Irish Mission to the UN, Geneva (4) and Perm Rep Brussels (6)</li> </ul>	297 137 28 16
<b>COMPANIES REGISTRATION OFFICE INCL:</b> <b>REGISTRY OF FRIENDLY SOCIETIES</b> <b>REGISTRAR OF BENEFICIAL OWNERSHIP OF COMPANIES</b> <ul style="list-style-type: none"> <li>▪ Bloom House, Gloucester St., Dublin 1</li> <li>▪ O'Brien Road, Carlow</li> </ul>	83 51
<b>LABOUR COURT</b> Lansdowne House, Lansdowne Road, Dublin 4	35
<b>WORKPLACE RELATIONS COMMISSION INCL:</b> <b>EMPLOYMENT APPEALS TRIBUNAL</b> <ul style="list-style-type: none"> <li>▪ Lansdowne House, Lansdowne Road, Dublin 4</li> <li>▪ O'Brien Road, Carlow</li> <li>▪ Centre Park House, Cork</li> <li>▪ Clare Technology Park, Ennis, Co Clare</li> <li>▪ Finisklin Business Park, Sligo</li> </ul>	97 61 6 11 10
<b>OFFICE OF THE DIRECTOR OF CORPORATE ENFORCEMENT</b> <ul style="list-style-type: none"> <li>▪ Parnell Square, Dublin 1</li> </ul>	39
<b>INTELLECTUAL PROPERTY OFFICE OF IRELAND</b> <b>(FORMERLY THE PATENTS OFFICE)</b> <ul style="list-style-type: none"> <li>▪ Lower Hebron Road, Kilkenny</li> </ul>	55
<b>TOTAL</b>	<b>926</b>

## AGENCIES AND OTHER BODIES

AGENCIES & OTHER BODIES	STAFF
<b>IDA</b> <ul style="list-style-type: none"> <li>▪ Three Park Place, Hatch Street Upper, Dublin 2</li> </ul>	321
<b>ENTERPRISE IRELAND</b> <ul style="list-style-type: none"> <li>▪ Eastpoint Business Park, Dublin 3</li> </ul>	761
<b>LOCAL ENTERPRISE OFFICES</b> <ul style="list-style-type: none"> <li>▪ 31 Offices Nationwide</li> </ul>	178
<b>SCIENCE FOUNDATION IRELAND</b> <ul style="list-style-type: none"> <li>▪ Three Park Place, Hatch Street Upper, Dublin 2</li> </ul>	63
<b>NATIONAL STANDARDS AUTHORITY OF IRELAND</b> <ul style="list-style-type: none"> <li>▪ Northwood, Santry, Dublin 9</li> </ul>	206
<b>HEALTH &amp; SAFETY AUTHORITY</b> <ul style="list-style-type: none"> <li>▪ Metropolitan Building, James Joyce Street, Dublin 1</li> </ul>	183
<b>COMPETITION AND CONSUMER PROTECTION COMMISSION</b> <ul style="list-style-type: none"> <li>▪ Bloom House, Railway Street., Dublin 1</li> </ul>	110
<b>PERSONAL INJURIES ASSESSMENT BOARD</b> <ul style="list-style-type: none"> <li>▪ Grain House Exchange Hall, Belgard Square North, Tallaght, Dublin 24</li> </ul>	78
<b>IRISH AUDITING &amp; ACCOUNTING SUPERVISORY AUTHORITY</b> <ul style="list-style-type: none"> <li>▪ Millennium Park, Naas, Co. Kildare</li> </ul>	29
<b>INTERTRADE IRELAND</b> <ul style="list-style-type: none"> <li>▪ Newry, Co Down</li> </ul>	39
<b>TOTAL</b>	<b>1,968</b>

The above figures reflect the position as at 31 March 2020.

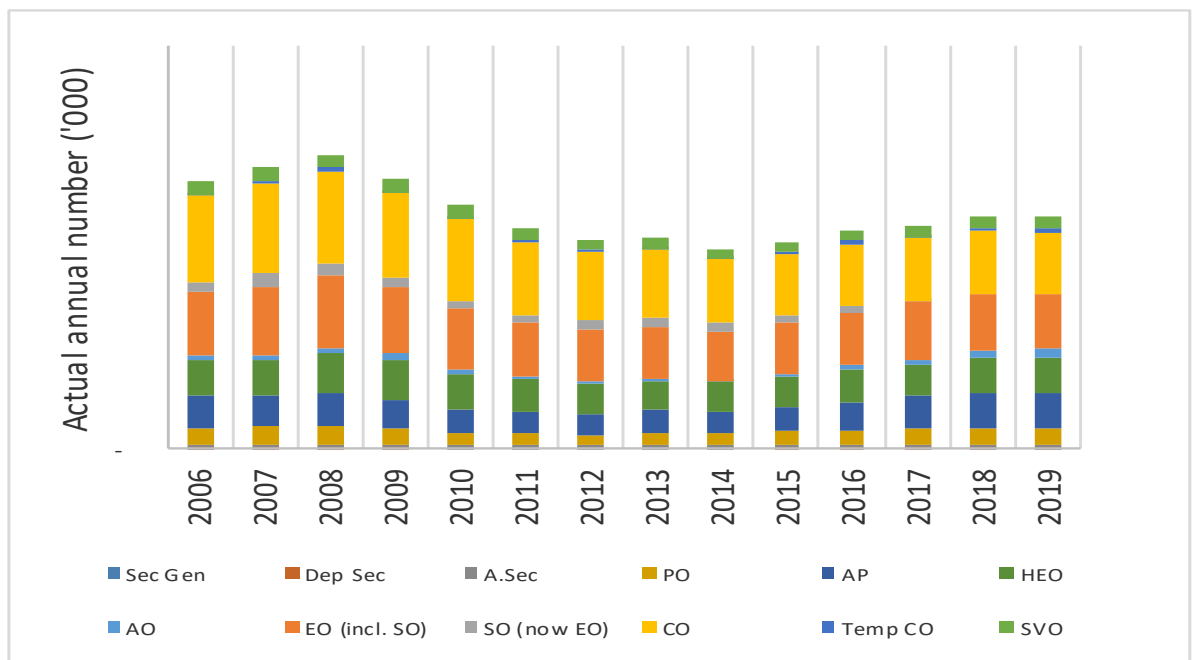
## 1.6 Staff Resources

### SUMMARY

Numbers serving in the Department were reduced after the economic downturn from c.1100 at the end of 2008 to 822.83 (FTE) as at end 17 November 2017, a significant effect of the moratorium on recruitment and promotion and incentivised early retirements. In the intervening years, the Department has seen changes in its structure and mandate, with the transfer out of some of its Employment Affairs related activities to the Department of Employment Affairs and Social Protection and the transfer in of functions formerly carried out by the former State Agency Forfás.

Since 2017, the Department’s workforce has increased by 7% to 880.2 (FTE), which has enabled the delivery of our expanded responsibilities. For example, the Department has worked to prepare business for Brexit; is responding to global challenges on trade, Brexit and the need to diversify into new markets through expanding our global footprint; has and continues to respond to the increased demand for Employment Permits through additional resources and technological and systems change; has delivered the Register of Beneficial Owners; has supported the Personal Injuries Commission; has helped launch and administer the Disruptive Technologies Innovation Fund; created a new Digital Single Market Unit; strengthened a number of small policy units; and is becoming more strategic in our Corporate Service functions.

The table below illustrates the Department’s FTE over the last 13 years:



A significant reform was also introduced as of 1<sup>st</sup> October 2015, with the establishment of the Workplace Relations Commission (merging the former Labour Relations Commission,

National Employment Rights Authority, the first instance functions of the Employment Appeals Tribunal<sup>1</sup> and Equality Tribunal), together with an expanded Labour Court.

During 2015 the Department received delegated sanction for a Staffing Resource Management Framework (SRMF) from the Department of Public Expenditure and Reform (DPER) to manage staffing matters without direct recourse to DPER, whereby the Department may fill vacancies through recruitment and/or promotion in certain specified, designated grades up to and including PO standard or equivalent, subject to the overall pay bill ceiling not being exceeded.

	2015	2016	2017	2018	2019	2020
	D/BEI Pay Ceiling €m	D/BEI Pay Ceiling €m	D/BEI Pay Ceiling €m	D/BEI Pay Ceiling €m	D/BEI Pay Ceiling €m	D/BEI Pay Ceiling €m
Department / Vote Group	158.75	155,067	153,53	164.754	173.396	177.307

The Department of Public Expenditure and Reform (DPER) require Departments to submit a Workforce Plan every three years. This Department completed its Workforce Plan earlier this year, covering the period 2019-2021 and the Plan aims to strengthen the Department's workforce in order to meet the significant challenges that it currently faces, including:

- challenging legislative agenda;
- policy responses required across a wide range of existing and emerging areas, such as - enterprise, regulation, innovation, research and development, trade, and the labour market;
- engagement with EU and International entities; intense stakeholder management;
- ambitious customer service targets;
- as well as working within the new political dispensation.

In addition to this, the decision of the United Kingdom to leave the European Union has, and will continue, to greatly effect and increase the response required from staff across the Department.

The Department's Workforce Plan is also a fundamental part of the Department's Connected HR Strategy 2018-2020 and the integral tool for driving the strategic goal of 'Building our

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<sup>1</sup> The first instance functions of the Employment Appeals Tribunal (EAT) were taken over by the Workplace Relations Commission on 1st October 2015. The EAT appellate functions were transferred to the Labour Court. The EAT has c. 95 cases outstanding as at the end of October 2017..



Workforce to meet our Business Needs’ through learning and development initiatives and supports, as well as technological solutions to support knowledge management across the Department.

The COVID-19 pandemic brought an unprecedented level of challenge to Government and the Department has met those challenges with agility and creativity and a high level of flexibility on the part of our people. The DBEI COVID-19 Response includes 188 new actions across 33 Business Units adding an acutely increased level of governance, activity, tasks and outputs for the teams in those business units. The DBEI budget is forecast to increase from €971m to €1.5bn, both increased activities and higher budgets require an increased level of resourcing to continue to service the response to the pandemic while balancing normal business demands. A workforce planning exercise will take place during Q3 to analyse the increased people requirement that will be needed.

The following headline figures summarises the size of the Department (including the Offices) between 2008 and 2020:

Authorised number end 2008 = 1,102	FTE <sup>2</sup> Numbers serving end 2008 = 1,074.93
Staff in post 31 March 2020 = 926	FTE Numbers serving 31 March 2020 = 880.2

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<sup>2</sup> Full Time Equivalents (e.g. 2 staff working a half week each = 1 FTE post)

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## Section 2: Strategic Issues and Priorities

### 2.1 Key Strategic Issues for the Department

#### A) RESPOND TO COVID-19

- Ensuring that the necessary measures are in place to support businesses impacted by the economic fallout resulting from COVID-19.
- Securing the necessary capital and current budget to continue to meet the needs for business supports and any new measures or increased levels of support introduced.
- Continued outward engagement with business and promotion of information to ensure wide awareness of supports and measures available to assist business in meeting the challenges presented by COVID-19.
- Continued engagement across Government to ensure that the key enterprise concerns are reflected in the policy framework as economic recovery takes place.
- Ensuring appropriate and timely regulatory measures are introduced where required to facilitate response to COVID-19
- Supporting growth and the creation and maintenance of sustainable employment as part of economic recovery.
- Overseeing compliance with the Return to Work Safely Protocol

#### B) RESPOND TO THE CHALLENGES OF BREXIT

- Ensuring DBEI interests are fully elaborated as part of Ireland's negotiating position in the context of the EU/UK negotiations on the future trading relationship and the proper and timely implementation of the Withdrawal Agreement, including the Protocol on Ireland and Northern Ireland;
- Ensuring that the implications of any emerging deal on the future trading relationship and implementation of the Withdrawal Agreement are well understood by the Department, its agencies and stakeholder groups, so that the necessary preparatory actions and supports can be put in place ahead of 1 January 2021;
- Continued outward engagement with businesses on Brexit preparedness actions as well as promotion, via the Department's agencies, of the suite of enterprise supports to encourage active take-up of the available business supports to assist businesses to be best prepared for the post Brexit trading environment.

#### C) MAXIMISE THE BENEFITS TO IRELAND FROM INTERNATIONAL TRADE

- Ensuring that DBEI HQ and missions abroad work to promote the maintenance of the open global trading system. Assisting our agencies to ensure Irish firms exploit the Free Trade deals that the EU negotiates, including through the programme of Ministerial engagements in 2020 and through the greater DBEI staff presence in our biggest markets;

- Support Ministerial engagement in the EU (COMPET and Trade Councils) and in ratification of CETA by the Oireachtas to support Government position on the EU - Mercosur Agreement.

**D) REPRESENT THE DEPARTMENT AND IRELAND'S INTERESTS AT EU AND GLOBAL FORA**

- Ensure the Department's interests are fully represented across the very broad range of EU and international fora (OECD, WTO, WIPO, and ILO) and especially as regards EU initiatives/developments included in the EU Commission's adjusted Work Programme (published 27 May 2020) and in the March package of Commission communications on SME Strategy, Single Market Action Plan, Single Market Barriers Report and the Industrial Policy Strategy. Implementing Progressive Enterprise and Innovation Policies, Strategies and Plans and Ensuring a Competitive Business Environment

**E) IMPLEMENT PROGRESSIVE ENTERPRISE AND INNOVATION POLICIES, STRATEGIES AND PLANS AND ENSURING A COMPETITIVE BUSINESS ENVIRONMENT**

- Ensuring that Ireland's enterprise policy is fit-for-purpose in terms of addressing current and prospective challenges and risks;
- Putting in place the policy frameworks that will enable Ireland to successfully adapt to decarbonisation and digitalisation and exploit the enterprise opportunities that these transitions will give rise to;
- Influencing key Government policies of importance to the enterprise sector in areas such as climate action, skills, digitalisation, infrastructure and taxation;
- Monitoring and diagnosing the competitiveness and productivity performance of the economy and developing policy recommendations to address these;
- Monitoring and evaluating the performance and impact of the Department's expenditure programmes;
- Ensuring that the Department and its Agencies have ambitious Statements of Strategy in place.

**F) MAXIMISE JOB CREATION/RETENTION THROUGH INDIGENOUS ENTERPRISE**

- Delivering on Enterprise Ireland and Local Enterprise Office targets;
- Developing the most effective environment for indigenous companies to start, scale and succeed, through a suite of policies and supports designed to assist and facilitate businesses at all stages of development and growth, from nascent and early stage entrepreneurs to companies of scale trading internationally;
- Maximising the contribution from indigenous enterprises to economic development in terms of business start-ups, exports, and job creation;
- Delivering enhanced access to finance for SMEs, including microfinance, loan credit guarantees, and seed and venture capital;
- Securing the necessary capital budget and human resources to enable Enterprise Ireland to deliver investment, exports and jobs.

## **G) MAXIMISE JOB CREATION/RETENTION THROUGH INWARD INVESTMENT**

- The total number of jobs in IDA client firms now stands at over 245,000, with nearly 14,000 net new jobs created in 2019 alone. IDA client companies account directly for 10.5% of total national employment. The Agency received strong support from the Government over the last five years – its annual budget allocation increased by almost €60 million and staffing numbers at the IDA also increased considerably;
- A key challenge, for both the IDA Ireland and the Department, will be to build upon the progress made since 2015 and consolidate Ireland's FDI strengths through a new Statement of Strategy 2020 – 2024 to be finalised by the end of this year. Regional development will be a particularly important goal in this context;
- While FDI in Ireland is at record heights, it is already clear that international market conditions are more challenging. Potential problems include international trade tensions, a global economic downturn due to COVID-19, the ongoing possibility of a disorderly Brexit and changes to global taxation rules. While it is difficult to forecast the precise impact these factors may have, it can be expected that attracting FDI to Ireland – at least at the record levels of recent years – will become much more difficult, with some commentators projecting a fall of up to 40% in global FDI;
- Managing the response, in FDI terms, to adverse economic and geopolitical developments will become a priority in 2020 and beyond. The IDA will factor these issues into its new strategy, which will include measures to help mitigate any disruption to investment flows.

## **H) BECOME A GLOBAL LEADER IN INNOVATION, RESEARCH AND DEVELOPMENT**

- Development of successor strategy to Ireland's national strategy on research and innovation, Innovation 2020, which is expected to be launched by early 2021;
- Work with SFI on the finalisation of its strategy to 2025;
- Maximise the €500m funding available for the Disruptive Technologies Innovation Fund under the National Development Plan and explore the potential for scaling of DTIF as part of Ireland's ERDF Operational Programme 2021 to 2027;
- Work with EI on the challenge of raising the innovative capacity of indigenous enterprise and, through its programmes, raise the relatively low level of R&D performed by indigenous enterprise.

## **I) ENSURE STRONG BUSINESS REGULATION, CORPORATE GOVERNANCE, CONSUMER PROTECTION**

- Make markets work more effectively for consumers and the economy as a whole through the promotion of keen competition, high standards of compliance and corporate governance and consumer protection but without unnecessary regulatory costs.
- Provide the legislative framework for the structure and operation of companies registered in Ireland, whether domestic or foreign. Ensure a balance between simplifying the day-to-day running of a business; maintaining necessary protections for those dealing with companies, such as creditors and investors and putting in place an effective corporate governance regime to ensure compliance.
- Develop policy relating to and liaison with the Personal Injuries Assessment Board, Irish Auditing and Accounting Supervisory Authority, the Office of the Director of Corporate Enforcement, the Competition and Consumer Protection Commission, the Companies

Registration Office, Office of the Registrar of Friendly Societies, Central Register of Beneficial Ownership of Companies and Industrial and Provident Societies.

#### **J) WORKPLACE REGULATION, ECONOMIC MIGRATION AND HEALTH AND SAFETY IN THE WORKPLACE**

- Deliver positive workplace relations, well-functioning dispute resolution mechanisms, robust enforcement of employment rights, a safe working environment and a responsive and robust economic migration policy aligned with the needs of the economy along with an efficient employment permits process to regulate the entry of individuals from non-EEA countries.
- Ensure that a robust and up-to-date occupational safety and health legislative regime is in place that supports workers in achieving a safe and healthy working life and that supports employers in ensuring that their businesses can operate in a safe, productive and competitive environment. The Department is responsible for the Health and Safety Authority which is leading the overall government response on health and safety in the workforce relating to COVID-19.

## **2.2 Immediate Priorities in the Months Ahead**

#### **A) NEW PROGRAMME FOR GOVERNMENT**

- Identify commitments in the new Programme for Government, where lead responsibility rests with the Department of Business, Enterprise and Innovation, and agree these with D/Taoiseach.
- Implement changes in functions/ responsibilities for the Department, if any, arising from formation of new Government.

#### **B) RESPOND TO COVID-19**

- Complete negotiations with the European Investment Bank Group for phase two of the Future Growth Loan Scheme (FGLS), to expand the scheme by €500 million, and launching the first €200 million tranche of the Scheme in July 2020.
- Expand the SBCI working capital schemes (the Brexit Loan Scheme and the COVID-19 Working Capital Scheme) to meet the needs of SMEs including farmers and fishers, and small mid-caps whose working capital positions have been negatively impacted either by Brexit or by the outbreak of COVID-19
- Put in place measures to extend the Microenterprise Loan Fund Scheme and Microfinance Ireland (MFI) beyond 2022, including recapitalisation of MFI, reviewing its governance structures, raising the lending limit from €25,000 to €50,000 in exceptional cases and amendments to MFI's legislation.
- Develop and launch the €2 billion COVID-19 Credit Guarantee Scheme to provide guarantees of 80% on loans to SMEs, small Mid-Caps and primary producers which have been impacted by COVID-19.

- Engage with the Department of Public Expenditure & Reform to secure necessary additional capital funding to roll out enhancement of schemes and current funding to support our response to COVID-19 across the Department, Office and Agencies.
- Work with the EU Commission on measures under the State Aid Temporary Framework to support companies impacted by the COVID-19 crisis, including representing the Irish position in amendments to the Framework to provide greater flexibility and greater supports for enterprises.
- Work with Granting Authorities (Government Departments, Agencies and Public Bodies) to maximise the opportunities under the new Temporary Framework.
- Work with the Finance for Growth Team in the development of state aid compliant schemes to support businesses during the COVID-19 crisis.
- Work with our own Agencies to both maximise the opportunities and to notify support schemes under the Temporary Framework.
- Support the retail sector through stakeholder engagement and the Retail Consultation Forum, further rollout of the competitive COVID-19 Online Retail Scheme to sustain retail and develop digital capability for recovery.
- Plan/deliver focused communications campaigns in response to COVID-19
- Monitor supply chain continuity issues emerging through regular engagement with the enterprise agencies, the grocery retail sector and other relevant stakeholders.
- Work with other relevant Government Departments as necessary on mitigation of supply chain issues and potential disruption in Ireland and overseas; and feed in to the ongoing work of the Inter-Departmental Group on Supply Chain issues, chaired by Department of the Taoiseach.
- Support the allocation by the IDA of potential grants to client firms under the COVID Products Scheme, given the significant economic benefits the initiative is likely to generate for the Irish economy.
- Monitor and analyse of the re-opening of the economy under the Roadmap for Reopening Society and Business and input to consideration of policy options and supports to promote economy recovery including to the envisaged review of the National Development Plan;
- Monitor compliance with the Return to Work Safely Protocol and identify any necessary amendments/additions in line with public health advice, as the economy opens up, is a key focus for the HSA, which is the lead agency in monitoring adherence to the national Return to Work Safely Protocol
- Respond to Company Law Reform Group (CLRG) consideration of the Companies Act 2014, in light of COVID-19 challenges (received on 25 June 2020).
- Address the case presented by higher education (HE) sector to urgently provide additional funding for researchers who have been unable to access their labs as a result of COVID-19 shutdown.
- Ensure staff in the Department and its Offices have access to the necessary supports and facilities to continue to work effectively from home and to put in place the structures for a phased return to work, at an appropriate time, in a safe manner, and in line with Government policy.
- Work across our 11 locations and with Office of Public Works, to ensure our buildings are “fit-for-purpose” in line with National Return to Work Safely Protocol.

- Develop new methodologies for delivery of learning and development initiatives along with tailoring existing offerings using innovative approaches.
- Ensure that the services of the Workplace Relations Bodies are enabled to continue in the context of the COVID-19 emergency. It may be noted that the Labour Court has already begun a schedule of virtual court hearings and it is anticipated that the WRC will commence virtual hearings in July/August.

### C) RESPOND TO THE CHALLENGES OF BREXIT

- Engage across Government to ensure that the key business concerns in a post Brexit trading environment are taken on board in the context of the EU/UK negotiations on the future trading relationship and the implementation of the Withdrawal Agreement, including the Protocol on Ireland and Northern Ireland
- Ensure DBEI/offices/agencies and stakeholder interests are fully elaborated as part of Ireland's negotiating position in the EU/UK negotiations on the future trading relationship and implementation of the Withdrawal Agreement, and that that the implications of any emerging trade deal are well understood by the Department, its agencies and stakeholder groups, so that the necessary preparatory actions and supports can be put in place ahead of 1 January 2021.
- Awareness raising of Enterprise Ireland's #PrepareforBrexit communications campaign, customs training and financial loan supports, together with preparing contingency supports for a potential disorderly Brexit at end-2020.
- Support EI, the 31 LEOs and NSAI with resources to deliver a strategic response to Brexit
- Encourage Irish companies to prepare for a hard Brexit by improving competitiveness, investing in innovation, diversifying into new market segments and geographical markets and improving financial capability.
- Support business in adjusting to new certification and regulatory requirements in advance of and post-transition of UK from EU
- Support the negotiations on a new Free Trade Agreement with the UK on the key issues of standards for business.
- Work with the EU Commission on measures to support companies impacted by Brexit, including implementation of new food processing scheme agreed by Commission in February 2020.
- Provide support and input to the Brexit Team in the Irish Permanent Representation as part of the negotiations of the future EU-UK relationship, specifically in the area of the Level Playing Field and the State aid element of this objective.
- Support the retail sector to prepare for Brexit to ensure continuity of supply (in particular food supply) through stakeholder engagement and the Retail Consultation Forum.
- Ensure that Irish businesses can avail fully of all EU Single Market opportunities through appropriate regulation including chemicals regulation, market surveillance and accreditation.
- Appoint a new CEO to InterTrade Ireland (ITI), the North-South body tasked with strengthening cross-border commerce.
- Minimise the potential impact arising from Brexit on how industry in Ireland manufactures chemicals, or uses, transports or places chemicals on the market.



- Process and appointment of several UK based Notified Bodies as Irish Notified Bodies by the Minister of Business, Enterprise and Innovation so that they can continue to operate within the EU.

#### **D) REPRESENT THE DEPARTMENT AND IRELAND'S INTERESTS AT EU AND GLOBAL FORA**

- Ensure the Department's interests are fully represented across the very broad range of EU and international fora (OECD, WTO, WIPO, and ILO) and especially as regards EU initiatives/developments included in the EU Commission's adjusted Work Programme (published 27 May 2020) and in the March package of Commission communications on SME Strategy, Single Market Action Plan, Single Market Barriers Report and the Industrial Policy Strategy.

#### **E) IMPLEMENT PROGRESSIVE ENTERPRISE AND INNOVATION POLICIES, STRATEGIES AND PLANS AND ENSURING A COMPETITIVE BUSINESS ENVIRONMENT**

- Review of Future Jobs Ireland in light of the Programme for Government and changed economic circumstances;
- Finalise and agree an Artificial Intelligence strategy;
- Finalise a strategic review of the Department's capital spending.
- Complete a new SME Strategy to implement the OECD Review's recommendations
- Develop a cohesive Entrepreneurship Strategy and Action Plan as follow-up to the OECD Review to support entrepreneurs and businesses to start, to grow and to scale.
- Corporate Social Responsibility – support a business leadership's role in responding to the climate action and the broader sustainable and inclusive development agenda in line with the Sustainable Development Goals and the 2030 Agenda and in particular promoting greater engagement with CSR among SMEs.

#### **F) MAXIMISE JOB CREATION/RETENTION THROUGH INDIGENOUS ENTERPRISE**

- Support the further expansion of EI's global footprint and the rollout of an extensive schedule of EI trade promotion programmes to support exports to the UK and to diversify into new markets
- Ensure that the range of supports are available through our agencies (EI, LEOs, NSAI) as part of the rebooting of our economy and to facilitate the start-up, scaling and internationalisation of Irish businesses
- Expand the range of business supports for micro and small businesses to retain employment and build resilience
- Develop and refocus the Regional Action Plans and Enterprise Plans initiative post 2020, in the context of economic recovery.
- Drive regional enterprise growth through the nine Regional Enterprise Plans and Steering Committees, the roll-out of the €100m Regional Enterprise Development Fund (REDF) successful projects, implementation of the €4.6m Regional Technology Clustering Initiatives and the announcement of successful projects as part of the €17m Border Enterprise Development Fund in mid-2020.



- Work with EI/LEOs in addressing gaps in enterprise supports for non-agency cohorts (e.g. firms with 10-50 employees) in areas such as productivity, growth of domestic companies, internationalisation and climate action and continued productive engagement with EI, the Local Authorities and other stakeholders on strategic direction.
- Progress the development of a new National Design Centre for industrial and services design capacity and skills development to support Irish business into the future
- Support the transformation of the retail sector through calls for proposals under the competitive Online Retail Scheme and with further research and stakeholder engagement through the Retail Consultation Forum.
- Support the development of a new medium-term strategy for NSAI and ensuring it is positioned to support the requirements of Irish-based enterprise

#### **G) MAXIMISE JOB CREATION/RETENTION THROUGH INWARD INVESTMENT**

- Work with IDA Ireland on the finalisation of its new 5-year strategy to attract inward investment and support its implementation in a challenging global environment with continued focus on regional development and sustainable investment growth.

#### **H) BECOME A GLOBAL LEADER IN INNOVATION, RESEARCH AND DEVELOPMENT**

- Develop of successor strategy to Ireland's national strategy on research and innovation, Innovation 2020, which is expected be launched by mid-2021.
- Maximise the €500m funding available for the Disruptive Technologies Innovation Fund under the National Development Plan and explore the potential for scaling of DTIF as part of Ireland's ERDF Operational Programme 2021 to 2027.
- Prepare for call 3 of the Disruptive Technologies Innovation Fund and manage the capital funding allocation of €140m already committed to the 43 successful projects under Calls 1 and 2 of the Fund.
- Work with EI on the challenge of raising the innovative capacity of indigenous enterprise and, through its programmes, raise the relatively low level of R&D performed by indigenous enterprise.
- Work with SFI on the finalisation of its strategy to 2025.
- Minister's participation in the Informal videoconference meeting of Research Ministers, hosted by the German Presidency – 21st July.
- Secure agreement on the EU's R&D fund, Horizon Europe, and its initial work programmes and budgets following the finalisation of the Multiannual Financial Framework (MFF) by the EU Council, EU Commission and EU Parliament.
- Review SFI proposals for North-South Research Centres; Work with SFI on the finalisation of its strategy to 2025 and ensure alignment of SFI strategy with new national Innovation Strategy (successor to Innovation 2020).
- Finalise and commence delivery of the Tyndall National Institute development plan as a Project Ireland 2040 investment priority.
- Appoint a Interim Director of Future Manufacturing Ireland to ensure the coordination, coherence and optimal delivery of research, development and innovation (RD&I) supports for advanced manufacturing in Ireland.



negotiates, including through the programme of Ministerial trade engagements in 2020 and through the greater DBEI staff presence in our biggest markets.

- Complete the an economic and sustainability assessment of the headline EU/Mercosur trade agreement to inform future action in this area.
- At a time of rising protectionism, be clear in our support for free trade, while insisting on high environmental and labour standards and fair-trading practices. Promote European efforts to lead to political, social, economic, and environmental reform around the world.
- Ensure that Ireland's position on trade deals is strongly informed by the need to ensure that all EU international trade deals support the aims of the Paris Climate Agreement.
- Advance Ireland's economic and trading interests in multilateral contexts, including the WTO and OECD.
- Revise Ireland Connected, Ireland's trade and investment strategy, to include the promotion of human rights and environmental protection as key goals.
- Advocate Ireland's Trade Policy interests in the European Commission's Review of the EU's Trade Policy.
- Contribute to negotiations on the legislative proposals of the EU Commission in relation to various Trade Policy Instruments.
- Progress the legislative and regulatory frameworks – including 2 pieces of primary legislation – to overhaul the export control regime and to introduce a new investment screening regime.
- Support Ministerial engagement in the EU (COMPET and Trade Councils); and in ratification of CETA by the Oireachtas.

#### **K) WORKPLACE REGULATION, ECONOMIC MIGRATION AND SAFETY IN THE WORKPLACE**

- Ensure that the Workplace Relations Commission (WRC) and the separate single appellate body, the Labour Court, continue to be sufficiently resourced to deliver a world-class workplace relations service and employment rights framework for employers and employees.
- Develop and progress a series of amendments to the 2015 Workplace Relations Act and the Industrial Relations (Amendment) Act 2015 covering, inter-alia, matters relating to the Labour Court and other matters relevant to the enforcement of employment rights by the WRC
- Engage with the Labour Employer Economic Forum, which is the Governments formal structure for high level dialogue between representatives of employers and workers to discuss economic and social policies insofar as they affect employment and the workplace.
- Monitor and respond to individual industrial relations disputes as they arise.
- Oversee and manage current legal challenges/ Judicial Reviews to IR and WRC legislation and Sectoral Wage Setting in sectors of the economy.
- In particular, respond to the very recent Hight Court ruling declaring Chapter 3, Part 2 of the Industrial Relations (Amendment) Act 2015 governing Sectoral Employment Orders, to be unconstitutional.

- The Workplace Relations Commission will work with An Garda Síochána during 2020 to ensure a smooth transition for all parties in terms of access to the WRC and the Labour Court.
- Manage the continued delivery of an effective employment permits system, designed to maximise the benefits of economic migration and minimise the risk of disrupting Ireland's labour market.
- Progress new consolidated and amended Employment Permits legislation.
- Continue to implement the Recommendations contained in the Report of the Inter-Departmental Group on the Review of the Economic Migration Policy, in particular, to undertake a review of remuneration thresholds for employment permits and a review of fees for employment permits.
- Progress the ratification of two ILO instruments 1) the 1986 amendment to the ILO constitution and 2) the Convention on Ending Violence and Harassment in the World of Work. (First international instrument on this subject, agreed at the International Labour Conference in June 2019, Ireland is committed to the early ratification of the convention).
- Ensure that there is a robust and up-to-date occupational safety and health legislative regime in place that supports workers in achieving a safe and healthy working life and that supports employers in ensuring that their businesses can operate in a safe, productive and competitive environment. The Department is responsible for the Health and Safety Authority.
- Continue to oversee, with the HAS, compliance with the COVID-19 Return to Work Safely Protocol.

#### **L) PROGRESS DBEI LEGISLATION PRIORITIES**

A schedule of DBEI legislation priorities is included in Section 7 of this Brief.

#### **M) ENGAGE IN PUBLIC CONSULTATIONS**

- Lead on European Commission Proposal: New Competition Tool which is intended to address perceived gaps in current EU competition rules (closing 24<sup>th</sup> July 2020)
- Call for views in response to the European Commission's public consultation on the Digital Services Act (closing 24<sup>th</sup> July 2020)

## **N) DELIVERING EFFECTIVE CORPORATE SERVICES SUPPORT TO SUPPORT THE MINISTER AND BUSINESS UNITS ACROSS THE DEPARTMENT**

- Prepare for the Minister's presentation of our Revised 2020 Estimate to the Oireachtas Committee and the subsequent mid-term review of the Estimate by the Committee.
- Co-ordinate discussions/negotiations in relation to 2021 Budget requirements and funding requirements for any significant additional supports required in advance of Budget 2021.
- In the context of COVID-19, ensure staff have access to the necessary supports and facilities to continue to work effectively from home and to put in place the structures for a phased return to work, at an appropriate time, in a safe manner, and in line with Government policy.
- Use workforce planning and engagement with staff to ensure we have a workforce that is fit for purpose optimizing skillsets and matching them to deliver on Departmental goals.
- Effectively manage our knowledge in the Department ensuring we have systems and processes in place to transfer that knowledge against a backdrop of high staff churn.
- Maximise the value of and manage effectively the Department's financial allocation and ensure that funding is well aligned with DBEI's strategic objectives.
- Effectively communicate the work of our Ministers and the Department to our stakeholders, the media and the public and support effective internal communications.
- Work closely with Business Units to deliver focused communications campaigns (e.g. COVID-19, Brexit, EU Free Trade Agreements and Future Jobs Ireland 2020).
- Finalise new ICT strategy (2020-2025) to give strategic direction to the delivery of ICT services over the period.
- Support effective governance across the Department and its Agencies and support the Management Board and Ministers to deliver on reporting responsibilities
- Develop a new Statement of Strategy for the Department.

## **O) STATE BOARD AND OTHER APPOINTMENTS**

- The process for appointments to State Boards was reformed by Government in late 2014 and the HR Manager, through the State Agencies and Pensions Unit, serves as the Department's State Boards Liaison Officer for engaging with the Public Appointments Service (PAS) on the advertising and assessment processes after which lists of potential candidates are made available to the Minister to facilitate his/her making Board appointments.
- The current status of vacancies on the Boards of agencies of the Department is set out in Section 4.5 of this Brief.

## 2.3 Cabinet Committees

### COMMITTEE ON BUSINESS, ENTERPRISE AND INNOVATION

During the 32<sup>nd</sup> Dáil, the Committee on Business, Enterprise and Innovation shadowed the Department of Business, Enterprise and Innovation and provided input into legislation and policy. It also informed debate on the creation and retention of jobs and promoting enterprise and innovation. The committee was renamed during the Dáil term (26/9/17) and was previously called the Committee on Jobs, Enterprise and Innovation.

The work of this Committee ceased with the dissolution of the 32<sup>nd</sup> Dáil.

### OTHER CABINET COMMITTEES

During the 32<sup>nd</sup> Dáil the Minister for Business, Enterprise and Innovation was also a member of the following Cabinet Committees:

<b>Economy</b> Issues relating to the Economy, including Future Jobs Ireland	Taoiseach (Chair)
	Tánaiste and Minister for Foreign Affairs and Trade
	Minister for Finance and Public Expenditure and Reform
	<b>Minister for Business, Enterprise and Innovation</b>
	Minister for Employment Affairs and Social Protection
	Minister for Education and Skills
	Minister for Agriculture, Food and the Marine
	Minister for Communications, Climate Action and the Environment
	Minister for Rural and Community Development
Minister for Transport, Tourism and Sport	
<b>Committee on COVID-19</b> Issues relating to COVID-19 Pandemic	Taoiseach (Chair)
	Tánaiste and Minister for Foreign Affairs and Trade
	Minister for Finance and Public Expenditure and Reform
	Minister for Health
	<b>Minister for Business, Enterprise and Innovation</b>

<p><b>Infrastructure</b></p> <p>Issues relating to Infrastructure, Project Ireland 2040 and Rebuilding Ireland (Housing)</p>	Taoiseach (Chair)
	Tánaiste and Minister for Foreign Affairs and Trade
	Minister for Finance and Public Expenditure and Reform
	<b>Minister for Business, Enterprise and Innovation</b>
	Minister for Housing, Planning and Local Government
	Minister for Communications, Climate Action and the Environment
	Minister for Transport, Tourism and Sport
	Minister for Rural and Community Development
	Minister for Education and Skills
<p><b>Brexit, Foreign and European Affairs</b></p> <p>Issues relating to Foreign and European Affairs, including Brexit and the Global Ireland 2025 Initiative</p>	Taoiseach (Chair)
	Tánaiste and Minister for Foreign Affairs and Trade
	Minister for Finance and Public Expenditure and Reform
	Minister for Justice and Equality
	Minister for Business, Enterprise and Innovation
	Minister for Communications, Climate Action and the Environment
	Minister for Agriculture, Food and the Marine
	Minister for Transport, Tourism and Sport
	Minister for Employment Affairs and Social Protection
Attorney General	

## 2.4 Key Events in Minister's Diary: July 2020 – June 2021

Month	Date	Meeting / Appointment	Location
June	W/c 29	Publication of Enterprise Ireland's Annual Report 2019	n/a
	30	Presentation of Department's 2020 Restated Revised Estimate 2020 to the Dáil	Dublin
July	1 TBC	Launch and announcement of Enterprise Ireland's Annual Business Review (Export Performance Results) 2019 and overview of outlook/challenges for 2020	Press announcement & conference
	W/c 1/6 TBC	Announcement of successful applicants of the COVID-19 Online Retail Scheme and opening of new call for applications	Press announcement & photography
	7	Opening of call for applications for 2 x Competitive Start Funds: All Sector and Women in Business	Press announcement & photography
	7	Announcement of new Challenge Funding - SFI Future Innovator Calls (Food Security and Plastics)	Press release
	8	Launch of 2019 IDA Annual Report and 2020 Mid-year results	IDA HQ, Dublin 2
	16	EU-African Union Ministerial meeting on Research and Innovation	VC
	21 22-23	Informal Meeting of EU Research Ministers Informal Competitiveness Council (Internal Market and Industry)	VC
*see note	24 TBC	Intermediate Ministerial Meeting of Formal Competitiveness Council (Research) (Space) EU/ESA Space Council	Lisbon
	TBC	North South Ministerial Council Plenary Meeting – date tbc, expected in July or Sept.	Dublin Castle
	TBC	Announcement of SFI Frontiers for the Future Awards	
	TBC	Publication of SFI Annual Report 2019	Dublin
	TBC end July	Announcement of COVID-19 Rapid Response Research & Innovation Projects	



<b>August</b>	TBC	Announcement of Science Week Festival Funding – support for regional festivals.	
<b>September</b>	15-17	National Ploughing Championships (Ploughing Championship going ahead but exhibition cancelled this year)  Announcement of successful applicants of the Enterprise Ireland Innovation Arena Competitive Start Fund for the Agri-tech Sector  Innovation Arena Virtual Awards (TBC)  LEOs: Local Enterprise Village  Health and Safety Authority – Farm Safety Arena	Fenagh, Co. Carlow  Press announcement & photography
	20-21	Informal EU Trade Council meeting	Berlin, Germany
*see note	24	Formal Competitiveness Council (Internal Market and Industry)	Brussels
*see note	25	Formal Competitiveness Council (Research)	Brussels
	TBC	Mid Term Review of the 2020 Estimate by the Joint Oireachtas Committee on Business Enterprise and Innovation	Dublin
	TBC	North South Ministerial Council Plenary Meeting – date tbc, expected in July or Sept.	Dublin Castle
	TBC	Launch of DTIF Call 3	TBC
<b>October</b>	5	Enterprise Ireland International Markets Week – Virtual Event to include keynote speaker and panelists webinar and press briefing	Virtual Event
	8	LEOs: National Enterprise Awards 2020 (postponed from May 2020)	Mansion Hs. Dublin
	TBC	Budget 2021	Dublin
	9	NISO Conference and Annual National Safety Awards Gala Dinner (TBC – might be moved to January 2021)	Gr.Southern Hotel, Killarney
	14	LEOs: National Women’s Enterprise Day	Multiple Venues
	21	Ministerial Conference on the European Research Area	Bonn, Germany

	22-23	Informal Competitiveness Council (Internal Market and Industry)	Bonn
<b>November</b>	9	European Council Ministerial Foreign Affairs Council (FAC) Trade <i>(Expected to be moved back to December but date not yet announced)</i> .	Brussels
	8 TBC	SFI Science Summit and Annual Awards	
	8-15 TBC	National Science Week 2020 – including celebration of 25 Years of Science Week	
	19	Formal Competitiveness Council (Internal Market and Industry)	Brussels
*see note	20	Formal Competitiveness Council (Research) (Space) EU/ESA Space Council	Brussels
	TBC	D9+ Ministerial Meeting	Finland
<b>December</b>		European Council of Trade Ministers expected to be moved from 9 November into December but date not yet announced.	Brussels

<b>In Planning – Dates to be confirmed</b>			
<b>July - Dec</b>	TBC	Brexit Events – workshops, client briefings	
<b>Sept - Dec</b>	TBC	Enterprise Ireland's Irish Advantage Trade Promotion Events to include keynote speakers and panel discussions on the innovation coming through from Irish businesses and the opportunities open to International buyers – virtual events/ webinars (TBC)	
<b>Sept - Dec</b>	TBC	Enterprise Ireland Ambition Events to include keynote speakers and panel discussions on opportunities for Irish businesses in overseas markets – virtual events/webinars (TBC)	
<b>To note</b>	TBC	Enterprise Ireland - a schedule of International Trade Missions and overseas buyer events for Q4 2020 and 2021 are currently in planning.	

<b>2021</b>			
<b>January</b>	TBC	Enterprise Ireland's End of Year Statement announcement on job figures for 2020	Press conference
	24-27	Design & Crafts Council of Ireland: Showcase - Ireland's Creative Expo LEOs: Local Enterprise Showcase	RDS Dublin
<b>February</b>	TBC	Announcement of results of DTIF Call 3	TBC
<b>March</b>	TBC	Local Enterprise Week - LEOs (Nationwide)	Multiple events
<b>May</b>	19-20	European Council of Trade Ministers	Brussels
	TBC	Student Enterprise Awards National Final (second level students)	Croke Park
<b>June</b>	TBC	World Trade Organisation (WTO) Twelfth Ministerial Conference – MC-12	Nur-Sultan Kazakhstan

\* Note: In the past Ministers of State have attended the Competitiveness (and Research) meetings of the European Council.

## 2.5 Department Estimate 2020

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

The original 2020 Revised Estimate as published in December 2019 provided for a gross allocation for the Department for 2020 of €970.9 million. This included funding for the Department, its Offices and its Agencies and represented an increase of 2% on the Department's 2019 gross allocation of €950.237 million.

In addition, the 2020 REV provided for a carryover of €42.15 million in unspent capital monies from 2019 into 2020. (The 2019 Revised Estimates Volume permitted the Department to carry over €27.6million in unspent capital monies from 2018 to 2019).

Since the publication of the Estimate in December, Government has approved a further €483 million in capital funding for the Department to enable it to roll out the suite of COVID-19 supports. The effect of this additional funding is that the Department's Revised Estimate now provides for a gross allocation of €1.4539 billion. The Table below provides a comparison between the Department's 2020 December and June Estimates and its 2019 Estimate broken down as and between Capital and Current funding.

	2019 REV	2020 DEC REV	2020 JUNE REV
<b>Capital</b>	€620 million	€632 million	€1.115 billion
<b>Current</b>	€330.2 million	€338.9 million	€338.9 million
<b>Total Allocation</b>	€950.2 million	€970.9 million	€1.4539 billion

The 2020 allocation of €1.4539 billion will be allocated as follows:

- €1.115 billion in Capital monies to support enterprise & research grants to Enterprise Ireland, IDA Ireland, Science Foundation Ireland, the Local Enterprise Offices, the Disruptive Technologies Innovation Fund and also to fund discrete access to finance supports such as SCBI Loan Schemes, Micro finance Ireland, Credit Guarantee Scheme etc
- €177.307m on payroll costs to cover staffing of 900+ posts in the Department and its Offices and 1,750+ employed across the agencies.
- €109.254m in non-pay programme expenditure e.g. day-to-day running costs of the Department, Offices & Agencies. Non-pay also covers Ireland's subscriptions to certain international memberships organisations.
- €52.347m in Pensions costs, primarily for retired employees of the enterprise agencies.

**DBEI CURRENT EXPENDITURE****Comparison of Current Expenditure 2020 v 2019**

	REV 2019	DEC AND JUNE 2020 REVS
PAY	€173.396m	€177.307m
PENSIONS	€50.223m	€52.347m
NON-PAY	€106.618m	€109.254m
TOTAL	€330.2m	€338.9m

The BEI Current (gross) provision of **€338.9m** represents **0.54%** of the total 2020 Exchequer Current expenditure provision of €62.2billion.

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

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

The additional **€8.7m** in current funding secured for the Department for 2020 is intended to provide for additional pay and pensions money arising from increases due under the Public Service Stability Agreement (approx. €3.45m) The remaining additional €5.31m is by way of a Brexit package of pay and non-pay monies to enable the Department and its enterprise and regulatory bodies and agencies to undertake

- Brexit specific recruitment in the regulatory bodies and the Agencies
- Targeted Brexit information campaigns and soft supports; and
- Expansion of the Agencies global footprint to continue to promote Ireland as a leading destination for FDI, trade and research

**DBEI CAPITAL****Comparison of Capital Expenditure 2020 v 2019**

	2019 REV	2020 DEC REV	2020 JUNE REV
<b>CAPITAL</b>	€620 million	€632 million	€1.115 billion

The Department's capital allocation as per the June Revised Estimate has increased by some €483 million (76%) over the allocation published in the December REV and by €495 million (80%) over the 2019 REV allocation.

The vast majority of this additional capital funding (€483 million) is to fund the discrete enterprise and access to finance supports that have been rolled out by the Department and its Agencies in recent months and weeks in response to the COVID-19 crisis. The other capital funding is essentially to support the grant activities of the enterprise agencies, primarily Enterprise Ireland, IDA Ireland, Science Foundation Ireland and the Local Enterprise Offices well as Ireland's subscriptions to a number of international research

organisations, such as the European Space Agency, the European Southern Observatory etc.

The bulk of the enterprise grant operations are multi-annual programmes spanning over 3 to 6 year periods and take-up on agency grants is usually dependent on industry demand and activity in the economy. The Capital provision in any given year is substantially utilised for prior commitments on existing multi-annual awards. The indicative “headroom” for new capital grant business undertakings in a given financial year tends to be c. 15% of the agency’s capital provision. Therefore, it is not the case that the Department has c. €600m+ at its disposal each year to fund new grant supported business.

Aside from the specific COVID-19 capital funding, the other additional €12m in capital funding secured in REV 2020 will allow the Department to provide for:

- €10m to roll out the second phase of the Disruptive Technology Innovation Fund; and
- €2m to support the refresh of the second phase of the SFI Research Centres.

#### **2020 ‘NO DEAL’ BREXIT CONTINGENCY FUND**

Budget 2020 made provision for a Contingency Fund of €650m to be made available in the event of a No Deal Brexit to support enterprises/sectors most impacted should the UK leave without an agreement. Whilst it is not known at this stage whether or not an agreement will be reached in relation to the manner in which the UK will leave the EU, it is likely that should a deal not be possible significant supports will be required to assist those enterprises most exposed to a No Deal outcome.

#### **AGENCY OWN RESOURCE INCOME**

In addition to Exchequer funding, several of the Department’s Agencies, most notably Enterprise Ireland, IDA Ireland and the National Standards Authority of Ireland generate Own Resource Income (ORI) from a range of their activities. The retention of the ORI by the Agencies is subject to annual sanction from the Minister for Public Expenditure & Reform. Typically, the quantum of annual ORI generated and retained for use by the agencies has been in the €100m - €150m range in recent years. However, the quantum of ORI generated in 2020 may well be affected by the ongoing COVID-19 crisis which has impacted on business operations and which could have budgetary implications for the Agencies concerned.

#### **INCOME RECEIVED BY THE DEPARTMENT (“APPROPRIATIONS-IN-AID”)**

A number of the Department’s Offices, such as the Companies Registration Office, Intellectual Property Office and Employment Permits area of the Department provide services to the public with a fee generation element. Unlike ORI, the Department does not retain and use Appropriations-in-Aid, these are returned to the Exchequer and “netted off” against the Exchequer gross allocation to the DBEI Vote. Typically, this is in the region of €55m per annum. Again the quantum of AinAs that the Department may receive in 2020 may also be affected by the ongoing COVID-19 crisis which could in turn adversely impact the net exchequer allocation to the DBEI Vote.

## YEAR END OUTTURNS OF EXPENDITURE

The Department's exchequer allocation is made up of approximately 65% in capital funding and 35% in current funding. The majority of the capital funding supports the Department's enterprise development and innovation programmes and the current funding supports the operations of the Department, its Agencies and Offices. For the past number of years the Department has only spent in the region of 95% of its exchequer allocations. In this regard the net expenditure outturn for 2019 was €870.29m which represents an underspend of €54.27m (5.5%) on the net exchequer allocation of €924.56m (including €27.6m in carryover). The net outturn for 2018 was €779.24m which represented an underspend of €39.7m (4.8%) on the net exchequer allocation of €818.961m. The majority of these underspends have been in the area of capital expenditure and have arisen due to a number of factors, not least the particular nature of the Department's Capital Programmes and also the ability of a number of the Department's Agencies to generate their own income thus reducing their need to draw on the allocations provided to them by the exchequer.

The Department's Capital Programmes are in the main, demand led and are typically multi-annual, usually over a 3 to 4 year period. Grant expenditure on these Programmes is, therefore, dependent on client companies adhering to, and delivering on, certain terms/conditions associated with the grant(s), e.g. delivering certain number of jobs, or export sales. Good corporate governance in relation to the public finances means that grant funding cannot nor should not be paid out until expenditure claims have been submitted by the client companies and properly vetted. Furthermore, some client companies will choose to submit their funding requests when it best suits the client company's own cashflow needs. The consequence is that DBEI's Enterprise Agencies are not always in full control of all elements relating to expenditure across their grant programmes which can result in the expenditure on such Programmes, whilst being fully subscribed, being drawn down over a longer period than was anticipated which in turn can give rise to underspends on the Vote.

In terms of Agency Own Resource Income (ORI), a number of the Department's Enterprise Agencies, notably Enterprise Ireland (EI) and IDA Ireland, have the ability to generate their own income from investments that they make through certain programmes funded from their exchequer capital allocations. For example, in EI's case, it takes equity shares in the companies it supports. EI is permitted, subject to the approval and sanction of Minister for Finance & PER, to retain and use ORI in support of enterprise development. The last number of years were good years for EI's investments with significant quanta of additional ORI (i.e. additional to the amounts sanctioned for EI's use by D/PER) generated by year end. Under the public expenditure rules, EI is required to expend ORI before it draws down Exchequer funds. Accordingly, this surfeit of ORI meant that EI did not need to call on its full exchequer capital allocations and consequentially resulted in savings on the EI Subhead and also on the Vote.

Aside from the aforementioned capital savings, there have also been underspends in the Department's current expenditure allocations in recent years, albeit much more modest in scale. In this regard, there was an underspend of €5.9m on the Department's 2019 current expenditure allocation. The majority of this underspend related to pay and reflects difficulties in recruiting staff to fill specialist vacancies in the Department and in its Offices and Agencies.

The use of the aforementioned capital and current underspends to the benefit of the Department were the subject of Budget and end year discussions with D/PER. Arising from these discussions, approval was secured that an element of the savings could be used for redistribution by way of Supplementary Estimates to other priorities on the Vote. In this regard the Department by means of technical Supplementary Estimates (i.e which do not require additional funding being provided by the exchequer) redistributed some €26.37m in savings to other priorities in its 2018 Supplementary Estimate and a total of €15.28m in the 2019 technical Supplementary Estimate. These savings allowed the Department to fund important initiatives such as the Future Growth Loan Scheme.

The Finance Act 2004 also permits Departments to carry over unused unspent capital monies (subject to such monies being not more than 10% of the Department's overall capital allocation) in any particular year for use by the Department concerned in the following year. The Department secured the agreement of D/PER for the carryover of unspent capital monies of €27.6m in 2018 for use into 2019 and for the carryover of unspent capital monies of €42.15m in 2019 for use in 2020. The carryover and use of these unspent capital monies has enabled the Department to roll out particular initiatives in terms of additional Brexit, innovation supports etc.

As advised, the pattern of unspent capital monies on the DBEI Vote in the last number of years has enabled the Department with the agreement of DPER to redistribute these savings to other priorities by means of technical Supplementary Estimates. The current crisis means that rather than underspending its capital allocation, the Department will most likely need significant additional capital funding this year beyond the additional €483 million provided in the June REV and this is likely to require a substantive rather than a technical Supplementary Estimate later in the year.



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## Section 3: DBEI COVID-19 Response

All Divisions of the Department have been fully engaged in responding to the COVID-19 challenge and this work is outlined throughout the Divisions sections. In addition, a dedicated COVID-19 Response Unit was established on 13<sup>th</sup> March. The Unit is responsible for supporting Ministers and Management Board in ensuring a coordinated and coherent approach is taken to COVID-19 issues and challenges across the Department. The Unit is headed by a Principal Officer who is supported by five Assistant Principals and their teams. All members of the Unit have been temporarily reassigned in order to support the critical workload arising during the pandemic

In supporting the work of the Department and in helping to achieve coherence and clarity, the Unit has responsibility for the **coordination of information** on the Department's response to COVID-19, collating the range of activities across the Department and informing Management Board and colleagues of these activities. A detailed table of actions setting out the activity under each of the headings set out below is attached at Appendix A and further details are provided in Section 4 - Key Issues by Division.

- Assisting the Health Service and the National Effort
- Economic Recovery
- Access to Finance
- Business Support & Advice
- Retail Sector
- Supply Chain
- Construction
- Consumer Protection
- Health and Safety of Workers
- Enterprise Engagement
- Regulatory Issues
- Trade & International Engagement
- Corporate Activity

As part of its coordination function, the Unit, in consultation with Business Units across the Department, compiles the COVID-19 business supports table, which provides details of enquiries received, applications submitted, and the number and value of approvals made for each support/scheme. A table outlining these details is published on the DBEI website weekly and data is also provided to the Department of An Taoiseach for weekly briefings. A copy of the table at 26<sup>th</sup> June 2020 is attached at Appendix B.

A table outlining these details can be found at:

<https://dbei.gov.ie/en/Publications/Publication-files/Take-up-of-DBEI-COVID-19-Business-Supports.pdf>

The Unit also operates a call centre for businesses, providing information on COVID-19 business supports and other relevant information. Enquiries from business by phone call and email include topics such as access to finance, business supports, income supports, and reopening of businesses and services. The call centre data is tracked and monitored, and

trends, issues and/or challenges arising are fed back to the relevant business units so that any appropriate action can be taken if required.

The Unit has responsibility for serving the political system, with input and support from colleagues in the relevant business units, on areas including:

- coordination and development of replies to Parliamentary Questions where replies require input from three or more Divisions;
- coordination and preparation of briefing and speaking material for Minister's appearances during COVID-19 Dáil Statements;
- coordination and preparation of briefing and speaking material for Secretary General's appearance before Oireachtas Committees;
- coordination and development of replies to COVID-19 related Ministerial representations addressing matters where replies require input from three or more Divisions;
- coordination and provision of briefing and replies for Opposition spokespersons where required.

## Section 4: Other Key Issues by Division

The following sets out in summary the key policy and related issues across the Divisions within the Department.

### 4.1 Indigenous Enterprise, SME's & Entrepreneurship Division

Declan Hughes, Assistant Secretary



#### BUSINESS UNITS & HEADS IN THE DIVISION (PRINCIPAL OFFICER)

Enterprise Agencies and Programmes Unit	Thomas Murray
Entrepreneurship, SME & NSAI	Conor Verdon
Regional Enterprise Plans and Enterprise Initiatives	Céline McHugh
Finance for Growth and State Aid	Jean Carberry

#### AGENCIES

Enterprise Ireland	Julie Sinnamon – CEO
National Standards Authority of Ireland	Geraldine Larkin – CEO

#### ASSOCIATED BODIES

Design and Crafts Council of Ireland	Rosemary Steen – CEO
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#### ROLE OF THE INDIGENOUS ENTERPRISE, SME'S AND ENTREPRENEURSHIP DIVISION

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

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

This includes direct interventions such as the provision of Microfinance and Loan Guarantees, as well as working with the agencies, Enterprise Ireland (EI), 31 Local Enterprise Offices (LEOs), the Design and Crafts Council (DCCOI) and the National Standards Authority of Ireland (NSAI) to ensure their supports are relevant and aligned to the evolving needs of business.

The development and promotion of entrepreneurship and small and medium enterprises (SMEs) and on ensuring we are taking all the actions needed to start, grow and scale indigenous businesses is a key priority for the Department. The SMEs sector came in to the COVID-19 crisis in a position of improving performance and recovery from the global downturn over the last decade, but businesses across all indigenous sectors have significantly impacted by the lockdown in recent months and fall in global demand.

Ireland has a diverse and competitive business ecosystem and our SMEs play a vital role our economy and society and in regional and local development, jobs and prosperity. SMEs provide jobs and prosperity in every town, village and rural community. Over seven of every ten of our workers are employed by an SME, which highlights the crucial importance of Ireland's indigenous businesses to resilience and growth in every region. Micro, small and medium sized businesses account for 99.8% of all businesses in Ireland. SMEs and entrepreneurs are central to our national ambitions for generating broad-based growth and prosperity in every part of the country. We have a diverse SME ecosystem, of innovation driven enterprises, high-growth and high-technology, family-owned, rural and urban based, owner-managers, traditional sectors, and a diverse profile of business owners. Today, Enterprise Ireland client companies employ over 221,895 people. Irish-owned companies are highly integrated into the Irish economy. They account for 90% of all business in Ireland, and 49% of employment and over €23bn of exports. However, the productivity performance of the domestic non-exporting enterprise base lags that of exporting firms and multinationals.

To support our economic recovery and get people back to work, and as set out in the Programme for Government we need to build the resilience of our SMEs and achieve a significant step up in levels of entrepreneurship, productivity and innovation in the economy and as a small open economy, to dramatically improve the success of our small and medium enterprises in international markets. In October 2019, the OECD published their detailed review of Ireland's SME and entrepreneurship performance, potential and policy framework, which was commissioned by the Department and evidence-based recommendations in that Review would be of significant benefit to the SME sector. The OECD conclude that Ireland is a successful generator of high-growth firms and our SMEs are innovative and that attitudes to entrepreneurship are also positive overall. The OECD review has identified where supports for entrepreneurs and small businesses in Ireland are working well and where they need to improve.

In addition to short terms supports to help SMEs to manage through the coming months, the areas for improvement include a stronger focus on building local entrepreneurship ecosystems, the extension of productivity, scaling and internationalisation supports to small business employing 10 and 50 that are not currently clients of the Local Enterprise Offices or Enterprise Ireland, greater support to transformation in the retail sector, deepening and

scaling our clustering initiatives and areas of specialisation, sharpening our focus in access to finance and funding for growth and financial literacy and the critical focus on management development, diversity in business, standards and corporate social responsibility. Our continued focus on supporting early stage entrepreneurship and start-ups is critical, as is the need to ensure that policies across Government are aligned to support the scaling and internationalisation of all companies with the potential to develop and sell high value-add products and services into overseas markets.

## **THE KEY PRIORITIES FOR THE INDIGENOUS ENTERPRISE, SMES AND ENTREPRENEURSHIP DIVISION INCLUDE:**

### **SUPPORTING BUSINESSES THROUGH COVID-19 AND BREXIT**

- Expand the range of business supports for micro and small businesses to retain employment and build resilience
- Awareness raising of Enterprise Ireland's #PrepareforBrexit communications campaign, customs training and financial loan supports, together with preparing contingency supports for a potential disorderly Brexit at end-2020.
- Supporting EI, the 31 LEOs and NSAI with resources to deliver a strategic response to Brexit
- Encouraging Irish companies to prepare for a hard Brexit by improving competitiveness, investing in innovation, diversifying into new market segments and geographical markets and improving financial capability.

### **ENTERPRISE AGENCIES AND PROGRAMMES**

- Ensuring that the range of supports are available through our agencies (EI, LEOs, NSAI) as part of the rebooting of our economy and to facilitate the start-up, scaling and internationalisation of Irish businesses
- Overseeing the management and development of the agencies and monitoring their performance in accordance with their Oversight and Performance Delivery Agreements (OPDAs)
- Working with EI/LEOs in addressing gaps in enterprise supports for non-agency cohorts (e.g. firms with 10-50 employees) in areas such as productivity, growth of domestic companies, internationalisation and climate action and continued productive engagement with EI, the Local Authorities and other stakeholders on strategic direction.
- Progressing the development of a new National Design Centre for industrial and services design capacity and skills development to support Irish business into the future.

### **SME PRODUCTIVITY, INNOVATION AND GROWTH**

- Completing a new SME Strategy to implement the OECD Review's recommendations
- Engaging on a structured basis with SME stakeholders to ensure issues for small and medium businesses are being addressed.
- Ensuring business have ready access to information on supports available through SupportingSMEs.gov.ie

### **ENTREPRENEURSHIP, START UPS AND SCALING AGENDA**

- Developing a cohesive entrepreneurship strategy and action plan as follow-up to the OECD Review to support entrepreneurs and businesses to start, to grow and to scale.

- Supporting the further expansion of EI's global footprint and the rollout of an extensive schedule of EI trade promotion programmes to support exports to the UK and to diversify into new markets

#### NSAI

- Supporting the development of a new medium-term strategy for NSAI and ensuring it is positioned to support the requirements of Irish-based enterprise
- Supporting business in adjusting to new certification and regulatory requirements in advance of and post-transition of UK from EU
- Supporting the negotiations on a new Free Trade Agreement with the UK on the key issues of standards for business.

#### REGIONAL ENTERPRISE DEVELOPMENT

- Development and refocus of the Regional Action Plans and Enterprise Plans initiative post 2020 in the context of economic recovery.
- Driving regional enterprise growth through the nine Regional Enterprise Plans and Steering Committees, the roll-out of the €100m Regional Enterprise Development Fund (REDF) successful projects, implementation of the €4.6m Regional Technology Clustering Initiatives and the announcement of successful projects under the €17m Border Enterprise Development Fund in mid-2020.

#### ACCESS TO FINANCE AND LIQUIDITY FOR COVID-19

- Completing negotiations with the European Investment Bank Group for phase two of the Future Growth Loan Scheme (FGLS), to expand the scheme by €500 million, and launching the first €200 million tranche of the Scheme in July 2020.
- Expanding the SBCI working capital schemes (the Brexit Loan Scheme and the COVID-19 Working Capital Scheme) to meet the needs of SMEs including farmers and fishers, and small mid-caps whose working capital positions have been negatively impacted either by Brexit or by the outbreak of COVID-19
- Putting in place measures to extend the Microenterprise Loan Fund Scheme and Microfinance Ireland (MFI) beyond 2022, including recapitalisation of MFI, reviewing its governance structures, raising the lending limit from €25,000 to €50,000 in exceptional cases and amendments to MFI's legislation.
- Developing and launching the €2 billion COVID-19 Credit Guarantee Scheme to provide guarantees of 80% on loans to SMEs, small Mid-Caps and primary producers which have been impacted by COVID-19.

#### STATE AID

- Working with the EU Commission on measures under the State Aid Temporary Framework to support companies impacted by the COVID-19 crisis, including representing the Irish position in amendments to the Framework to provide greater flexibility and greater supports for enterprises.
- Working with Granting Authorities (Government Departments, Agencies and Public Bodies) to maximise the opportunities under the new Temporary Framework.
- Working with the Finance for Growth Team in the development of state aid compliant schemes to support businesses during the COVID-19 crisis.
- Working with our own Agencies to both maximise the opportunities and to notify support schemes under the Temporary Framework.

- Working with the EU Commission on measures to support companies impacted by Brexit, including implementation of new food processing scheme agreed by Commission in February 2020.
- Coordinating State aid Policy at national level, including training across government departments and agencies and secure the best outcomes for Ireland in European State Aid Modernisation negotiations and review of State aid regional maps.
- Providing support and input to the Brexit Team in the Irish Permanent Representation as part of the negotiations of the future EU-UK relationship, specifically in the area of the Level Playing Field and the State aid element of this objective.

#### **CORPORATE SOCIAL RESPONSIBILITY**

- Supporting business leadership's role in responding to the climate action and the broader sustainable and inclusive development agenda in line with the Sustainable Development Goals and the 2030 Agenda and in particular promoting greater engagement with CSR among SMEs.

#### **RETAIL SECTOR**

- Supporting the transformation of the retail sector through calls for proposals under the competitive Online Retail Scheme and with further research and stakeholder engagement through the Retail Consultation Forum.
- Supporting the retail sector to prepare for Brexit to ensure continuity of supply (in particular food supply) through stakeholder engagement and the Retail Consultation Forum.
- Supporting the retail sector through the COVID-19 pandemic, through stakeholder engagement and the Retail Consultation Forum, further rollout of the competitive COVID-19 Online Retail Scheme to sustain retail and develop digital capability for recovery.

#### **SUPPLY CHAIN CONTINUITY**

- Monitor supply chain continuity issues emerging as a result of the ongoing COVID-19 pandemic through regular engagement with the enterprise agencies, the grocery retail sector and other relevant stakeholders.
- Work with other relevant Government Departments as necessary on mitigation of supply chain issues and potential disruption due to the ongoing COVID-19 pandemic in Ireland and overseas; and feed in to the ongoing work of the Inter-Departmental Group on Supply Chain issues chaired by Department of the Taoiseach.

#### **KEY ISSUES WITHIN EACH BUSINESS UNIT OF THE DIVISION:**

##### **Finance for Growth and State Aid – Jean Carberry**

Finance is needed at every stage of the business development lifecycle, from start-up to growth and expansion. Access to Finance/Finance for Growth has been an issue for Irish business for many years, including well before the economic downturn; of particular note was an almost complete dependence on debt finance from the main banks. From 2011, Government action was targeted at SMEs whose finances were cut off by the collapse in the banks. The Unit is responsible for developing and implementing solutions to address market failures that are limiting the ability of SMEs and small midcaps to access appropriate financing to support their growth ambitions.



### FUTURE GROWTH LOAN SCHEME (FGLS)

The Future Growth Loan Scheme, which was launched in Q2 2019, makes up to €300 million of loans available with a term of 8-10 years to businesses with up to 499 employees and the primary agriculture (farmers) and seafood sectors to support strategic long-term investment with a view to underpinning increased productivity, innovation activity, competitiveness, sustainability and growth amongst these businesses. The costs for the scheme are provided for through DBEI and the Department of Agriculture, Food and the Marine (DAFM) on a 60:40 basis. The maximum interest rate is capped at 4.5% for loans up to €249,999 and 3.5% for loans greater than or equal to €250,000. These rates represent a significant saving compared with the prevailing rates (c. 7.5%) that are otherwise being offered for similar loans on the market. Loans range from €100,000 (€50,000 for farmers) to €3 million per eligible business, with unsecured loans up to €500,000. The scheme is operated by the Strategic Banking Corporation of Ireland (SBCI) through Bank of Ireland, AIB, Ulster Bank and KBC.

As at 12 June 2020, 1,069 businesses and farmers have been sanctioned for loans under the Scheme, for an amount of €231.56 million. However, based on their pipelines, all of the participating banks have signaled that they are at or near capacity on the Scheme, although a recent review has released additional capacity through one of the lenders of circa €30m.

**Priority for 2020:** Prior to the onset of the COVID-19 crisis, there was evidence of significant unmet demand for the FGLS, and eligibility applications have steadily increased through the period of disruption caused by COVID-19. Government have approved a €500 million expansion of the scheme, and work is underway to bring this to bring this €500 million in lending to market as soon as possible, with a first tranche of €200 million to be launched in July. The release of the remaining €300 million is subject to the enactment of the Microenterprise Loan Fund Amendment Bill 2020, which was published on Friday 12 June.

### LOANS FOR MICROENTERPRISES

Microfinance Ireland (MFI) was established in 2012 under the Microenterprise Loan Fund Act 2012 to provide small unsecured loans (€5000 to €25000) to sole traders and micro-enterprises. From inception, to end Q4 of 2019, MFI approved 2,402 loans, to a value of approx. €34.0m, and from which 5,500 jobs were created or sustained. The COVID-19 Loan was introduced in response to the COVID-19 crisis, which provides loans of up to €50,000 with reduced interest rates for microenterprise impacted by the crisis. There has been large uptake on this loan with 581 loans approved for a value of €15.6 million to 26<sup>th</sup> June.

#### **Priority for 2020:**

Ensure that MFI has access to funding to meet this unprecedented demand for its product by amending legislation to enable it borrow funds from the Strategic Banking Corporation of Ireland and permit additional grant funding be made available by the Department. It is also a key priority to review the governance structure of MFI and to ensure it has adequate staffing to meet the additional workload generated by increased loan applications. The drafting and enactment of legislation may be required to implement the findings of the Governance Review.

### CREDIT GUARANTEE SCHEME

The Credit Guarantee Acts 2012 and 2016, and Schemes made thereunder, fall under the Minister's remit. In the lifetime of the Schemes to 31<sup>st</sup> March 2020, approx. €151 million in



credit guarantee scheme loans was sanctioned for 863 SME's. The Scheme, which is available through AIB, Bank of Ireland and Ulster Bank, supports lending to SMEs having difficulty in accessing credit under normal lending criteria, with loans ranging from €10,000 to €1 million.

**Priority for 2020:**

The Government on 2<sup>nd</sup> May announced a new €2 billion COVID-19 Credit Guarantee Scheme as a further development of the existing Credit Guarantee Scheme (CGS) already available from AIB, BOI and Ulster Bank.

This Scheme forms a major component of the government's strategy to aid SMEs in these difficult times by providing critical support to ensure businesses are facilitated in having access to credit facilities to assist a return to a more regular trading environment. It will provide an 80% guarantee on lending to SMEs until the end of this year, for terms between 3 months and 6 years. The guarantee can be used for a wide range of lending products between €10,000 and €1 million that have a maximum term of 6 years or less.

The implementation of this Scheme will require primary legislation, the drafting of which has been approved by Government, and Department officials are working with the Office of the Parliamentary Counsel on this drafting work.

**BREXIT WORKING CAPITAL LOAN SCHEME**

The Brexit Loan Scheme, which launched in 2018, and runs to March 2021, is a loan guarantee scheme for eligible businesses with up to 499 employees that need relatively short-term credit to address working capital challenges brought about by Brexit. Funding under the scheme is offered at a maximum interest rate is 4% - a significant saving compared with the prevailing rates that are otherwise being offered for similar loans on the market. Loans range from €25,000 to €1.5 million per eligible business, with terms ranging from 1-3 years. No security is required for loans of €500,000 or less. The scheme is operated by the SBCI through AIB Bank of Ireland and Ulster Bank. As at 9 June 2020, 271 businesses have been sanctioned for loans under the Scheme, for an amount of €54.74 million.

The scheme initially made available a fund of up to €300 million, however funding under the scheme has been repurposed to address urgent lending needs arising from the COVID-19 through the COVID-19 Working Capital Scheme. It will remain a priority to ensure that appropriate working capital is made available to businesses negatively impacted as a result of the UK's departure from the EU. If necessary, this may entail the reallocation of lending currently available under the COVID-19 Working Capital Scheme.

**COVID-19 WORKING CAPITAL SCHEME**

The €200 million COVID-19 Working Capital Scheme, which opened for eligibility applications on 23 March 2020, is a loan guarantee scheme for eligible businesses with up to 499 employees that need relatively short-term credit to address working capital challenges brought about by the outbreak of COVID-19. Given the urgent need for support in response to the COVID-19 crisis, the scheme was established using repurposed funding from the Brexit Loan Scheme and the loan features are similar. The scheme is operated by the SBCI through AIB Bank of Ireland and Ulster Bank. As at 26 June, 559 businesses have been sanctioned for loans under the scheme, for an amount of €68.2 million.

**Priority for 2020:**

The COVID-19 Working Capital Scheme is a vital resource for businesses as they seek to address the impacts of COVID-19. Uptake has been steady since the scheme opened and it is expected that more businesses will seek funding as they approach reopening. The unit recently finalised a €175 million addition to the scheme (€50 million based on a further repurposing from the Brexit Loan Scheme and €125 million of new lending bringing the total funding available under the scheme to €375 million.

**SEED AND VENTURE CAPITAL (“SVC”) SCHEME**

The Department supports the seed and venture capital sector through the Enterprise Ireland Seed and Venture Capital (“SVC”) Scheme, which was launched to improve access to finance for small and medium sized enterprises and to further develop the Seed and Venture Capital industry in Ireland. This 2019-2024 S&V Scheme is the 5th iteration in this area, preceded as it was by 3 comparable Schemes over the periods 1994-1999, 2000-2006, and 2007-2012 2013-2018.

The overall aims of the current SVC scheme (2019-2024, with funding of €175m) are to:

- Act as a catalyst to attract private capital into Irish start-up and early-stage companies in high growth and innovative sectors that have been targeted for growth as part of our wider enterprise strategy;
- Increase employment, output and exports in assisted firms;
- Incentivise investment from international syndicates into Irish companies; and
- Maximise potential European Investment Fund (EIF) seed and venture capital investment in Irish firms

The first call under the Scheme for €100 million was fully subscribed in 2019.

**Priority for 2020:**

Develop second call under the Scheme for the remaining €75m, to incentivize seed and venture investments that support wider Enterprise policy.

**PROMPT PAYMENTS POLICY**

Late payments are a critical issue for businesses in Ireland, particularly SMEs for which cash flow disruption can mean the difference between solvency and bankruptcy. Initiatives already introduced and supported by this Department, at both national and EU level, to combat this issue include the 2009 rule whereby all Government Departments must pay their suppliers within 15 days of receipt of a valid invoice, extended in 2011 to include the wider Public Sector, the implementation of the EU Late Payment Directive and launch of the portal [www.promptpayment.ie](http://www.promptpayment.ie) on best practice between businesses and suppliers, improving cash flow, and driving change in payment culture.

**Priority for 2020:**

The Unit is focusing on engagement with larger companies and multinationals with large numbers of suppliers, through the promotion of prompt payments as a corporate social responsibility initiative.

**INVESTEU**

The InvestEU Programme provides for a single EU investment support mechanism for the 2021-2027 MFF. It will integrate and simplify the financial offer under a single budgetary guarantee scheme.

**Priority for 2020:**

To prepare for the availability of funding under the SME window of InvestEU, in order to maximise Irish drawdown over the period of the InvestEU programme.

**FINANCIAL AWARENESS AMONG SMES - BUSINESS FINANCE ADVISORY HUB**

Low financial awareness among SMEs has been identified by the OECD as a key inhibitor with regard to the ability of SME's to access appropriate financing to meet their business needs.

**Priority for 2020:**

To support enterprises in this regard, the Unit is planning to develop an on-line Business Finance Advisory Hub. The Hub will provide online content and signposting to help business build their financial acumen as well as direct businesses towards suitable options for accessing finance.

**HARD-BREXIT SUPPORTS FOR ENTERPRISE.**

In addition to the Brexit Loan Scheme and the Future Growth Loan Scheme, the Unit has developed a suite of financing supports for enterprises which will be deployed in the event of a hard Brexit, working with Enterprise Ireland, MFI, SBCI and the LEOs. The supports have been designed to meet the liquidity, restructuring and transformation needs of exposed businesses and sectors.

**Priority for 2020:**

The Unit will continue to monitor the extent that businesses are impacted by, and preparing for Brexit and which supports businesses are availing of, including:

- Continue to maintain up to date information on the uptake of, and expenditure on, Brexit preparedness supports; and,
- Manage the 6 monthly Behaviour & Attitudes DBEI Brexit Survey, which provides up-to date insights on the impact of Brexit on SMEs and the preparedness of SMEs for Brexit.

Based on this work, the Unit will develop further Brexit supports for businesses as appropriate.

**State Aid Policy and National Coordination – Jean Carberry**

The State Aid Unit is currently focused on providing support to Granting Authorities in response to the COVID-19 outbreak. To date three schemes have been approved by the EU Commission under the State Aid Temporary Framework (adopted to enable MS to support their economies respond to this crisis) i.e. the Sustaining Enterprise, the Restart Grant and the COVID-19 Products schemes. In addition, work is ongoing on the repositioning of existing supports including the COVID-19 Working Capital and the Future Growth and Loan schemes and availing of the greater flexibilities under the Temporary Framework to expand the Credit Guarantee Scheme.

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

compliance with State aid rules, State Aid Unit does provide guidance and assistance where feasible. The unit also provides State aid training across Government. More than 200 people attended training in 2019.

The unit also leads the Irish participation in the Brexit State aid technical working group, which was put in place by Commissioner Margrethe Vestager to scope out what is possible within the existing State aid guidelines to provide supports for enterprises impacted by the UK's decision to leave the EU. Part of this process has been to sensitise DG Comp to the Irish situation including the need for possible flexibilities to develop other targeted supports for businesses impacted by Brexit depending on the outcome of negotiations during 2020.

Key priorities for 2020 include:

Supporting DBEI colleagues, our agencies and granting authorities in their response to the COVID-19 crisis.

- The Level Playing Field will be an important issue over the coming months in the negotiations of the future EU-UK relationship. Ensuring robust safeguards in the area of State Aid is an important element in the overall objective of ensuring open and fair competition through common standards. The State aid unit worked closely with colleagues in the Brexit Unit of the Perm Rep in the preparation for the Article 50 Seminar on the Level Playing Field which took place in January 2020 and attended the Seminar to provide expert state aid support to the Brexit Unit at the meeting.

These negotiations will be a priority over the next months and the State aid unit will continue to work with the Brexit Units both in DBEI and Brussels in this context. Cion will be seeking dynamic alignment for the UK with EU rules in the area of State aid and Ireland is very much in support of this position.

- The European Commissioner for Competition, Ms. Margrethe Vestager, assured the then Minister for Business, Enterprise and Innovation, at a meeting in January 2019, that the Commission stands ready to act, as required, and to this end, an emergency team has been put in place in DG Competition made up of State aid experts, should emergency action be required. The State aid unit will manage this process.
- The next round of State Aid Modernisation (SAM) negotiations will take place during 2020 and 2021 in advance of the new system of State Aid rules being implemented in 2022, including potential changes to State aid regional maps. The State aid Unit will act on behalf of Ireland and coordinate across departments and agencies in these negotiations. These negotiations are particularly important to smaller countries like Ireland who benefit greatly from State aid rules.

### **SME and Entrepreneurship Policy Unit – Conor Verdon**

The role of the SME and Entrepreneurship Policy Unit is to maintain a key focus on the needs of entrepreneurs and small business and to ensure that the interests of Irish enterprise are considered in the development and execution of policy initiatives at national and international level.

The Unit leads on policy analysis and advice for entrepreneurship and small business in Ireland as part of our overall enterprise policy, with a view to improving the national framework conditions for entrepreneurs and start-ups as well as indigenous enterprise. The Unit also represents Ireland at EU and OECD levels regarding SME and entrepreneurship agendas. The Unit acts as Secretariat to the SME and Entrepreneurship Consultation Group of stakeholders and utilizes the output of the Group to assist in the development of a SME and Entrepreneurship strategy for Ireland. The Unit also maintains and promote the online resource tool **SupportingSMEs.gov.ie** website and chairs the associated Interdepartmental SME Communications Group.

The priorities for the Unit for 2020 include:

- Developing a new SME and Entrepreneurship Strategy;
- Ensuring the voice of small business is deliberated across Government policy through the SME & Entrepreneurship Consultation Group;
- Engaging and representing the Department and Ireland's position at both EU and OECD level small business agendas;
- Driving a "Think Small First" principle across other Government Departments and Agencies when drafting new or updating current legislation; and,
- Promoting awareness of all supports available to SMEs and entrepreneurs in Ireland, including through SupportingSMEs.gov.ie and the development of a new App for business.

#### **SME AND ENTREPRENEURSHIP STRATEGY FOR IRELAND**

In March 2018, the Department commissioned the OECD to conduct a Review of SME and Entrepreneurship Policies in Ireland. The Review was conducted over an 18-month period with extensive participation from DBEI, wider Government, agencies, academia, business representatives, small businesses and entrepreneurs. The OECD Country Review was launched on the 31 October 2019 and the Department is working through the key recommendations to progress to early agreement on a new strategy and action plan for Ireland.

One of the early recommendations was the establishment of a Ministerial led SME and Entrepreneurship Policy Working Group, headed by the Indigenous Enterprise Division of DBEI and consisting of designated SME/Entrepreneurship focal points in relevant departments and agencies and including business owners from the SME and Entrepreneurship community. The SME and Entrepreneurship Consultation Group held its inaugural meeting in March 2019. It is through this avenue that the recommendations received from the OECD will be progressed and deliberated to formulate a new SME and Entrepreneurship Strategy for Ireland in 2020.

The Unit will continue to liaise closely with the OECD as we develop our new Strategy as members of the *OECD Working Party on SME and Entrepreneurship*, which is entrusted with examining the nature and scale of issues and policies at the national and international levels pertaining to SMEs (including micro-enterprises) and entrepreneurship. DBEI maintains a good working relationship with the OECD through its attendance and active participation in OECD-led events and projects. This relationship provides DBEI with international policy expertise, as well as shared learning from other OECD member countries, with which to augment SME and entrepreneurship policy initiatives in Ireland.

### **SME STRATEGY AND SME ENVOY NETWORK**

As part of the new European Commission's Work Programme, the EU published and adopted their new SME Strategy in March this year. The strategy "An SME Strategy for a sustainable and digital Europe" puts forward actions based on the following three pillars:

- Capacity-building and support for the transition to sustainability and digitalisation
- Reducing regulatory burden and improving market access; and
- Improving access to finance

DG Grow is leading on this work within the Commission. The Department engaged with DG Grow as part of this process, including through our participation on the EU SME Envoy Network, to ensure that Ireland's priorities were reflected in the Strategy process.

The role of SME Envoy was established in 2011 and was previously led in Ireland at Minister of State level. In recent years, it has been held by a senior official in the Department, as is now the case in most Member States. Conor Verdon, the Principal Officer in the SME and Entrepreneurship Policy Unit, currently represents Ireland on this group. Member States nominate a national SME Envoy to complement the role of the European Commission's SME Envoy, which has traditionally been the Commissioner having responsibility for SMEs, although an appointment has not yet been made under the new Commission. The SME Envoy Network focuses on strategic issues related to the Small Business Act (SBA) implementation and provides an integral view on EU policy, which may have an impact on EU SMEs. Together with representatives of EU-level SME business organisations, the Network of SME Envoys make up the SBA advisory group. The SME Envoy Network also reports to the Competitiveness Council in relation to progress on the implementation of the SBA across Member States. With the UK's withdrawal from the EU, the importance has grown for increased networking and forming new alliances through the SME Envoy Network.

### **"THINK SMALL FIRST" AND SME TEST FOR NEW LEGISLATION AND REGULATIONS**

The EU's Small Business Act is an overarching framework to improve the approach to entrepreneurship in Europe, simplify the regulatory and policy environment for SMEs, and remove the remaining barriers to their development. The SBA is driven by the "Think Small First" Principle.

Taking the lead from the "Think Small First" Principle, in 2017 the Department developed an easy user-friendly SME Test to assist Irish policymakers to consider the implications of legislation on small business and investigate possible thresholds to alleviate the burden on SMEs. This test was successfully piloted within DBEI in 2018 and rolled-out across government during 2019. In July 2019, a Ministerial request was made by DBEI to all Government Departments asking that they too implement the SME Test when drafting new or updating current legislation. Take up and implementation of the SME Test will be monitored going forward.

### **SME APP**

Building on the Department's *SupportingSMEs.gov.ie* web portal, the Unit is currently exploring the concept of creating an SME App to increase awareness of, and access to, supports for business, in a single, accessible, and easy to use resource for small businesses and stakeholders. This will make an important practical contribution towards the policy goals of increasing SME productivity, competitiveness and resilience. It is intended that the App



will provide information on the range of supports, with direct links to the relevant agency or organisation, and structured in a way which is easy to navigate. The potential for including a resource tool in relation to management and financial aspects of running a small business is also being explored as part of this project.

### **Standards Policy and NSAI Liaison Unit – Conor Verdon**

The NSAI Liaison Unit is the primary point of contact between the Department and the National Standards Authority of Ireland (NSAI). The unit carries out the Department's oversight role in relation to NSAI's Exchequer financing, staffing and recruitment and corporate governance, as well as providing policy support to the NSAI on standards and other areas of EU legislation. The unit provides all necessary administrative support to the Minister on matters related to the NSAI. The Principal Officer in the NSAI Liaison Unit, Conor Verdon, represents the Department on the Board of NSAI, and also currently sits on the Audit and Risk Committee of the Board. The next meeting of the Board is due to take place on 30 June, by video conference.

The Unit has regular engagement and act as the Irish representative at EU Committee meetings in the areas of Committee on Standards, Mutual Recognition Committee and Technical Regulations Committee.

The key priorities for the NSAI Liaison Unit for 2020 are:

- Supporting the development of a new NSAI Strategy, reflecting the Department's policy and strategy for NSAI's future role in developing standards in Ireland and in providing certification and metrology services to businesses in Ireland;
- Supporting NSAI in helping businesses deal with Brexit exposures and in the development of mitigation measures; and,
- Actively engaging in the EU-UK Free Trade Agreement negotiation process in Brussels and Dublin.

#### **NEW NSAI STRATEGY AND DEPARTMENT INPUT – OUR VISION FOR NSAI'S ROLE**

NSAI will prepare and adopt a new Strategy in 2020, to guide its work over the coming three years. The Department will engage in this process, including through identifying priorities as to how NSAI can optimally contribute to the enterprise agenda, to innovation, in particular among SMEs, and to driving the adoption of Standards, and the associated improvements in quality, productivity, and market appeal, among Irish businesses.

#### **SUPPORT NSAI HELPING BUSINESSES ADDRESS BREXIT EXPOSURES AND ROLLING-OUT MITIGATION MEASURES**

The Department will continue to support and drive the thorough work already well underway within NSAI to ensure awareness of the implications from Brexit, among the agency's clients and stakeholders, including through engagement at Brexit events, and targeted awareness raising. The Department will continue to work closely with NSAI to monitor the evolving position in the context of Brexit.

#### **EU-UK FREE TRADE AGREEMENT – STANDARDS ISSUES**

NSAI Liaison Unit is fully engaged in the preparatory process, both at Dublin and Brussels levels, for the negotiation of the EU-UK Free Trade Agreement (FTA). We will continue to participate actively in the Goods stream of the negotiations, in conjunction with appropriate colleagues within DBEI, and across Government, with a focus on the provisions of the FTA dealing with Standards, technical harmonisation, certification, and conformity assessment.

#### **STANDARDS DEVELOPMENT IN NEW TECHNOLOGY AREAS**

NSAI has a key public good role in standards development and adoption work as part of Future Jobs, Climate Action Plan, Artificial Intelligence Strategy, Industry 4.0 and the new Innovation Strategy. NSAI Liaison Unit will continue to facilitate the engagement of the NSAI with ensuring the prominence of Standards development in the context of emerging policy areas, for example Artificial Intelligence, Internet of Things, and Blockchain, and including the context of new cross-Government Strategies and initiatives.

#### **MEDICAL DEVICE CERTIFICATION SERVICES**

A key priority for 2020 is ensuring that NSAI is positioned to provide certification services to Irish based exporting medical device companies in view of a changing regulatory environment (MDSAP, MDR, IVDR). The new EU Medical Device Regulation (MDR) will come into force in May 2021 (the implementation date was postponed by a year from May 2020, due to the challenges of the COVID-19 crisis), and the Department will ensure that NSAI is adequately prepared and resourced to provide certification to Irish companies in this vital economic sector, as an approved body for the purposes of the Regulation.

#### **APPOINTMENT OF BOARD MEMBERS TO NSAI**

Four vacancies arose on the NSAI Board in April 2020, due to the expiry of the terms of a number of Board Members. The process for appointing the new Board Members is being conducted by the Public Appointments Service (PAS). The application phase has closed, and the selection panel, on which the Department is represented, is due to assess the applications during June, with a view to submitting a shortlist to the Minister from which the final appointments can be made.

### **Enterprise Agencies and Programmes Unit – Thomas Murray**

The core objective of the Enterprise Agencies and Programmes Unit is developing and supporting high performance in enterprise and a strong indigenous enterprise base through our governance and liaison responsibilities for Enterprise Ireland and the LEOs and enabling them to deliver a range of programmes and services across the regions.

The key priorities for 2020 include:

- Overseeing the management and development of Enterprise Ireland and the Local Enterprise Offices and monitoring their performance in accordance with their Oversight and Performance Delivery Agreements (OPDAs) and Service Level Agreement (LEO network).
- Ensuring that a range of supports and services are available through EI and LEOs to facilitate the rebooting of our economy, start-up, scaling and internationalisation of Irish businesses and balanced regional support and services.



- Encouraging Irish companies to prepare for external challenges such as Brexit and climate change by improving competitiveness, investing in innovation, diversifying into new market segments and geographical markets and improving financial capability.
- Overseeing EI/LEO interface with EU/UK negotiations and Brexit readiness and contingency planning (including border stimulus package).
- Supporting EI and LEOs with appropriate resources to deliver a strategic response to relevant aspects of the new Programme for Government and Brexit including staff resources, both domestic and overseas.
- Overseeing the National Design Forum which brings together representatives from stakeholder groups across the design sector, including business, education and technology.
- Developing a National Design Centre to improve the competitiveness of indigenous companies by increasing access to design services, integrating design capability and increasing investment in design innovation.

#### BREXIT/COVID 19 CHALLENGES AND SUPPORTS

Addressing the ongoing challenges, threats and indeed opportunities presented by both Brexit and COVID-19 will remain a significant endeavour throughout 2020 and beyond. Enterprise Ireland's Brexit response consists of immediate engagement, advice and information, including around financial aspects; supporting firms in the UK market and to diversify to third markets; and; helping clients to become more competitive and innovative through a range of operational excellence and lean programmes. However, many of the supports and Schemes originally devised for the Brexit challenge have been re-purposed in addressing emerging COVID-19 crisis.

The supports focus is on the recovery and reboot phase response in helping viable businesses to reopen safely, to trade their way out of current difficulties and build resilience over the next 12 months. The phased reopening of the economy will continue to severely stretch liquidity of impacted firms and Agency business supports are focused on mentoring and financial planning supports, access to liquidity and Investment Finance, including the €100m MicroFinance Ireland COVID-19 Loan Fund (available through the LEOs), Enterprise Ireland's €180m Sustaining Enterprise Fund (€800k offer, Small Enterprise €50k, in repayable advances), digitalisation of Enterprise, LEOs Trading Online Voucher Scheme and the Retail Online Scheme, sustaining our Entrepreneurship Ecosystem including supports for EI's High Potential Start-Up Sustaining Enterprise Fund, the LEOs Start Your Own Business and Feasibility Supports and additional supports for regional Hubs, Enterprise Centres and Incubation Centres and promoting remote working with the National Association of Community Enterprise Centres to promote remote and hub working.

Under COVID-19 supports, DBEI is leading on the roll-out of the **Restart Grant** through the Local Authorities. Impacted firms that are in rateable premises can apply to their local authority for grant support of between €2,000 and a maximum of €10,000 equivalent to their rates bill of 2019. As of 5th June, 20,335 applicants had been received and 15,000 approved. Sanction was received by DBEI on 29th May and initial funds of €200m were transferred to EI on 5th June, and following receipt of signed SLAs from all of the Local Authorities on 9 June, these funds are being transferred to the LAs.

These targeted supports that have been developed by the Department in collaboration with EI and the LEOs will be available to companies of all sizes including micro enterprises,

SMEs, sectors most exposed with a focus on food, manufacturing and internationally traded services including exporters and importers.

#### **AGENCY BREXIT CUSTOMS SUPPORT**

A suite of training and other supports have been in place to address deficits in handling customs processes, for example: Enterprise Ireland (EI) developed a 45-minute online course available to all businesses which aims to give companies a good understanding of the key customs concepts, documentation and processes required to succeed post-Brexit. The Local Enterprise Offices (LEO) established one-day customs workshops throughout the country, which aim to provide businesses with a better understanding of the potential impacts, formalities and procedures when trading with the UK post-Brexit. In August 2019, the previous Government launched the Clear Customs initiative which was designed by industry for industry to prepare for new customs requirements post Brexit. In addition, DBEI has provided a €3 million fund for eligible businesses to apply for a Customs Financial Support payment through Enterprise Ireland of up to €6,000 per employee that completes the training programme to help support extra costs to manage customs compliance including purchase of necessary software (up to maximum of 10 employees per company).

#### **ENTERPRISE IREALND STRATEGY**

The principal challenge facing EI is to maintain or improve on the level of performance over recent years against a backdrop of Brexit, compounded by the COVID-19 crisis and an uncertain global economic climate. This currently is being addressed through the Board's existing Strategy 2017-2020 which sets out the following key targets:

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

Discussions will ensue between the Department and EI concerning the formulation of EI's new Strategy 2021-2024 and targets in the context of our Regional enterprise strategy and development of a new SME and entrepreneurship strategies and within the general framework of the overall Brexit and ongoing COVID-19 challenges. In that context, the Department will support increased collaboration and new approaches between EI and the LEOs in terms of the optimal pathway for growing our indigenous enterprise base and towards increased productivity. The strategy must also engage with ongoing developments in climate change, AI, Industry 4.0, innovation etc.

#### **LOCAL ENTERPRISE OFFICES: DELIVERING JOBS AT LOCAL LEVEL**

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

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

This SLA is now due to be reviewed and discussions have commenced between the Department and EI as to how efficiency and greater capacity and staffing expertise can be introduced to the overall LEO network

The LEO Budget, managed by EI, and through a special LEO Budget Committee (on which the Department is represented) is approx. €38 m per annum; consisting mostly of Capital grants and other supports such as training and mentoring. Overall the LEO project so far has been successful. So far over 36,000 jobs are attributable across the LEO network with almost 3,200 net jobs created in 2019 (provisional). Current priorities are to:

- Strengthen the LEO portfolio management and client engagement approach
- Continue to implement consistent and coordinated national communications and awareness campaigns.
- Deliver an upgraded LEO customer relationship management system (CRMS)
- Continued productive engagement with the Local authorities on strategic direction in the context of a full review of the LEO service level agreement
- Continued collaboration with other actors, such as DCCAE through the Trading Online Vouchers Scheme, and MicroFinance Ireland, etc.
- Continued engagement by the LEOs with clients affected by Brexit and COVID-19
- Ongoing review of LEO programmes and initiatives as our entrepreneurship and SME policies evolve and in the context of the new Programme for Government

### **Regional Enterprise Plans, Enterprise Initiatives – Céline McHugh**

The Regional Enterprise Plans and Enterprise Initiatives Unit leads the Department's initiatives in relation to Regional Enterprise Plans and related initiatives. The Regional Enterprise Development Fund; development of the retail sector through the work of the Retail Consultation Forum; and growing Corporate Social Responsibility (CSR) within the business community.

Currently, the Unit is focused on the implementation of the nine Regional Enterprise Plans to 2020 which launched at the start of 2019; roll-out of the Regional Enterprise Development Fund which has approved €100m across 68 regional enterprise projects to date; exploring developmental objectives for the retail sector with the Retail Consultation Forum in the context of the impacts of COVID-19 and the rapid (digital) transformation of retailing; working with the grocery retail and distribution sector on COVID-19 and Brexit preparedness and supply chain continuity; overseeing implementation of Ireland's National Plan on Corporate Social Responsibility 2017-2020 "Towards Responsible Business"; and extending awareness of CSR within the Public Sector.

Through the work of the Unit, the Department is involved in a variety of related cross-Departmental and stakeholder initiatives, including the National Forum on Business and

Human Rights; the Interdepartmental Group for Island Development; the Atlantic Economic Corridor Taskforce; North-West Strategic Growth Partnership; Rural Action Plan; Project Ireland 2040 advisory panel for Rural and Urban Regeneration and Development Funds, and emerging agendas relating to EU funding and smart specialisation etc. The Unit represents the Department as the Irish Government representative to the European Commission's Cluster Expert Group. The Unit's CSR team is leading on the DBEInnovation 'TeamCSR' initiative which is shaping the Department's own CSR approach.

The strategic issues for 2020 include:

- Through the implementation of Regional Enterprise Plans to 2020, adding value to the core activities of the enterprise agencies in each region through collaborative, bottom-up enterprise development and regional ecosystem strengthening initiatives to help deliver: a 10-15 percent uplift in employment growth in each of the (nine) regions to the end of 2020 from a 2015 baseline.
- achieve and maintain an unemployment rate for each region to within one percentage point above the national average by 2020.
- Working with the Regional Enterprise Plans Committees to develop and deliver collaborative regional responses to regional economic challenges presented by COVID-19 in the context of national planning for economic recovery.
- Enabling realisation of key regional enterprise development and ecosystem strengthening initiatives through the roll out of the Regional Enterprise Development Fund (REDF) and Border Enterprise Development Fund (BEDF).
- Ensuring timely progression of REDF funding projects and full drawdown of REDF funding - €100 million allocated across 68 projects to date and considering any actions required to address delays as a result of COVID-19.
- Ensuring policy alignment on regional enterprise development priorities with other Government Departments and initiatives for example: Project Ireland 2040 – including URDF and RRDF funds; Regional Spatial and Economic Strategies (Regional Assemblies), Atlantic Economic Corridor, Rural Policy etc.
- Promoting clustering dynamics amongst businesses both locally and nationally in conjunction with DBEI ESCED (Policy) Division;
- Ensuring that grocery retail and distribution supply chains are operating smoothly during the COVID-19 pandemic and that the retail sector is positioned to respond to public health guidelines and restrictions.
- Ensuring that the retail sector and particularly grocery retail and distribution businesses are adequately preparing for the post-Brexit era so that there is minimal disruption to businesses and to consumers (especially maintenance of food supply chain continuity).
- Ensuring that the retail sector is engaged with the opportunities and challenges presented by ongoing digital transformation of retailing and identifying the policy priorities required to support retailers to transition their businesses, increase their productivity and maintain their competitiveness where competition is no longer just local.
- Overseeing the delivery of the expanded COVID-19 Online Retail Scheme.
- Promoting CSR throughout the business community; emphasising for example the importance of business leadership's role in: society's response to climate action and environmental sustainability; achieving diverse and Inclusive workplaces; building strong

communities and place-making; as well as highlighting the long-term benefits of CSR in building more sustainable and competitive businesses.

- Reporting on the progress of the current 3-year National Plan on CSR (concluding 2020). Exploring potential pathways for a new CSR initiative in line with wider Government policy objectives in related areas including; The National Plan on Business and Human Rights 2017-2020 and The Sustainable Development Goals National Implementation Plan 2018-2020, Climate Action Plan 2019.

#### **REGIONAL ENTERPRISE PLANS – NINE REGIONS**

Nine Regional Enterprise Plans for the period to 2020, developed by regional stakeholders in conjunction with the Department and launched in early 2019, are currently being implemented. Each of the Plans outline a small number of agreed priority Strategic Objectives to support enterprise development and job creation, and an action plan towards the delivery of these Objectives over a two-year time-frame. The first set of Progress Reports for each Regional Enterprise Plan have recently been published. The underlying principle of the Regional Enterprise Plans is collaboration between regional stakeholders on initiatives that can help to realise each region's enterprise development potential. Shaped from the 'bottom-up' by regional stakeholders, and overseen by DBEI, the Plans complement national level policies and programmes emanating from the 'top-down' and, there is strong alignment with Ireland's national enterprise policy, Enterprise 2025 Renewed and the Future Jobs Ireland initiative.

Overall the Regional Enterprise Plans, alongside the core work of the enterprise agencies in each region, are key to delivering to the stated aim of Government to increase employment in each region by 10 to 15 percent and bring/maintain the unemployment rate in each region down to within 1 percentage point of the State average over the period 2015 to 2020. This objective dates from the original launch of Regional Action Plans for Jobs (RAPJs) in 2015/16, which the Regional Enterprise Plans have now replaced. Each Regional Enterprise Plan is overseen by a Regional Steering Committee, chaired by a private sector 'Enterprise Champion', and comprising Local Authorities, LEOs and other key stakeholders and agencies. Local Authorities in most of the regions have jointly funded a Programme Manager resource to assist with implementation and activation of strategic regional enterprise development projects.

During 2020 due to the onset of COVID-19 work has commenced on identifying actions that respond to regional enterprise challenges presented by the pandemic, that can be initiated in the near term, and implemented quickly. Later in 2020 work will commence on renewing the Regional Enterprise Plans for a further defined period post 2020 and this will be informed by the progress achieved to date along with feedback from stakeholders.

The immediate priority in the coming months is on identifying additional and revised actions that support the continued implementation of the Regional Enterprise Plans in the context of the economic recovery imperative.

#### **REGIONAL ENTERPRISE DEVELOPMENT FUND (REDF)- €100 TO-DATE**

A Regional Enterprise Development Fund (REDF) was launched May 2017 to co-finance the development and implementation of collaborative and innovative enterprise projects that can make a significant impact on enterprise development in the regions, and thus complement

and enable the realisation of key initiatives emerging for example through the previous RAPJs and the current Regional Enterprise Plans.

There have been three Calls to date under the REDF with 68 projects approved for grant funding of almost €100 million. The first Call under the REDF was issued in May 2017 and in December 2017, 21 projects were allocated €30.5 million in funding; while under the second call, which was announced in April 2018, 21 projects were allocated just over €29 million. The third Call was announced in June 2019, and in January 2020, 26 projects across all regions were allocated €40.1 million in grant funding. This funding has been provided by DBEI, through Enterprise Ireland. A maximum of up to 80 percent of grant funding is available for projects, with the balance to be leveraged from the private, community or public sector. The overarching aim of this Fund is to drive enterprise development and job creation in each region. Projects must be impactful, with the principal impact being jobs.

The immediate priority over the coming months is to continue to oversee and monitor implementation of the Regional Enterprise Development Fund and the Border Enterprise Development Fund and to consider future rounds in the context of regional economic stimulus.

#### **€28M BORDER ECONOMIC STIMULUS PACKAGE**

A €28 million Border Economic Stimulus Package ringfenced for the six Border counties of Louth, Cavan, Monaghan, Leitrim, Sligo and Donegal, was announced in January 2020. It comprises of four funding initiatives administered by Enterprise Ireland (EI), Local Enterprise Offices (LEOs) in the Border Region; and Science Foundation Ireland (SFI). In brief, the funding initiatives comprise of a €3m fund for the LEOs; €6.5 million for an EI Brexit Transformation Fund; €1.5 million for SFI Industry Fellowship Programme; and a €17 million competitive Border Enterprise Development Fund (BEDF) (administered by Enterprise Ireland).

The immediate priority is the roll-out of the Border fund streams and announcement of successful projects under the BEDF by mid-year.

#### **RETAIL CONSULTATION FORUM**

The Retail Consultation Forum, was established by the Government in 2014 as part of the Action Plan for Jobs process, to provide a platform for a structured engagement between the Retail Sector and relevant Government Departments/bodies. The purpose of the Retail Consultation Forum is to allow key issues of relevance to the sector to be discussed with a view to identifying practical actions which can be taken by the Government or by industry itself to support the sector.

The Retail Consultation Forum meets four times a year, with at least two of those meetings chaired by the Minister for Business, Enterprise and Innovation. Minutes from those meetings are published on the Department's website. Over the past three months there has been intensive engagement with the Retail Consultation Forum and the major retail grocery and distribution players in the Irish market regarding the impact of COVID-19 on the retail sector and supply chain issues. There have been 7 meetings with the sector (5<sup>th</sup>, 13<sup>th</sup>, 23<sup>rd</sup>, 31<sup>st</sup> March, 15<sup>th</sup> April, 6<sup>th</sup> May and 11<sup>th</sup> June)



Prior to COVID-19, there were 18 months of direct engagement via roundtable discussions with senior management from some of the major retail grocery and distribution players in the Irish market which were facilitated by the Department to discuss their preparedness for Brexit and mitigate its impacts for both retail businesses, the retail supply chain, and consumers. This engagement is ongoing.

Other issues discussed at the RCF meetings included; Cost of Insurance, Commercial Rates, Digitalisation of Retailing and the Future of Town Centres. A key policy initiative for the sector is to undertake, in conjunction with the Retail Consultation Forum, a study on the Retail Sector to understand the full extent and impact of disruption to pre-existing business models arising from digital transformation. This start of this project will have been delayed due to the unprecedented effects of the pandemic over the past few months and will commence as soon as possible. It will present an opportunity to capture key learnings in dealing with the pandemic, in particular the role of the digital economy and agility of retail supply chains.

In response to the challenges and opportunities posed by digital transformation of retailing, the Department launched a pilot Online Retail Scheme in 2018, with a total fund of €1.25m. Delivered by Enterprise Ireland, the Scheme targeted retailers who already have an online presence to encourage acceleration of their online offering. Grants of between €10,000 and €25,000 were available on a 50 percent match fund basis to support activities including; online market research, strategy development, implementation and training. Applicant companies must employ 10 or more people, have an existing online presence (e.g. website or social media), and have a retail outlet through which they derive the majority of their revenue. The Scheme's purpose was to strategically enhance online sales capabilities of the retailers to increase competitiveness and subsequently scale their businesses in both domestic and international markets. There were two competitive calls in 2019 with 40 successful applicants.

The pilot Online Retail Scheme contributed to the subsequent launch and roll-out of a special COVID-19 Online Retail Scheme which has seen high demand from the sector and reflects a growing awareness of the role and opportunity of the online marketplace as an essential element of sustaining retailing operations today and in the future. Under the special scheme, successful applicants may be awarded funding to support a maximum of 80% of the project costs. Grants ranging from €10,000 to €40,000 will be awarded. The competitive Call for the COVID-19 Online Retail Scheme opened on 29<sup>th</sup> April and closed on 27<sup>th</sup> May 2020 with the announcement of the successful applicants following completion of the evaluation process by Enterprise Ireland.

In relation to the future of town centres, one way in which the Retail Consultation Forum has sought to address this is through the 'Framework for Town Centre Renewal' which launched in 2017. This Framework was developed by a Working Group of the Retail Consultation Forum and sets out a practical 'step by step' action plan for stakeholders to work collaboratively to enhance their local town or village. The Framework also encourages towns and villages to establish digital platforms in response to the changing retail environment. At a collaborative level, using the Framework, town groups can work together to improve footfall and customer experience in town centres through various measures such as enhancing accessibility, public spaces, and tackling vacant property.

The Framework also serves as a support document for towns and villages preparing to apply for funding streams under Project Ireland 2040, including; the €2 billion Urban Regeneration

and Development Fund and the €1 billion Rural Regeneration and Development Fund and the newly launched €15 million Town & Village Renewal Scheme for 2020 as part of the €30 million package of the Rural Development Investment Programme, which can be leveraged to support the regeneration and viability of town centres.

Immediate Priorities in the months ahead for the Retail Consultation Forum include:

- Continuing to provide support to the Retail Sector in continuing to operate during COVID-19 in line with public health guidelines
- Announcement of the successful applicants of the COVID-19 Online Retail Scheme and subsequent review of the Scheme to assess and determine future need for the retail sector.
- Supporting sustainable employment growth in the Retail Sector through continued engagement with the sector via the Retail Consultation Forum and its working groups;
- Continuing to facilitate mutual engagement between the grocery retail and distribution sector and the Government system on post Brexit preparedness and retail food supply continuity;
- Undertaking a study on transformation in the retail sector under the auspices of the Retail Consultation Forum, a deliverable under Future Jobs Ireland;
- Building on the success and learnings to date of the pilot Online Retail Scheme and the COVID-19 Online Retail Scheme, continuing to support digital transformation in retailing through further funding calls and peer learning initiatives through Enterprise Ireland.

#### **CORPORATE SOCIAL RESPONSIBILITY**

Corporate Social Responsibility (CSR) is defined by the European Commission as ‘the responsibility of enterprises for their impact on society’. CSR is a concept whereby enterprises integrate social and environmental concerns into their mainstream business operations on a voluntary basis. CSR can enhance the resilience of enterprises and organisations, in terms of attractiveness for talent, reduction of energy costs and increased market share. Increasingly investors want businesses to demonstrate how they are mitigating risk through engagement with business and societal challenges; in areas such as diversity and inclusion; environmental sustainability; and human rights (also collectively referred to as Economic and Social Governance factors).

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

Since the launch of the Plan in 2017 some of the key achievements of the CSR Stakeholder Forum include:



- Development of the [csrhub.ie](http://csrhub.ie) website as a dedicated national CSR resource, supported by an active social media presence to highlight good CSR practice.
- Establishing the flagship CSR Annual CEO/Leaders' Breakfast event which has taken place in 2018 and 2019. Two 'CSR Checks' (progress reports) were also launched at the breakfast events which highlighted progress of the Forum in implementing the plan. Due to COVID-19 public health restrictions the CSR Check event scheduled for June 2020 was cancelled.
- Growing a panel of active CSR ambassadors within the business community.
- Collation of almost 100 best practice case studies from the private and public sectors.
- Promoting CSR peer learning amongst businesses through SME outreach events.
- Establishment of a Public Sector CSR Network to drive CSR as a core activity within public sector organisations and share best practice.
- Establishment and development of the virtual CSR Network for businesses and organisations interested in CSR and the Forum's work.
- Highlighting opportunities for the private and public sector to partner on impactful initiatives that align with public policy.
- CSR is now included in Department of Foreign Affairs and Trade's Key messages to international audiences.

CSR can have an important place in policy implementation. CSR is not a replacement for public policy, but presents an opportunity for business, civil society and policymakers to come together to explore and partner on new and innovative CSR initiatives where there is good alignment with strategic policy objectives e.g., Healthy Ireland (Department of Health), Prompt Payment Code (DBEI) and Woodland Environmental Trust (Department of Agriculture, Food and Marine). Current key policy areas which the CSR Stakeholder Forum encourages business engagement includes

- Business and Human Rights Plan (Department of Foreign Affairs and Trade)
- Climate Action Plan 2019 (Department of Communication, Climate Action and Environment)
- Future Jobs Ireland 2019 (DBEI)
- LGBTI+ Inclusion Strategy (Department of Justice and Equality)
- National Volunteering Strategy (Department of Rural and Community Development)
- The Sustainable Development Goals Implementation Plan 2018-2020

Immediate Priorities in the Months Ahead:

- Complete CSR Check 2020 Q3.
- Continue to engage with the CSR Stakeholder Forum members.
- Leading the preparation of a successor to the current CSR Plan which concludes at the end of this year (2020).
- Driving the Department's own activity in Corporate Social Responsibility through DBEInnovation and 'TeamCSR'.
- Under the auspices of the CSR Stakeholder Forum and newly established public sector CSR network, continue to drive awareness and increased engagement on CSR within the Public Sector.

- Supporting the Chambers Ireland Sustainable Business Impact Awards 2020 through engagement with the judging process.

#### CONTINUITY OF SUPPLY CHAINS DURING COVID-19 PANDEMIC

The DBEI Supply Chain Unit (SCU) was established on a temporary basis to support the Department in its engagement with the wider Government system on supply chain issues arising in the context of the ongoing COVID-19 pandemic.

An Interdepartmental Group was established by the Department of the Taoiseach which focused on key risks and mitigation across the supply chain in the context of COVID-19. The D/BEI Supply Chain Unit coordinated input to the interdepartmental group based on regular liaison with the Enterprise Agencies, feedback from overseas embassies/perm reps, feedback from the Minister's engagement with industry groups and bilateral representations to the Minister and the Department.

Key areas of focus over the past months have included: Goods transportation, this included air cargo costs and availability, operation of ferries and hauliers; Availability of products, this covered grocery operation, international suppliers of raw materials for industry, pharma, manufacturing etc; International travel restrictions and their impact on business. Supply chains have remained largely robust throughout the pandemic thus far. Air cargo costs and the sourcing of raw materials internationally are issues that came to the fore and continue to affect the manufacturing sector.

The SCU has supported the emergence of a new SFI/National Supply Chain Academic Network which will be an important resource to the DBEI, Industry and other Government Departments in learning from the pandemic and building resilience in industrial supply chains into the future.

## 4.2 Innovation and Investment Division

**Dermot Mulligan, Assistant Secretary**



### BUSINESS UNITS & HEADS IN THE DIVISION (PRINCIPAL OFFICER)

Innovation, Research and Development - Policy	Joseph Moore
Innovation, Research and Development - Programmes	Marcus Breathnach
Intellectual Property and Innovation Unit	Eugene Lennon
Inward Investment and North-South Units	Richard Scannell

### OFFICES:

Intellectual Property Office of Ireland	Gerard Barrett Controller of Intellectual Property
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### AGENCIES:

Science Foundation Ireland	Prof. Mark Ferguson Director General
IDA Ireland	Martin Shanahan CEO

### NORTH/SOUTH BODY:

InterTradeIreland	Aidan Gough - Acting CEO
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### ROLE OF THE INNOVATION & INVESTMENT DIVISION

- Foreign Direct Investment including oversight and management of IDA Ireland.
- North/South issues and InterTrade Ireland, the North South Business Development body.
- Developing and promoting innovation, research and development policy, leading cross Governmental coordination in these areas through the national strategy Innovation 2020.

- Leading at EU level for all Departments on research and innovation including Horizon 2020 and negotiating membership of International Research Organisations.
- Oversight of all Innovation Research and Development supports and programmes funded through Science Foundation Ireland (SFI); Enterprise Ireland (EI); the Tyndall National Institute, the Programme for Research in Third Level Institutions (PRTLII) and the Disruptive Technologies Innovation Fund (DTIF)
- Intellectual Property policy and administration, to ensure Ireland delivers a world class IP management service. This mandate includes the Intellectual Property Office of Ireland in Kilkenny

#### **THE STRATEGIC ISSUES FOR THE INNOVATION & INVESTMENT DIVISION ARE:**

- Work with IDA Ireland on the finalisation of its new 5-year strategy to attract inward investment and support its implementation in a challenging global environment with continued focus on regional development.
- Development of successor strategy to Ireland's national strategy on research and innovation, Innovation 2020, which is expected to be launched by mid-2021.
- Maximise the €500m funding available for the Disruptive Technologies Innovation Fund under the National Development Plan and explore the potential for scaling of DTIF as part of Ireland's ERDF Operational Programme 2021 to 2027.
- Work with EI on the challenge of raising the innovative capacity of indigenous enterprise and, through its programmes, raise the relatively low level of R&D performed by indigenous enterprise.
- Work with SFI on the finalisation of its strategy to 2025.

#### **IMMEDIATE PRIORITIES IN THE MONTHS AHEAD:**

- Approval of a new IDA strategy for 2020-2024 that will aim to both build on the success achieved since 2015 as well as addressing key priorities such as regional development and sustainable investment growth.
- Support the allocation by the IDA of potential grants to client firms under the COVID Products Scheme, given the significant economic benefits the initiative is likely to generate for the Irish economy.
- InterTrade Ireland (ITI), the North-South body tasked with strengthening cross-border commerce, has been unable to appoint a new CEO on account of the lapsed North South Ministerial Council. Now that power-sharing has been restored in Northern Ireland, and the NSMC can reconvene, it will be important that this appointment is made so that ITI's operations – and particularly its key Brexit related work – are not adversely impacted.
- Development of successor strategy to Innovation 2020.
- Minister's participation in the Informal videoconference meeting of Research Ministers, hosted by the German Presidency – 21st July.
- Securing agreement on the EU's R&D fund, Horizon Europe, and its initial work programmes and budgets following the finalisation of the Multiannual Financial Framework (MFF) by the EU Council, EU Commission and EU Parliament.
- Prepare for call 3 of the Disruptive Technologies Innovation Fund and manage the capital funding allocation of €140m already committed to the 43 successful projects under Calls 1 and 2 of the Fund.



- Boosting the number of innovation and R&I active enterprises.

#### **SUCCESSOR STRATEGY TO INNOVATION 2020**

DBEI has initiated preparations for development of the successor strategy to Innovation 2020 which is expected to be launched by Q1 of 2021 at the latest. In addition to the proposed 7-year strategy an accompanying work programme for 2021 & 2022 will also be published. A comprehensive consultation with a wide group of stakeholders has commenced and all Government Departments have been asked to input their research and innovation policy priorities for the period 2021-2027.

Due to the current situation, a large-scale stakeholder event was postponed and is now expected to take place closer to the end of the development process. Officials are now planning engagement in smaller formations virtually on different issues to make progress on a number of areas of key importance to the next strategy, including key thematic challenges such as climate change, digitalisation and public health and the many cross-cutting issues that are essential for a well-functioning, fit for purpose R&I system.

The impact of COVID-19 will no doubt need to be considered in the development of the next strategy and it will be important to demonstrate the critical importance of strengthening our investment in R&I across the enterprise base and HEIs to enable a sustainable recovery and address the key challenges that we face.

As part of the consultation process a “Blue Skies” Group of international thought leaders will be appointed to provide international expertise and guidance as the strategy is developed.

#### **HORIZON 2020**

H2020 is one of seven flagship initiatives in Europe 2020, the European Union’s ten-year jobs and growth strategy. H2020 has a budget of €75 billion and runs from 2014 to 2020.

H2020 funding (grant aid) is awarded on a competitive basis to researchers and companies. Ireland has a national target to win €1.25 billion in competitive funding from Horizon 2020 over the lifetime of the programme, €861.4 million of which has already been won. Achieving this target would represent a doubling of our performance in the previous framework programme (FP7). The target is equivalent to 1.67% of the total Horizon 2020 budget, which is significantly ahead of Ireland’s just return of 1.23%. DBEI has overall lead responsibility at Ministerial/Departmental level for Horizon 2020 engagement and chairs a High-Level Group of all the relevant Government Departments and Research Funders to oversee this. A National Support Structure is led by Enterprise Ireland to maximise participation by researchers and companies in Horizon 2020.

#### **EUROPEAN GREEN DEAL**

The aim of the European Union is for Europe to be the first Climate Neutral continent by 2050. The European Green Deal is our roadmap for making the EU’s economy sustainable and the actions on this roadmap aim to boost the efficient use of resources by moving to a clean, circular economy and restore biodiversity and cut pollution. It outlines investments needed and financing tools available and explains how to ensure a just and inclusive transition. The EU will also provide financial support and technical assistance to help people, businesses and regions that are most affected by the move towards the green economy.

This is called the Just Transition Mechanism and will help mobilise at least €100 billion over the period 2021-2027 in the most affected regions.

The policy areas covered under the Green Deal are: Biodiversity, From Farm to Fork, Sustainable agriculture, Clean energy, Sustainable industry, Building and renovating, Sustainable mobility, Eliminating pollution and Climate action.

Green Deal Call – Horizon 2020:

The European Commission has published a Roadmap with a timeline for all the actions that will be pursued as part of the Green Deal. Specifically, a Call will be launched as part of the Horizon 2020 work programme for 2020. This dedicated Call will address directly the main priorities of the Green Deal and will establish a pathway for additional, related research and innovation initiatives in the context of Horizon Europe. It will seek to demonstrate the key ability of R&I to provide concrete solutions addressing the 8 European Green Deal work streams, within a relatively short time frame. These work streams are similar to the policy areas and are as follows:

Increasing Climate Ambition: Cross sectoral challenges; Clean, affordable and secure energy; Industry for a clean and circular economy; Energy and resource efficient buildings; Sustainable and smart mobility; Farm to Fork; Ecosystems and Biodiversity; Zero-pollution, toxic free environment.

The European Green Deal will continue to be a part of the Framework Programmes for Research and Innovation with the launch of Horizon Europe.

According to the Sustainable Europe Investment Plan, €1 trillion of sustainable investments will be mobilised over the next decade through the EU budget. Regarding the specific Call as part of the Horizon 2020 work programme for 2020, €1 billion in funding will be available. A call for applications opened on 18<sup>th</sup> March to 19<sup>th</sup> May 2020 for a Green Deal Call as part of the European Innovation Council (EIC) Pilot – €350 million in funding was to be available under this Call.

## **HORIZON EUROPE**

Horizon Europe will succeed Horizon 2020 as the next framework programme for R&I. It has a proposed budget of €94.1 billion and it aims to build on the achievements of Horizon 2020, keeping the EU at the forefront of global research and innovation. The EU institutions reached a provisional agreement on Horizon Europe on 20 March 2019. The European Parliament endorsed the provisional agreement on 17 April 2019. Similar to its predecessor programme, Horizon Europe will be characterised by three pillars focusing on Excellent Science, Global Challenges and European Industrial Competitiveness and Innovative Europe. The final budget for Horizon Europe is subject to the outcome of the Multiannual Financial Framework (MFF) negotiations.

## **BROADER EUROPEAN AND INTERNATIONAL RESEARCH & INNOVATION ENGAGEMENT**

### **EUROPEAN RESEARCH AREA**

EU R&I Policy is developed by the European Research Area (ERA) advisory structure and adopted by the Competitiveness Council (Research). DBEI represents Ireland at ERA



related meetings. Over the coming months, Member States will consider the future direction of Europe's R&I policy and its strategic priorities for the medium term. Ministers will be asked to provide political guidance on the future European R&I policy at the Informal videoconference meeting of Research Ministers on the 21<sup>st</sup> July. The German Presidency is due to host a Ministerial Conference in October 2020 to discuss future ERA priorities. It will then prepare Council Conclusions on the ERA for approval at the November Competitiveness Council (Research) meeting.

#### **BILATERAL R&I COLLABORATION**

Ireland has bilateral IRD agreements with China, Japan and India - bilateral cooperation is closely linked to SFI's international programmes. IRD Policy collaborates with DFAT on Joint Economic Commissions (JEC) with an R&I dimension. Ireland has four JECs – with China, Russia, Saudi Arabia and Korea.

#### **INTERNATIONAL RESEARCH & INNOVATION ORGANISATIONS**

To be a Global Innovation Leader, Ireland must be a member of key International Research Organisations. Among others, Ireland is a member of the European Space Agency, the European Molecular Biology Laboratory, the European Molecular Biology Conference, EUREKA, COST and CECAM. The Government gave a specific commitment in Innovation 2020 to initiate discussions with several International Research Organisations. Four organisations were identified – CERN, the European Southern Observatory, ELIXIR and LOFAR - and membership of three of these organisations has been completed. Ireland continues its consideration of full and associate membership of CERN which will cost an estimated €12.5m or €1.25m annually.

Ireland invests in High-Performance Computing (HPC) through the Irish Centre for High-End Computing (ICHEC), which is co-funded by DBEI and the Department of Education and Skills.

#### **OECD**

I&I represents Ireland at the OECD Council's Directorate for Science Technology and Innovation and at the Committee for Scientific and Technological Policy and the Committee on Industry, Innovation and Entrepreneurship.

### **Innovation, Research and Development - Programmes – Marcus Breathnach**

#### **SECURING INCREASED PUBLIC INVESTMENT IN RESEARCH AND INNOVATION**

In 2020, the total allocation under the Department's Innovation budget will be €414m. In addition, there is a capital carryover of €9.6m. DBEI is faced with a significant challenge in terms of sustaining funding for programmes aimed at driving innovation within Irish-based firms and creating sustainable jobs. The Unit has commenced work on proposals for the 2021-2027 cycle of European Regional Development Funds (ERDF) with the aim of securing additional funding for the research development and innovation programmes under the aegis of the Department.











essence of the case concerns the proper interpretation and transposition into national law in Ireland of the 2006 European Directive on rental and lending rights in copyright. In January 2019, 4 questions were referred from the Commercial Court for a preliminary ruling to the Court of Justice of the European Union (CJEU). Following written submissions in July 2019 and an oral hearing before the Grand Chamber on 4<sup>th</sup> February 2020, it was intended that the Advocate General's Opinion would be issued on 30<sup>th</sup> April. Due to the COVID-19 crisis this was postponed, the Advocate General's Opinion is now scheduled for delivery on 2<sup>nd</sup> July 2020 with a final ruling due sometime after this. Once the CJEU ruling is issued (timing uncertain but usually a period of between 4-6 months following the AG's Opinion), the matter will then return to the Commercial Court for consideration and judgement of the remaining aspects of the original proceedings

#### LIAISON ROLE WITH THE INTELLECTUAL PROPERTY OFFICE OF IRELAND (IPOI)

IPU has formal corporate oversight and liaison responsibility for the IPOI, which involves ongoing engagement on areas of interest. The IPOI is due to publish its new Statement of Strategy for 2020-2022 and its Customer Service Strategy shortly.

### Inward Investment and North-South Units – Richard Scannell

#### LAUNCH AND IMPLEMENTATION OF IDA IRELAND'S NEW STRATEGY

The launch and implementation of the IDA's new strategy for the 2020-2024 period will be key short- and long-term priorities respectively, particularly in the context of the Government's wider efforts to recover from the COVID-19 economic crisis. The strategy, an advanced draft of which had been prepared before the pandemic, will also now need to be revised to take account of the changed domestic and global economic environment.

The IDA recently completed its previous five-year strategy, covering the five years from 2015-2019. That period, as is well-documented, was marked by strong foreign direct investment (FDI) driven employment growth. The total number of jobs in IDA client firms now stands at over 245,000, with nearly 14,000 net new jobs created in 2019 alone. IDA client companies account directly for 10.5% of total national employment. The Agency received strong support from the Government over the last five years – its annual budget allocation increased by almost €60 million and staffing numbers at the IDA also increased considerably.

Regional development was a priority goal for the IDA over the course of its previous strategy, with FDI increasing by at least 30% in every region of the country. It will remain a key objective over the forthcoming five-year period, particularly as the Agency works to create new employment opportunities to help mitigate the loss of jobs caused by COVID-19. Securing FDI for regional areas, however, will continue to be challenging, as multinational firms continue to favour large urban areas for investment.

The IDA's new strategy, which will in basic terms set out a framework and targets to the end of 2024, was originally scheduled to be launched by Minister Humphreys in Q1 2020. However, this was delayed due the impact of COVID-19. The strategy will now, as noted above, now need to be re-considered given economic developments over the last number of months which will impact FDI in Ireland and potentially our capacity to sustain the high level

of investment flows of recent years. Current estimates, for example, are that FDI flows will fall by 30-40% over the next 12 to 18 months. The introduction of travel restrictions around the world and the widespread restrictions on external visitors by client companies is also already disrupting the typical way in which the IDA engages with investors. The significant impact to date is evident in the reduced number of site visits by potential investors, client meetings, marketing trips, announcements and events.

The IDA's new strategy will therefore likely focus strongly on how best FDI can help drive our economic recovery as the country adjusts to a new commercial and economic landscape. It will continue to have a strong regional development focus and will also address areas such as the challenges posed by increasing automation, the transition to a low carbon economy and improving links between multinational and indigenous firms.

#### **IDA REGIONAL PROPERTY PROGRAMME**

As noted above, regional development has been a central objective of the IDA since 2015. An important tool at the Agency's disposal, in working towards that goal, has been its Regional Property Programme (RPP). The RPP entails the construction of advance buildings in regional areas so that property solutions are in place for overseas investors considering expanding or investing outside of Ireland's main urban areas. Nine such buildings have been completed to date, in a range of regional locations, with seven of these now occupied or at an advanced stage of negotiation with prospective clients. The IDA was aiming to soon complete the first stage of the RPP and launched a second phase in December 2019. Building was initially scheduled to begin on a number of sites this year.

Construction was temporarily put on hold on all facilities between March and May of this year due to COVID-19 restrictions. The completion date of each facility will be revised accordingly. Construction work has since resumed on a number of these facilities as of June and many construction firms are adapting construction sites so that future works can adhere to provisions on social distancing and employee safety. These measures will be in line with all relevant Government guidelines and the Return to Work Safely Protocol issued by DBEI.

The IDA has received strong exchequer support for its property activities. That continues in 2020, with a budgetary allocation of €42 million this year. The RPP is not without its complexities – given the challenges associated with large-scale construction projects – and a key focus for the year ahead will be delivering buildings as quickly as possible for potential regional investment.

#### **EVOLVING GLOBAL FDI ENVIRONMENT**

Even putting the problems associated with COVID-19 to one side, the international market conditions for FDI were likely to become more challenging. Potential other such difficulties include international trade tensions, the ongoing possibility of a disorderly Brexit and changes to global taxation rules. While it is difficult to forecast the precise impact these factors may have, it may be that attracting FDI to Ireland – at least at the record levels of recent years – may become more difficult, particularly when the wider problems posed by COVID-19 are factored in.

#### **BREXIT - FDI**

Ireland has arguably become more attractive to FDI on account of Brexit, as some overseas firms have sought alternative locations in Europe in which to invest. To date, there have



been almost 90 individual Brexit-related investments here since the EU referendum in the UK in June 2016, with the potential to create over 5,500 jobs. The sector with the highest-level of Brexit-related activity has been financial services, with 28 firms in that area having committed to relocating staff or operations to Dublin.

A disorderly UK withdrawal from the EU could, however, have negative impacts on investment in Ireland on account of the economic and commercial uncertainty that would result from it. While large multinational firms in Ireland are also, generally speaking, less exposed to Brexit risks than smaller indigenous companies, their operations could also be impacted in a disorderly scenario. The IDA will continue to work with their clients throughout 2020 to help, insofar as possible, reduce these risks.

#### **INTERTRADEIRELAND – GOVERNANCE**

InterTradeIreland (ITI), the North-South body established after the Good Friday Agreement in 1998, plays an important role in supporting and strengthening cross-border and all-island commerce. It also undertakes particularly important work associated with Brexit (more details below). The collapse of the Northern Ireland Executive in 2017, however, has created governance difficulties for ITI as well as the five other North-South bodies. It has not been possible, for example, to appoint a new ITI CEO as the approval of the North South Ministerial Council is required. The restoration of power-sharing is therefore very much welcome from an ITI governance perspective and it will be important to address these governance issues as soon as practicable in 2020.

Given the well-known problems that Brexit could present for North-South trade, ITI's work has grown markedly in prominence since the EU referendum. The body launched a Brexit Advisory Service to help firms, from both sides of the border, prepare for the commercial challenges that the UK's withdrawal from the EU could present to cross-border trade. Demand for that Service has been significant, especially for vouchers that allow firms to obtain expert professional advice on technical issues (e.g. customs, regulatory matters or tax) that may arise once Brexit takes effect. It is expected that there will be a strong uptake of ITI's Brexit services in the run up to the end of the Brexit transition period. It will therefore be important that ITI has the resources and means available to help companies that seek its assistance.

#### **IDA – ISIF – PROPOSED LEGISLATION - (THE INDUSTRIAL DEVELOPMENT (MISCELLANEOUS PROVISIONS) BILL**

The proposal has been in development since 2017 and envisages the IDA partnering with the Ireland Strategic Investment Fund (ISIF) to commercially develop advance office buildings on IDA-owned lands in regional areas. The Heads of the original Bill were approved at Cabinet on 5 July 2018 and the Joint Committee on Business Enterprise and Innovation decided not to undertake pre-legislative scrutiny on the Bill following a hearing in November 2018. Drafting of the Bill was subsequently delayed due to the Brexit Omnibus Bill and related secondary legislation.

The legal structure, nature and functions of the proposed joint venture between IDA and ISIF requires further consideration before a legislative amendment can be finalised and IDA Ireland is engaged with the Department in order to resolve any remaining policy or legal issues. The Industrial Development (Miscellaneous Provisions) Bill therefore remains on the Department's legislative programme.



### THE COVID PRODUCTS SCHEME

The COVID Products Scheme is a new scheme which allows for up to €200m in targeted State support to facilitate the research and development of COVID-19 products, to enable the upgrading of infrastructures that contribute to the development COVID-19 related products, as well as to support the production of medicines and medical products needed to respond to the outbreak.

The Scheme has been developed by IDA Ireland and Enterprise Ireland following the publication of the European Commission's Temporary State Aid Framework in March 2020. The Framework allows Member States to significantly increase short-term support to companies investing in the development or production of medicinal products, medical devices and disinfectants related to COVID-19. DBEI recently (4 June 2020) received approval from the European Commission to introduce the COVID Products Scheme.

The scheme allows for grant aid of up to 50% of eligible capital investment. Currently the IDA is permitted to grant-aid up to 10% of eligible capital investments. The increased limit under the terms of this new Scheme will ensure that the intervention will have a substantial positive impact on the production of COVID-19 related products and will drive a significant return for the State.

The total overall level of funding permitted by the Scheme is €200m. However, the actual level of support that may be required depends on the number of successful projects approved by the Agencies once the Scheme is operational. Therefore, grant aid will be allocated by the Agencies on an initial case-by-case basis. There will be no cost to the Exchequer in the event that any projects eligible under the Scheme do not proceed as planned.

All applications for funding under the Scheme must be approved by the end of December 2020 and approved aid can be drawn down in 2020 or 2021.

### 4.3 EU Affairs, Trade Policy, Licensing, Investment Screening Division

Philip Kelly, Assistant Secretary



#### BUSINESS UNITS & HEADS IN THE DIVISION (PRINCIPAL OFFICER)

Investment Screening Unit	Anne Coleman-Dunne
Brexit Unit	Anne Coleman-Dunne
EU Affairs and Single Market Unit	Sabha Greene
Trade Policy & EU Multilateral Trade	John Hughes
Trade Licensing and Control	Eamonn Cahill
Trade & Investment Implementation Unit	Ronnie Breen
Permanent Representation Brussels	Eadaoin Collins and Brian Dalton
Permanent Representation Geneva	Eugene Forde
Irish Embassy, London	Paraig Hennessy
Irish Embassy, Washington	Harry Lester
Irish Embassy, Berlin	Anne-Marie Finlay
Irish Embassy, Beijing	Joseph Keating

#### ROLE OF THE EU AFFAIRS, TRADE POLICY, LICENSING AND INVESTMENT SCREENING DIVISION:

The EU Affairs, Trade Policy, Licensing and Investment Screening Division supports DBEI ministers in their membership of the EU Council of Ministers – the Competitiveness Council (Internal Market and Industry) and the Trade Council.

The Division defines, coordinates and develops our position on EU policy matters and our relationship with EU Institutions. It also coordinates our policy and operational response to Brexit. It is responsible for the identification, formulation and development of Ireland's international trade policies, including Ireland's national position on European Union international trade policy negotiations, and represents Ireland in the World Trade Organisation. The Division also has responsibility for import and export licensing, the application of certain sanctions regimes and the introduction of Investment Screening.

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

It is also the lead Division for DBEI staff located in six overseas missions and embassies.

#### **THE KEY STRATEGIC ISSUES FOR THE EU AFFAIRS, TRADE POLICY, LICENSING AND INVESTMENT SCREENING DIVISION ARE:**

- Firmly defend Ireland's interests in international trade deals that may emerge, working with our network of colleagues in the European Commission and representatives in the European Parliament.
- Support new and existing EU trade deals to expand Ireland's export options into new markets
- Secure greater support for a rules-based world trading environment benefitting Ireland's exporters and supporting inward FDI, while increasing opportunities for our enterprises and people.
- Ensure that DBEI HQ and missions abroad work to promote the maintenance of the open global trading system during the current crisis and post-COVID 19, and that our agencies are assisted to ensure Irish firms exploit the Free Trade deals that the EU negotiates, including through the programme of Ministerial trade engagements in 2020 and through the greater DBEI staff presence in our biggest markets.
- Carry out an economic and sustainability assessment of the headline EU/Mercosur trade agreement to inform future action in this area.
- At a time of rising protectionism, we will be clear in our support for free trade, while insisting on high environmental and labour standards and fair-trading practices. We believe that European efforts will lead to political, social, economic, and environmental reform around the world.
- Ensure that Ireland's position on trade deals is strongly informed by the need to ensure that all EU international trade deals support the aims of the Paris Climate Agreement.
- Advance Ireland's economic and trading interests in multilateral contexts, including the WTO and OECD.
- Revise Ireland Connected, Ireland's trade and investment strategy, to include the promotion of human rights and environmental protection as key goals.
- Advocate Ireland's Trade Policy interests in the European Commission's Review of the EU's Trade Policy.
- Contribute to negotiations on the legislative Proposals of the EU Commission in relation to various Trade Policy Instruments.

- Ensure DBEI interests are fully elaborated as part of Ireland's negotiating position in the context of the EU/UK negotiations on the future trading relationship and the implementation of the Withdrawal Agreement, including the Protocol on Ireland and Northern Ireland. Secondly, to ensure the implications of any emerging trade deal are well understood by the Department, its agencies and stakeholder groups, so that the necessary preparatory actions and supports can be put in place ahead of 1 January 2021.
- Progress the legislative and regulatory frameworks – including 2 pieces of primary legislation – to overhaul the export control regime and to introduce a new investment screening regime.
- Support Ministerial engagement in the EU (COMPET and Trade Councils); and in ratification of CETA by the Oireachtas.
- Ensure the Department's interests are fully represented across the very broad range of EU and international fora (OECD, WTO, WIPO, and ILO) and especially as regards EU initiatives/developments included in the EU Commission's adjusted Work Programme (published 27 May 2020) and in the March package of Commission communications on SME Strategy, Single Market Action Plan, Single Market Barriers Report and the Industrial Policy Strategy.

#### KEY ISSUES WITHIN EACH BUSINESS UNIT OF THE DIVISION:

##### Investment Screening Unit – Anne Coleman-Dunne

The **Investment Screening Unit** has been established (November 2019) and will be engaged in implementing an EU Regulation on the screening of Foreign Direct Investments where there are concerns that such investment may pose a risk to the security or public order of the host Member State.

The regulation is in response to growing concerns amongst Member States regarding the purchase of strategic European companies by foreign-owned firms and in certain cases, state-owned firms. Amidst the growing concern that the COVID-19 crisis and economic downturn may leave some strategic European companies vulnerable to takeover by third country investors, Investment Screening has been subject to greater focus from both the European Council and Commission in recent months.

The Regulation, due to take effect in October 2020 creates for the first time, a European framework for screening investment into Europe. It requires the nomination of a National Contact Point to respond to enquiries from other Member States or the European Commission in relation to particular investments. The Investment Screening Unit in the Department will act as Ireland's national contact point but will need active involvement from other Government Departments.

#### THE KEY STRATEGIC ISSUES:

- In advance of the submission of a Government Memorandum on Investment Screening, to continue engaging with relevant Government Departments to consider the implications of putting a screening mechanism in place and their critical role in this exercise;
- Preparation of a Memorandum for Government on the options for the implementation of a formal Investment Screening mechanism for foreign direct investment in Ireland in line with the EU Regulation due to come into effect in October 2020;

- Urgent preparation of domestic legislation to facilitate Investment Screening.

#### IMMEDIATE PRIORITIES IN THE MONTHS AHEAD:

- Development of Heads of Bill to meet the requirements of the EU Regulation due to come into effect in October 2020.

#### KEY ISSUES WITHIN INVESTMENT SCREENING UNIT:

Currently there is no formal screening mechanism for foreign investment in Ireland. The Investment Screening Unit is currently examining Ireland's policy options in this regard to inform the development of policy options, the Unit has commenced a process of engagement with other Departments and stakeholders that have a role in the development of a position on Investment Screening. The Unit has also begun a series of engagements with a number of relevant EU Member States (and key strategic partners such as the US) to better understand how Investment Screening mechanisms operate in other jurisdictions. This engagement will continue and intensify as we progress through 2020.

Ultimately, a Government decision will be required on the need for an Investment Screening Mechanism and an Investment Screening Board. Depending on the outcome of Government's consideration of this issue, it is likely that primary legislation will also be required to implement the Regulation as well as the preparation of detailed Heads of Bill.

In our engagement with other Member States it is clear that decision making on investment screening proposals by third country entities will require specific levels of expertise and a close cross Government partnership approach.

#### Brexit Unit – Anne Coleman-Dunne

Brexit Unit leads on the coordination of the Department, its offices and agencies policy and operational response to assist businesses in their preparations to meet the challenges of Brexit and to deal with the new trading environment post Brexit.

The Unit's work includes the conduct of research and analysis to better inform the Department's policy responses in terms of measures and supports to help businesses prepare for Brexit. It involves regular consultation, including at Ministerial level, with external stakeholders and business representative groups to communicate the actions and contingency measures that businesses need to take to be Brexit ready.

The Unit also works within and across Government in the context of developing the Department's negotiating position on the future trading relationship between the EU and the UK and the implementation of the Withdrawal Agreement, including the Protocol on Ireland and Northern Ireland, from the enterprise perspective.

#### THE KEY STRATEGIC ISSUES:

- Development of the Department/offices/agencies policy input to take account of key business interests and concerns in the context of:

- (1) the ongoing negotiations on the future trading relationship between the EU and the UK and
  - (2) the implementation of the Withdrawal Agreement, including the Protocol on Ireland and Northern Ireland;
- Engaging across Government to ensure that the key business concerns in a post Brexit trading environment are taken on board in the context of the EU/UK negotiations on the future trading relationship and the implementation of the Withdrawal Agreement, including the Protocol on Ireland and Northern Ireland

#### **IMMEDIATE PRIORITIES IN THE MONTHS AHEAD:**

- Continued outward engagement with businesses on Brexit preparedness actions as well as promotion, via the Department's agencies, of the suite of enterprise supports to encourage active take-up of the available business supports to assist businesses to be best prepared for the post Brexit trading environment.

#### **KEY ISSUES WITHIN BREXIT UNIT:**

With the UK's departure from the EU on 31 January 2020, the focus since the start of the year has been on the next stage of negotiations to determine the future EU/UK trading relationship. The basis for this is set out in the Revised Political Declaration adopted with the Withdrawal Agreement, with mandates drawn up by both sides that allowed negotiations to commence in early March. However, due to the Coronavirus outbreak, the negotiating timetable was effectively redrawn with only the first round (2-5 March) undertaken as originally planned. Rounds two (20-24 April), three (11-15 March) and four (2-5 June) were rescheduled and undertaken by way of video-conference.

After the fourth round, the EU and UK negotiating teams agreed to intensify talks in order to make progress. Negotiating rounds, including face to face meetings will commence at the end of June and will take place every two to three weeks right up to mid-August. Draft texts of the agreement, from both the EU and UK perspectives, are now publicly available. The EU published its version on 18 March with the UK delaying publishing its version until 19 May.

Work continues in parallel on the implementation of the Withdrawal Agreement, including the Protocol on Ireland and Northern Ireland overseen by the Joint Committee created under the Withdrawal Agreement. Proper and timely implementation of the Withdrawal Agreement is a priority for both sides, which includes up to six Protocols including one on Ireland and Northern Ireland. To assist the Joint Committee, specialised committees have been created. The first meeting of the Specialised Committee on the Protocol on Ireland/Northern Ireland took place on 30 April and the next meeting is expected to take place shortly.

Notwithstanding the intensification of talks, it is expected that there will be considerable challenges to complete these negotiations on the future trading relationship by year end, not helped by the outbreak of the Coronavirus, nor the UK's decision not to seek an extension to the current Brexit transition phase beyond December 2020. The EU Commission has been clear that in that timeframe, only a straightforward "bare bones" agreement can be negotiated. Further negotiations on other sectoral issues e.g. on security, transport, aviation would not be included and may have to be negotiated separately after the event.

The Department's focus will be on getting the business community engaged through greater outreach to prepare for the new trading environment post Brexit on 1 January 2021, including on intensified customs training, Rules of Origin and product certification requirements. This is particularly challenging although necessary as businesses are currently consumed with dealing with the COVID-19 pandemic.

### **EU Affairs and Single Market Unit – Sabha Green**

The EU Affairs and Single Market Unit defines, coordinates and develops our position and engagement with the EU Institutions on EU policy matters under the remit of the Competitiveness Council (Internal Market and Industry). It also manages the Department's response to the Single Market agenda, including the delivery of Single Market tools such as SOLVIT, and the implementation of the Services Directive.

The Unit also co-ordinates the work of the Division and the Department with the work of DBEI's Competitiveness Council Team in the PRB.

#### **THE KEY STRATEGIC ISSUES:**

- Ensuring the EU agenda in areas within this Department's remit addresses, and is aligned with, Ireland's interests particularly in the context of Brexit, a new European Commission and Parliament and a growing move towards protectionist measures.
- Influencing the EU Agenda on the functioning of the Single Market, especially in Services, and implementing EU measures to ensure that Irish enterprise and consumers reap the maximum benefits of that Single Market.

#### **IMMEDIATE PRIORITIES IN THE MONTHS AHEAD:**

- Maintaining and optimising Ireland's engagement and influence at the EU Competitiveness Council – especially on Single Market and industry issues.
- Enhancing and broadening 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 like-minded ally within EU negotiations.
- Advancing the Department's position in the context of developing Ireland's position in the Multi Financial Framework 2021–2027 (MFF).
- Driving implementation of the Services Directive and managing the Department's response to an infringement case.
- Driving Ireland's engagement and response to the recently published Commission Action Plan on Enforcement and Implementation of the Single Market.
- Monitoring and reporting on the Department's EU engagement to the Minister, Oireachtas, Management Board, the Interdepartmental Group on European Union and Brexit and the Interdepartmental Committee on European Engagement, chaired by the Minister of State for EU Affairs.

#### **KEY ISSUES WITHIN EU COMPETITIVENESS COUNCIL - INTERNAL MARKET AND INDUSTRY ISSUES**

The EU Competitiveness Council is normally held over two days, with the Internal Market and Industry items on day one and the Research and Space elements on day two. This



Department co-ordinates, prepares and develops policy inputs to the Competitiveness Council on both horizontal and sectoral issues.

The focus of the Competitiveness Council is on enhancing and sustaining competitiveness, growth and productivity and industry in the EU. The Council strives to ensure a coherent and co-ordinated approach to all policies impacting on these areas. The Council covers a number of policy and legislative areas including SME's, industrial policy, Single Market, company law, better regulation, competition and consumer policy.

The Commission's flagship initiatives - the European Green Deal and the Digital Strategy - remain key priorities for the Commission in the relaunching of the European economy and the rebuilding of a more resilient, sustainable, fair and prosperous Europe. At the same time, the Commission, in its adjusted Work Programme for 2020, is responding to the coronavirus pandemic by refocusing its work and prioritising the actions needed to ensure Europe's recovery and resilience.

It will be necessary to engage fully with other Member States and the EU Institutions to be as influential as possible in the shaping of the Commission's policies and proposals.

Over the last 2 years or so, the Department has detected a growing support across the EU for what could be regarded as more protectionist policies, which could have a negative impact on Ireland's interests, 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, will be a key challenge for us to address.

The Competitiveness Council normally meets on three occasions during each six-month Presidency. There are usually two formal meetings in Brussels and an informal meeting hosted in the Member State holding the rotating E.U. Presidency. DBEI Minister(s) attend both formal and informal Councils. However, in the current situation recent Council meetings under the Croatian Presidency have taken place via Videoconference.

Germany assumes the Presidency from 1 July and is proposing to hold a possible meeting via Videoconference on 23 July with subsequent meetings planned for in September, October and November, hopefully in person.

#### **THE MULTIANNUAL FINANCIAL FRAMEWORK (THE MFF) (2021-2027)**

This Department has the lead interest in three EU funding programmes – Horizon Europe (the EU's R&I programme), European Space Programme and the Single Market Programme. We also have a strong interest in three other programmes – Digital Europe Programme, European Defence Fund and the Invest EU Fund.

On 27 May 2020 the Commission published its revised budget of €1,100 billion and an emergency European Recovery Instrument "Next Generation EU" of €750 billion. This overall revised budget of €1,850 allocates €94.4 billion to Horizon Europe, €13.196 billion to Space and €3.7 billion to the Single Market Programme. The incoming German Presidency is hopeful of agreement on the budget by the end of July.

## THE SINGLE MARKET

The Single Market is one of the greatest achievements of the European Union and it has brought very significant benefits to Ireland in the 27 years since its establishment.

From a national perspective and from the starting point of a small domestic market, the advantages of the greatest access to a physically proximate market of currently 510 million people (and still 450 million people after Brexit) are obvious, particularly for Irish exporters. The ease of access to the EU market also contributes significantly to the attractiveness of Ireland as an FDI location.

In addition, from an EU perspective, Ireland is convinced that a properly functioning Single Market is essential for Europe's competitiveness on the global stage, and to facilitate Europe performing optimally at the highest point of global value chains. Ease of access to cross-border trading opportunities within the EU is especially valuable to Irish, and European, SMEs looking to scale up, and as a stepping stone to expanding to further international markets.

While significant progress has been made in the Single Market, there remains untapped potential, particularly in the Single Market in Services where regulatory barriers continue to hinder achievement of a fully integrated EU market for services. Addressing this is a key priority for Ireland given the importance of our internationally trading services sector. Ireland has been consistent in advocating for ambitious action at EU level to address this, for example commissioning a study in 2018 on the economic benefits of greater liberalisation in the cross-border provision of services in the EU Single Market.

The new European Commission places an emphasis on deepening and strengthening the Single Market. The Commission published on 10 March 2020:

- (i) an Action plan for better implementation and enforcement of Single Market rules, and
- (ii) an assessment of the remaining regulatory barriers and opportunities within the Single Market, with a specific focus on services.

As well as the removal of barriers, the Commission is looking to remove any artificial distinctions between new digital markets and more established markets.

Both of these reports will strongly influence the direction of European Commission initiatives with regard to the Single Market over the lifetime of this new Commission.

Implementation of the Action Plan commenced on the 8 April with the inaugural meeting of the Single Market Enforcement Task Force (SMET). This group comprises senior representatives from Member States and the European Commission, who will work in partnership to assess the compliance of national laws with European Single Market rules, to prioritise and address the most pressing barriers to cross-border trade in the Single Market and to monitor and contribute to the implementation of the Action Plan.

## IMPLEMENTATION OF THE SERVICES DIRECTIVE

The Services Directive is the main EU instrument, within the sphere of this Department, dealing with integration of the Single Market in Services. It is implemented in Ireland through the European Union (Provision of Services) Regulations 2010. The Services Directive aims

to maximise the advantages of the Single Market in Services for businesses and consumers. The Department of Business, Enterprise and Innovation monitors and encourages implementation of the requirements of the Directive across all Government Departments, with a view to encouraging full Irish compliance with the requirements of the Directive.

One of the obligations of the Services Directive is aimed at increasing transparency for EU service providers wishing to provide services in another Member States. It does this by requiring each Member State to publish information about restrictions they place on the freedom to provide the services sectors covered by the Directive and to outline how necessary permissions to access their market can be obtained. Each Member State publishes this information on a Point of Single Contact web-portal (managed in Ireland by the EU Affairs and Single Market Unit of this Department) and this is done in cooperation of relevant authorities within the State.

In 2019, the European Commission reviewed the Points of Single Contact of all Member States of the European Economic Area and wrote to the Member States, by means of letters of formal notice of infringement, in which they outlined areas where the web-portal fell short of requirements. The issues identified for Ireland covered both the Services Directive and the Professional Qualifications Directive (dealing with mutual recognition of specific qualifications across the EU). Ireland is addressing the issues identified to ensure it meets the requirements of both Directives and thus avoid the potential of facing a full infringement action.

### **SOLVIT**

SOLVIT is an informal problem-solving network created to solve problems that EU citizens or businesses are experiencing with the public administrations of other EU Member States. There are SOLVIT Centres in each Member State of the Union and they work with their respective public authorities to ensure EU citizens are not denied their Internal Market rights. The Irish SOLVIT Centre is located in the EU Affairs & Single Market Unit.

On 19 April 2020, the remit of the SOLVIT network expanded to cover administrative decisions made by competent authorities in cases involving the mutual recognition of goods lawfully marketed in another Member State.

In 2019, the Irish SOLVIT Centre scored exceptionally well in the European Commission's Annual Report on the previous year's performance of national centres within the SOLVIT network. This included a doubling of the resolution rate for cases submitted to the Centre and Ireland's service was commended by the European Commission. The recently published report for 2019 showed the Irish SOLVIT Centre maintaining this strong level of performance.

### **Trade Policy – John Hughes**

International Trade Policy is a competence of the EU Commission under the EU Treaties and defined as the Common Commercial Policy. Under this architecture the Commission leads on international trade negotiations and proposed EU legislative proposals in field of Trade Defence Instruments. Member States participate with the Commission on the substance of all trade proposals through various Committees and Working Groups, including the treaty-based Trade Policy Committee, and at Ministerial level through the Trade Council.

In this context, Trade Policy Unit is responsible for the identification, formulation and development of Ireland's international trade policies, including Ireland's offensive and defensive interests in EU trade policy negotiations. The Division is also responsible for Irish representation, through DBEI secondees to the Permanent representation in Brussels (PRB), Ireland's Mission in Geneva, in the World Trade Organisation (WTO) and DBEI Counsellors/Attaches assigned to Embassies in key markets of the UK, US, Germany & China. The Trade Policy Unit also has daily engagement with all these overseas colleagues in terms of outreach and accessing trade policy intelligence from these key jurisdictions

#### THE KEY STRATEGIC ISSUES:

- At a time of rising protectionism, to avail ourselves of all opportunities to advocate clear support for the open rules-based, free trade system, which is an essential part of the international ecosystem that supports Ireland's economic development as a Small Advanced Economy.
- Advocate for Ireland's interests in the European Commission's Trade Policy Review announced on 16 June 2020 and to conclude before end-2020
- Ensure that Ireland's interests and values are reflected in any proposals for EU strategic autonomy in response to COVID-19, in the context of EU Trade Policy
- Firmly defend Ireland's interests in international trade deals that may emerge and support new and existing EU trade deals to expand Ireland's export options into new markets.
- Secure greater support for a rules-based world trading environment, in concert with EU Member States and the European Commission, benefitting Ireland's exporters and supporting inward FDI, while increasing opportunities for Ireland's enterprises and people.
- Engage with the EU Commission's DG Trade and with colleague Member States to promote Ireland's Trade Policy interests generally, as well as in the current Pandemic crisis and post COVID-19. and ensure a better understanding of Other Member State and EU Commission Trade Policy objectives, in particular, given that COVID-19 responses and post-COVID-19 recovery are both priority agenda items
- Advance Irish interests and positions in EU/Third Country bilateral trade negotiations, including EU/UK, and in pluri-lateral and multi-lateral WTO trade negotiations.
- Promote Irish interests in EU Trade Defence legislation to support Ireland's trade policy agenda, including discussion on the International Procurement Instrument and the Enforcement Regulation – both policy priorities for the von de Leyen geopolitical Commission. Ensure that any agreed legislation is targeted on a specific issue (e.g. access to 3<sup>rd</sup> country procurement markets) and will not be considered as a protectionist measure, perceived or otherwise, by our trading partners.
- Continue to support and promote positive engagement between the EU and US on bilateral trade matters towards a more positive, balanced and mutually beneficial equal trading partnership having particular regard to Irish interests.
- Continue to support and promote positive engagement between the EU and China on bilateral trade matters towards a balanced and mutually beneficial trading partnership having particular regard to Irish interests. Continue to promote the trading aspect of the EU-China relationship in the wake of any negative post-COVID-19 analysis of the China response to the pandemic. Engage with the EU Commission's Bilateral Trade and Investment negotiations both active [Australia, New Zealand, Chile, Indonesia and China] as well as recently concluded (Mexico, Mercosur).

- To oversee the preparation of the Government's Economic and Sustainability Impact Assessment of the EU-Mercosur Trade Agreement for the Irish economy/trade/jobs.
- Engage with relevant stakeholders on the International Trade and Investment agenda, as well as on trade aspects of COVID-19 responses and post-COVID-19 recovery.
- To undertake/commission economic assessments of recently concluded and prospective trade agreements.

**IMMEDIATE PRIORITIES IN THE MONTHS AHEAD:**

- Support the Minister at meetings of and engagements by EU Trade Ministers, including in Council and Like-Minded formations. Council approves legislative Proposals, Negotiating Directives and FTAs as well as discusses the direction of EU Trade Policy.
- Officials continue to participate in all EU Trade Policy Committees and Working Groups to advocate Ireland's position on International Trade Policy files; including
  - the Review of the EU's Trade Policy
  - negotiations by the European Commission of a WTO-centered Healthcare Products Initiative to eliminate tariffs and non-tariff barriers to trade on a number of key health-related products.
  - COVID-19 responses and post-COVID-19 recovery
  - WTO Reform
  - EU-Third Country Bilateral Trade Relations
  - Trade Policy legislative files.
- Advance Ireland's economic and trading interests in multilateral contexts, including the WTO and OECD. Together with our like-minded EU Member States, continue to advocate and promote a free and fair rules-based trading system, with the WTO at its core, to underpin global recovery from the COVID-19 crisis. It is imperative that the current crisis is not used to justify new or discriminatory trade protectionist measures.
- Ensure that Ireland's interests and values are reflected in any proposals for EU strategic autonomy in response to COVID-19, such as incentives to produce certain goods within Europe.
- In coordination with Brexit Unit, provide continued analysis and inputs to the trade related aspects of the EU-UK Future Relationship negotiations.
- Continue to seek, through the EU, a negotiated resolution of both the Airbus and Boeing WTO Dispute cases and the elimination of US-related tariffs impacting Ireland (butter, cheese and Irish Cream), as well as other EU-US trade irritants (e.g. steel and aluminium tariffs).
- Support the EU Commission in its priority work to de-escalate transatlantic trade tensions.
- Work with Ireland's overseas DBEI Trade, Investment & Innovation Counsellors and Attaches to pursue Irish bilateral interests and better understand key partner country policies in London, Washington, Berlin & Beijing, focusing in the short term on any particular economic stimuli developed in response to the COVID-19 emergency and any opportunities or challenges that may accrue for Irish exporters.
- Engage with domestic stakeholders to ensure a mutual understanding of the International Trade Policy agenda/landscape, as well as on trade aspects of COVID-19 responses and post-COVID-19 recovery.

- Active engagement with the EU Commission in ongoing EU negotiations with Australia, New Zealand, Chile, Indonesia and China to promote and protect Ireland's interests and as well as recently concluded negotiations with Vietnam, Mexico, Mercosur as they move forward through Council.
- Active engagement with the EU Commission in pursuing the WTO modernisation agenda as well as a resolution to the current Dispute Settlement "Appellate Body" impasse.
- Continue to support (through the EU) full transparency and notification obligations of WTO members' actions in their response to the COVID-19 emergency, to ensure that measures that may negatively impact trade are short term, fully compliant with WTO rules and are focused on protecting human life and health.
- Active engagement with the EU Commission, including through our DBEI personnel assigned to Ireland's Permanent Mission to the WTO, in preparing for the biennial Ministerial Conference of the WTO. While the next Ministerial meeting has yet to be confirmed but may take place in Kazakhstan in June 2021 after the June 2020 meeting was cancelled, individual proposals for possible Agreements in areas such as Fisheries, Domestic Regulation of Services, eCommerce etc. are taking place now.
- Publication of a Study of the Impacts of a selection of EU Free Trade Agreements (Canada, Korea, Japan and Mexico) entitled "Four EU Free Trade Agreements: Opportunities and Impacts for Ireland". At a time of rising protectionism, be clear in Ireland's support for free trade, while insisting on high environmental and labour standards and fair-trading practices.
- Actively engage with the European Commission and other stakeholders in development of the EU's trade and sustainable development agenda in line with the objectives of the European Green Deal which is central to the EU's economic recovery, in particular with regard to the ambitious development of TSD (Trade and Sustainable Development) chapters in trade negotiations, to ensure economic growth, development and environmental protection go hand in hand. Ensure that Ireland's position on trade deals is strongly informed by the need to ensure that all international trade deals support the aims of the Paris Climate Agreement.
- Completion of the independent Economic and Sustainability Impact Assessment of the headline EU/Mercosur trade agreement to inform future action in this area.
- Continue to serve as the National Contact Point (NCP) for the OECD Guidelines for Multinational Enterprises.
- Continue to participate in the EU's Trade Defence work, including through the Working Party on Trade Questions, the Market Access Advisory Committee and related Commission Groups. Ensure that the EU's Trade Defence mechanisms are supported at Member State level while dissuading the development of protectionist measures as a response to the COVID emergency.
- Participation in the EU Commission's work on the enactment and/or review of a number of Trade Regulations, including the International Procurement Instrument, the Enforcement Regulation and the "GSP" (Generalised System of Preferences) Regulation.
- Work on the EU Commission's drive to modernise the Free Trade Agreements with African countries.

**KEY ISSUES WITHIN TRADE POLICY UNIT:**

In-house analysis (May 2020) performed by European Commission DG TRADE's Chief Economist team estimates a decrease in global trade for 2020 between 10%-16% as a result









Agreement including the modalities of its adoption. The negotiations on the Future Relationship between the EU and United Kingdom are proceeding under a very tight timeframe of end 2020 which has been self-imposed by the UK. The negotiations will necessitate swift and continuing analysis and inputs by the Department via DFAT on the trade-related aspects of the negotiations to ensure Ireland's priorities are effectively articulated and reflected in the outcome of the negotiations. Failure to reach agreement within the timeframe could present another 'cliff edge' scenario for Ireland that would see the trading relationship between the EU and UK revert to WTO rules, including application of respective tariff schedules and quotas for goods and much more limited access on services.

As noted, earlier, the Department has a lead role on Trade and Sustainable Development (TSD) in the context of the UN Sustainable Development Goals and a direct interest in developments relating to Africa through responsibilities such as those relating to TSD and regional EU-Africa Economic Partnership Agreements (EPAs). TSD has received ever-growing attention in more recent years through such issues as an increasing focus on the interaction between trade and environmental matters (as referenced in the new European Commission's recent European Green Deal) or social matters such as labour standards and human rights.

The Department's trade policy interest in Africa is within the context of the EU's efforts to strengthen its trading partnership with Africa and move away from seeing the EU's relationship with Africa through the primary prism of development aid. EPAs are a process dating back to 2000 which is the legal framework ruling relations between the EU and 79 countries in Africa, the Caribbean and the Pacific (ACP). The Department is in close contact with DFAT as negotiations develop, with particular regard to the trade elements.

The Trade Policy Unit provides Ireland's National Contact Point for the OECD Guidelines for Multinational Enterprises. The NCP provides a grievance mechanism whereby any interested party may make a complaint against an enterprise under the Guidelines. Currently, the NCP has two complaints under assessment. All OECD NCPs are required to have a peer review of their NCP by the OECD. Ireland's NCP is due for peer review in early 2021. In advance of this, an action plan for the NCP will be developed in 2020 to review the functioning of the NCP.

In fulfilment of the Department's Trade Policy agenda, among other priorities, we have DBEI assignees working in our Missions in Brussels, Geneva, London, Washington, Berlin and Beijing. Close collaboration between the Trade Policy Unit in Dublin and these overseas colleagues is essential to delivery of our Mission and Goals.

### **Trade Licensing and Control – Dr Eamonn Cahill**

The Unit is responsible for administering and enforcing EU and national legislation regulating the export of certain categories of sensitive goods. The principal categories are (i) Dual-use items i.e. goods and technology, including software, with a both civilian and military applications, and (ii) Military equipment.

These export controls form part of a global framework designed to: prevent the proliferation of weapons of mass destruction; support regional stability; prevent terrorism; and protect human rights. Export controls generally take the form of a requirement for prior approval (i.e.



- The Unit provides briefing for Ministerial meetings with incoming high-level visitors and delegations who wish to discuss trade and investment matters with the Minister.
- TIU supports the Minister's participation at the Export Trade Council (chaired by the Tánaiste) where discussions among Ministers and business representatives takes place on strategic topics related to trade, tourism and investment.
- TIU provides trade statistics on a monthly basis for virtually every country around the world in addition to a range of trade data on specific topics and regions
- TIU has responsibility for heightening awareness amongst exporters of the benefits that can be derived from Free Trade Agreements (FTAs) that have been negotiated between the EU and third countries. In that regard, it is proposed that the incoming Minister will launch a promotional campaign to optimise utilisation of EU Free Trade Agreements by enterprises, particularly SMEs, and to mark the publication of a report, which was commissioned by the Department, to highlight the benefits for Ireland of FTAs negotiated with Canada, Japan, Mexico and Korea. This campaign will also serve to generate greater awareness of the activities and supports of the Department and its agencies in relation to achieving national trade and investment goals. As the year unfolds a series of promotional events, including the use of social media, will be organised by the Department to this effect.
- TIU provides secretarial support for the Trade and Investment Implementation Group. This Group, which is chaired by the Secretary General and comprises the Assistant Secretaries of the EU Affairs, Trade Policy, Licensing and Investment Screening Division; the Indigenous Enterprise, SME's & Entrepreneurship Division; and the Innovation and Investment Division, along with the CEOs/DG of EI, IDA and SFI, provides a forum for enhancing co-ordination of Department and agency input into national trade and investment strategies and regional trade strategies while facilitating enhanced cooperation between the Department and its agencies and other representative organisations and stakeholders.

### Permanent Representation Brussels

**Trade Team:**

**Brian Dalton**

**Competitiveness Team:**

**Eadaoin Collins**

#### PRB - TRADE

The Trade Counsellor and team, working with the Trade Policy Unit at HQ and colleagues in the Permanent Mission to United Nations (PMUN) Geneva, build and maintain strong working links with colleagues within the Permanent Representation and from other Government Departments. The team also networks with the Commission, Council Secretariat, European Parliament, and Commissioner's Cabinets, as well as with individual and groups of Member States. This engagement helps ensure that the Department's trade policy interests are represented and advanced at EU level.

A wide range of meetings across the above policy spectrum are serviced on a regular basis. The DBEI Trade Counsellor is also responsible for briefing the Permanent Representative to participate in COREPER II meetings.

The next formal meeting of the Foreign Affairs Council (Trade) is expected to take place in December (date to be confirmed). An informal meeting of the Foreign Affairs Council (Trade) is scheduled for 21 September in Berlin.

#### **PRB - COMPETITIVENESS**

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

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

The next formal meeting of the Competitiveness Council will take place on 24 and 25 September 2020 in Brussels. Day one will focus on internal market and industry, Day two will focus on research. An Informal Ministerial meeting has been scheduled for 21 July (Research) and a Ministerial VC of Competitiveness Ministers (Internal Market and Industry) has provisionally been scheduled for 23 July (TBC). In addition, the African and European Commissions together with South-Africa as chair of the African Union have agreed to hold the first ever EU-AU Ministerial meeting on Research and Innovation on 16 July 2020. The DBEI COMPET Counsellor is responsible for briefing the Deputy Permanent Representative to participate in COREPER I in advance of Compet Council.

#### **Permanent Representation Geneva – Eugene Forde**

Geneva is the seat of a number of international organisations that impact on the work of DBEI, notably the World Trade Organisation, the World Intellectual Property Organisation and the International Labour Organisation. These organisations conclude agreements or set standards, including monitoring and enforcement mechanisms, that establish a level playing field, among their global memberships, in the areas of trade, protection of intellectual property and conditions for work and employment. A complement of four DBEI personnel aims to promote national and EU positions by engaging with the EU and its Member States, with other like-minded economies, particularly western economies, as well as with the Secretariats of the organisations and outside influencers.

Among the priorities in the year ahead will be:

- Working through the EU to preserve and strengthen the multilateral trading system, through the work of the World Trade Organisation, and in particular its dispute settlement system, in the face of a more unilateralist and protectionist approach by some economies.
- Working through the EU to agree new approaches on how trade can support public health measures during the course of a pandemic.

- Working through the EU to secure a successful WTO Ministerial Conference in 2021 (most probably in Kazakhstan in June 2021), by making progress in key negotiations on Fisheries Subsidies, Digital Trade, Investment Facilitation and easing of domestic regulations on trade in services.
- Monitoring WTO aspects of Brexit.
- In light of our considerable investment in scientific research and innovation, supporting DBEI participation on relevant committees and topics being addressed by the World Intellectual Property Organisation and its key conventions.
- Promoting Ireland's interests at the International Labour Organisation, in particular through our 3-year membership of the ILO Governing Body, which ends in 2021. Other areas of work in which Ireland has a strong interest are: The Future of Work (closely aligned to DBEI's Future Jobs agenda); Decent Work in Global Supply Chains; and work in the area of labour conditions in the Sports sector.

### **Irish Embassy, London – Paraig Hennessy**

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

The immediate focus is on ensuring up to date intelligence on the evolving UK position on Brexit and to build and deepen relations with the UK business community.

### **Irish Embassy, Washington – Harry Lester**

A new position of Counsellor for Trade, Investment and Innovation was established by DBEI at the end of 2019 in the Embassy of Ireland in Washington DC. There are three broad areas of immediate focus which will develop into a broader set of goals over the course of 2020 and duration of the posting.

- Establishing the new role, through taking over existing contacts and making new ones within the Administration (USTR and Commerce), Capitol Hill (House Ways and Means and Senate Finance Committees and Trade Policy leaders), and the business and academic communities, will be an immediate priority. Establishing a close working relationship with the State Agencies on the ground is also a key element to this and an important extension of the work of the Trade and Investment Implementation Group.
- Given the current dynamic and unpredictable environment of Trade Policy in Washington DC and the significant issues that exist between the US and the EU within the



multilateral system (WTO reform and appellate body) and in bilateral relations (tariffs and threatened tariffs arising from disputes within the aircraft, steel and aluminium, autos and digital sectors, deadlock in the executive working group discussions and concern over the use of US sanctions for foreign policy purposes) reporting on insights from this will be of critical importance to inform Irish Trade Policy and engagements in the EU.

- Follow on from the Research Mission to the Bay area in December 2019 is required to build on the goals of promoting Ireland as a strong and open research and development ecosystem. Working with SFI and IDA to further engage with MNC's and Universities, as well as forging relationships with the National Science Foundation and other Washington based research groups, will be part of positioning Ireland strongly. The existing Irish American Science Forum will be cultivated as a means to promoting Ireland's position as a global leader in research and innovation.

Aside from those three broad areas of immediate priorities, relationships need to be developed within the Department of Commerce in particular to explore shared learning and cooperation on wider issues such as enterprise policy and supports in the areas of entrepreneurship, SME's and access to finance, and industrial policy instruments designed to position the economy for competitiveness and productivity and prepare citizens for the future of work. There are common values and potential for collaboration and shared learning.

### **Irish Embassy, Berlin – Anne-Marie Finlay**

The Department created an additional post at Counsellor (Principal Officer) level – the Trade, Investment and Innovation Counsellor - at the Embassy in Berlin. Berlin was identified as a strategic overseas location for the Department in the context of the Government's "Global Ireland: Ireland's Footprint 2025" strategy to expand global footprint and double global impact.

The Counsellor, who is supported by a locally employed graduate policy officer, reports to the Ambassador and to the Assistant Secretary in the Division. A review of relations between Ireland and Germany was completed in 2018, which saw the initiation of bilateral Departmental dialogues, with the intention of joint project development with German counterparts. The Department is one of four Departments, apart from DFA, which is actively engaged in this. A Secretary General/State Secretary level dialogue was expected to take place in Dublin in Spring 2020, but this was postponed and is now likely to take place after the German EU Presidency, in January/February 2021. Assistant Secretary General/Head of Division level bilateral meetings between DBEI and relevant Federal level counterparts were planned for March and April this year but had to be postponed because of the corona crisis. These are now being organised as video conference meetings. Bilateral meetings at principal officer level took place in Berlin in January this year.

The Trade, Investment and Innovation Counsellor's role is to support the Department's engagement in this, and to identify and nurture potential opportunities to develop and deepen links. The Counsellor also keeps the Department informed on developments in Germany of interest to our policy agenda across a number of economic ministries covering industrial, trade, research and innovation, data, digital and labour market policies and all other core policy interests of the Department, and develops key contacts to enable us to work more closely to understand and influence our German counterparts.



The Counsellor is the main contact point in Germany for all the agencies under the aegis of the Department, not least those with a physical presence in Germany - Enterprise Ireland and IDA Ireland – but also Science Foundation Ireland which does not have a presence in Germany - to provide support and assistance to the agencies in pursuing their respective remits, including trade missions and other visits, and to facilitate interagency initiatives. The Counsellor also responsible for engaging with a broad range of non-governmental representative stakeholders.

### **Irish Embassy, Beijing – Joseph Keating**

*Global Ireland – Ireland’s Global Footprint to 2025*, in relation to China, states “In recent years, Ireland has continued to invest in our presence in China. Under this initiative, this will be sustained and further advanced as connections deepen, and our mutual interests grow and develop.” DBEI, through the work of its agencies and successive trade missions has intensified its focus on China both as an export market and a source for FDI. Some key lessons from this engagement include the importance of government to government relations. The Department set up a new position as Trade, Commercial, Science, Technological and Innovation Attaché (Assistant Principal) at the Embassy in Beijing. The position was filled in January 2020.

The first six months of 2020 has presented the world with unprecedented challenges due to the COVID-19 pandemic, and the world economy has not been immune to this impact. While Ireland and China, as well as many other countries, are coping with the effects of the pandemic at different stages, it is very difficult to forecast with any degree of accuracy what the second half of 2020 will mean from a trade and economic perspective. What can be said with some certainty is that in a post-COVID environment, China will continue to be a key trading partner for Ireland and opportunities to develop and expand this crucial trading partnership will continue to present themselves.

The immediate focus will be:

- Develop connections in Central Government at the appropriate level
- Develop and maintain close working relationships with the State Agencies on the ground, and at home
- Keep update enterprise policy and developments in China and develop a monthly report
- Follow and report on developments in the negotiations of a new EU-China trade agreement and other relevant EU-led and multilateral negotiations
- Maintain contact with other EU diplomatic Missions and trade agencies to gain a deeper understanding of the challenges and opportunities we face as EU member States

In the longer term:

- Forge and maintain relationships with appropriate personnel in the key Provincial and regional Governments
- Support the political system in Ireland by providing background materials for Trade Missions, Ministerial visits, FOI Requests, PQs, and Annual Reports etc.
- Assist with the organisation and planning of inward official visits in conjunction with Embassy colleagues and arrange appropriate support from HQ for official visits to Ireland from influential Chinese officials.
- Contribute to the planning and delivery of the trade promotion function of the Embassy
- Assist with outreach to relevant organisations that can contribute to enhancing trading relationships between Ireland and China

## 4.4 Enterprise Strategy, Competitiveness & Evaluation Division

David Hegarty, Assistant Secretary



### BUSINESS UNITS & HEADS IN THE DIVISION (PRINCIPAL OFFICER)

Competitiveness, Productivity & Climate Action Unit	Marie Bourke
Labour Market & Skills Unit	Kevin Daly
Monitoring, Evaluation & Research Support Unit	Karen Hynes
Enterprise Strategy Unit	John Newham
EU Digital Single Market & Digital Economic Policy	John Dooley

### 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, taxation, essential infrastructures, competitiveness and productivity. With the Department of An Taoiseach, the Division leads on Future Jobs Ireland. Future Jobs Ireland is a multi-year framework focused on building a resilient economy through increasing innovation and SME productivity, upskilling and raising labour market participation. It is also about positioning our economy and society to deal with the challenges of digitalisation and the transition to a low carbon economy.

The Division supports the work of, and provides the Secretariat for, two independent bodies that operate under the aegis of the Department - the National Competitiveness Council (NCC) and the Expert Group on Future Skills Needs (EGFSN).

### THE KEY STRATEGIC ISSUES FOR THE ENTERPRISE STRATEGY, COMPETITIVENESS & EVALUATION DIVISION ARE:

- Ensuring that Ireland's enterprise policy is fit-for-purpose in terms of addressing current and prospective challenges and risks;

- Putting in place the policy frameworks that will enable Ireland to successfully adapt to decarbonisation and digitalisation and exploit the enterprise opportunities that these transitions will give rise to;
- Influencing key Government policies of importance to the enterprise sector in areas such as climate action, skills, digitalisation, infrastructure and taxation;
- Monitoring and diagnosing the competitiveness and productivity performance of the economy and developing policy recommendations to address these;
- Monitoring and evaluating the performance and impact of the Department's expenditure programmes.

#### **IMMEDIATE PRIORITIES IN THE MONTHS AHEAD:**

- Monitoring and analysis of the re-opening of the economy under the Roadmap for Reopening Society and Business and inputting to consideration of policy options and supports to promote economy recovery including to the envisaged review of the National Development Plan;
- Review of Future Jobs Ireland in light of the Programme for Government and changed economic circumstances;
- Finalisation and agreement of an Artificial Intelligence strategy;
- Finalisation of a strategic review of the Department's capital spending.

#### **KEY ISSUES WITHIN EACH BUSINESS UNIT OF THE DIVISION:**

##### **Competitiveness, Productivity & Climate Action Unit - Marie Bourke**

This Unit has two distinct roles as follows:

- Analysing and diagnosing issues affecting the competitiveness and productivity performance of the enterprise sector and the Irish economy generally, including through the work of the independent National Competitiveness Council;
- Leading on climate policy in the Department including the coordination of the Department's input to the Climate Action Plan and development of measures to meet the enterprise sector's decarbonisation target.

In terms of competitiveness and productivity, as a small open economy Ireland's competitiveness is essential to growing exports and employment. Over the longer term, productivity levels are the key determinant of living standards and quality of life. The Department places a high priority on ensuring that the key enterprise competitiveness issues are identified and prioritised for action across the government system including through Future Jobs Ireland. The Unit inputs on the national and EU competitiveness and productivity agenda, including through advocacy in domestic fora and in external fora such as meetings of the euro-area National Productivity Boards and with the EU Semester team. The Unit provides analysis and policy proposals in its capacity as the Secretariat for the National Competitiveness Council and these recommendations are followed through as part of Future Jobs Ireland.

### THE NATIONAL COMPETITIVENESS COUNCIL (NCC)

The Council was established in 1997. It reports to the Taoiseach and the Government, through the Minister for Business, Enterprise and Innovation, on key competitiveness issues facing the Irish economy and offers recommendations on policy actions required to enhance Ireland's competitive position. In September 2016, the European Council recommended the establishment of National Productivity Boards in each euro-area country. In accordance with the recommendation, the Government mandated, in March 2018, the NCC as the body responsible for analysing developments and policies in the field of productivity and competitiveness in Ireland.

The Council has 16 members and includes representatives of the employer and trade union social partnership pillars, people with relevant expertise in competitiveness and a representative of this Department. Senior representatives from 10 Government Departments (the Taoiseach, Agriculture, Food & the Marine, Communications, Climate Action and Environment, Education and Skills, Finance, Housing, Planning & Local Government, Justice and Equality, Public Expenditure & Reform, and Transport, Tourism and Sport) attend Council meetings in an advisory capacity. The Council is chaired by Dr. Frances Ruane.

A particular focus is placed on the availability of world class economic infrastructure (energy, transport, waste and water) and the availability of competitively priced utility services, which are critical to support economic growth and enterprise development. These policy areas do not principally fall within the remit of the Department, so providing an in-depth understanding of enterprise needs and the competitive global environment for investment helps the Department inform and influence policy choices across Government. Input is provided through formal channels, such as written submissions to regulators, or through ongoing engagement with policy makers in other Departments. Priorities for the remainder of the year include engagement on a policy framework for Corporate Power Purchase Agreements (CPPAs) which should facilitate large energy users such as data centres to invest in renewable electricity supply and the development of a support scheme for on-site renewables (microgeneration) to be available to businesses. The Unit provides coordination across divisions on the implementation of the Department's projects under Project Ireland 2040 and the review of the NDP.

As regards climate action, the Unit is responsible for delivering on actions and objectives for the Department as set out in the Climate Action Plan (CAP) 2019 including those in the food and drinks and cement sectors. It coordinates across the Department with a focus on competitiveness implications and enterprise resilience in a transition to a low carbon economy. The Unit engages with the enterprise development agencies, and wider stakeholders, to ensure appropriate supports are available to enterprise in preparing for changes in energy costs, customer requirements and regulatory changes that arise as a result of Climate Change policy.

### IMMEDIATE PRIORITIES IN THE MONTHS AHEAD FOR THE COMPETITIVENESS, PRODUCTIVITY & CLIMATE ACTION UNIT ARE:

- Research and analysis for the NCC's *Ireland's Competitiveness Challenge 2020* and the NCC *Productivity Statement*. The Council has identified five broad challenges for economic recovery post COVID-19 which will be further explored in *Ireland's Competitiveness Challenge* which will be published in September. These five broad challenges are:

- Supporting Ireland's workers and exploiting opportunities for upskilling
- Ensuring the economic recovery is a green recovery
- Investing wisely in Ireland's Future
- Addressing a number of longstanding areas where costs remain uncompetitive (e.g., legal costs)
- Robust support for an open international economy.
- Delivery of Department's actions under the Climate Action Plan and inputs to its next iteration. This includes developing a Climate Action Hub to guide enterprise in decarbonisation, reviewing the associated incentives in place and commencing a study of enhanced actions required to meet the enterprise sector's decarbonisation targets.
- Preparing the Department's submission to the review of the NDP in advance of Budget 2021.
- Engaging on a number of key policy and regulatory consultations including in relation to the Renewable Energy Support Scheme (RESS), Corporate Power Purchase Agreements (CPPAs), and the Commission for Regulation of Utilities and Irish Water regarding non-domestic water policy and the harmonisation of tariffs and service-levels for enterprise customers.

### **Labour Market & Skills Unit – Kevin Daly**

Through the Expert Group on Future Skills Needs (EGFSN), the Unit undertakes research to identify the emerging skills needs of the Irish economy. It works with the Department of Education and Skills on the implementation of the National Skills Strategy, the Action Plan for Education and other education and skills related strategies, while supporting the work of the National Skills Council on the prioritisation of identified skills needs and how to secure their delivery, including in the areas of ICT, Brexit related skills challenges, design, construction and SME management. The Unit also works with other relevant Government Departments and Agencies to foster participation in the labour force through flexible working solutions, including the delivery of guidance on remote working for employers and employees

#### **EXPERT GROUP ON FUTURE SKILLS NEEDS (EGFSN)**

The Expert Group on Future Skills Needs (EGFSN), established in 1997, has the task of advising Government on future skills requirements and associated labour market issues that impact on the national potential for enterprise and employment growth.

Its membership includes representatives from relevant Government Departments, Enterprise Development Agencies, Business, Unions, and the Further Education and Training and Higher Education sectors.

The Department of Business, Enterprise and Innovation provides the EGFSN with research and analysis support.

Through the undertaking of research, analysis and horizon scanning, the Group:

- Advises Government on projected skills requirements at national and sectoral levels and make recommendations on how best to address identified needs.

- Makes recommendations on how existing education and training systems and delivery mechanisms might be adapted to better effect, as well as the role that enterprise can play in the shaping up of the skills of their workforce.
- Advises on any skills requirements that cannot be met internally at a given time and so must be met through inward migration; and
- Ensures that recommendations made are progressed by the relevant authorities.

**IMMEDIATE PRIORITIES IN THE MONTHS AHEAD FOR THE LABOUR MARKET & SKILLS UNIT ARE:**

- Work with other Government Departments and Agencies in fostering participation in the labour force through flexible working solutions, including the delivery of guidance on remote working for employers and employees;
- Development and implementation of the second phase of Tech Life Ireland, which is focussed on the attraction of international ICT talent and which is a key support to the implementation of the Technology Skills 2022 action plan; and
- Finalisation of EGFSN studies on Construction and SME management to help inform the responses of public and private sector stakeholders, and initiate work on studies around International Financial Services and Skills for the Low Carbon Economy.

**Monitoring, Evaluation & Research Support Unit – Karen Hynes**

The Unit collects and analyses primary data to inform enterprise and innovation policy development. Two key enterprise surveys – the *Annual Employment Survey* and the *Annual Business Survey of Economic Impact* - monitor the employment and economic performance of the clients of Enterprise Ireland and IDA Ireland. It also compiles the quarterly DBEI Dashboard which presents approximately 60 economic indicators across the areas of jobs, enterprise and innovation.

The Evaluation Unit is a centralised function that undertakes evaluations of programmes funded through the Department's budget. These evaluations aim to assess the effectiveness of public expenditure in meeting policy objectives and to provide evidence-based policy insights into all stages of the policy process.

**IMMEDIATE PRIORITIES IN THE MONTHS AHEAD FOR THE MONITORING, EVALUATION & RESEARCH SUPPORT UNIT ARE:**

The Evaluation Unit is currently undertaking a strategic review of DBEI capital expenditure over the period 2006-2018. The objective of this review is to undertake a strategic assessment of whether the system of capital supports for enterprise, and the capital expenditure allocation across programmes, align with the new and emerging economic challenges and strategic objectives of the Department. The outcome of the review will help inform decisions on DBEI's capital expenditure allocation over the medium to longer term. The review is expected to be completed in early Q3 2020. The Unit is also undertaking an evaluation of Enterprise Ireland's research, development and innovation (RDI) programme in 2020.

## Enterprise Strategy Unit – John Newham

Enterprise Strategy Unit has responsibility for national Enterprise Policy and considers the effects on business of Government initiatives and policies e.g. taxation, pensions reform, and sectoral and regulatory developments. Each year, the Unit leads on the Department's Pre-Budget Submission to the Department of Finance on taxation.

Over the course of the COVID-19 crisis, the unit provided analyses including:

- advice on essential economic activities when implementing restrictions;
- advice on the sequencing of re-opening the economy;
- drafting of Economic Considerations for Reinstating Economic Activity reports to Government for its consideration ahead of each phase of the Roadmap for Reopening Society and Business; and
- a range of other inputs and analyses concerning commercial rents; comparison of NI / UK business supports vs Ireland; TWSS & PUP; and the Restart Grant.

The Unit is responsible for Enterprise 2025 Renewed which sets out Ireland's national enterprise policy. It carries forward key initiatives from this policy through Future Jobs Ireland (FJI), a cross Government framework to build Ireland's resilience in the face of existing and prospective economic challenges. In partnership with the Department of the Taoiseach, the Unit leads on the development of Future Jobs Ireland which is updated annually to respond to developing challenges through a range of cross-Government commitments in five key pillars:

1. Embracing Innovation and Technological Change
2. Improving SME Productivity
3. Enhancing Skills and Developing and Attracting Talent
4. Increasing Participation in the Labour Force
5. Transitioning to a Low Carbon Economy

FJI has been endorsed by national and international commentators as an important initiative which addresses existing and emerging challenges common across developed countries. It is referenced in the Programme for Government as an important input to the National Economic Plan.

The Unit has responsibility for overseeing the implementation of Industry 4.0 (an FJI deliverable published in late 2019). The Unit is developing capacity in the area of EU Industrial Policy which is a file of growing importance at EU level especially in light of the new EU Commission's priorities such as the European Green Deal.

The Unit also undertakes ongoing analysis of enterprise environment and prepares Sector Briefs, a suite of briefs that analyse 16 key sectors of the economy. It is currently preparing a set of Sector Updates which will provide updated information across the sectors in light of COVID-19.

### KEY STRATEGIC ISSUES AND IMMEDIATE PRIORITIES FOR THE ENTERPRISE STRATEGY UNIT ARE:



- Analysis of the re-opening of the economy under the Roadmap for Reopening Society and Business and inputting to consideration of policy options and supports to promote economy recovery
- Agreement by Government of new iteration of Future Jobs Ireland; launch; and implementation
- Submission to Government of Sector Updates
- Development of DBEI tax proposals for Budget 2021

### **EU Digital Single Market & Digital Economic Policy – John Dooley**

As an open economy, it is critical for Ireland that legislation proposed under the EU Digital Single Market (DSM) is pro trade, innovation and the single market so that the DSM is a key enabler of our national digital economy, essential to boost productivity and to open new growth opportunities for our SMEs and to ensure our global competitiveness particularly as part of the economic recovery from COVID-19.

The Unit leads the Inter-Departmental Committee (IDC) on Digital Single Market issues chaired by the Minister of State. The IDC acts as a forum for coordination and liaison across government of this complex policy brief. In terms of EU policy development, the Unit leads on EU platforms policy, EU AI policy, development and agreement of the national AI strategy and the recently commenced review of the e Commerce Directive by the Commission which will lead to the development of the Digital Services Act Package. The Unit participates in a number of likeminded networks, both Brussels based and capital based (e.g. Digital 9 initiative) and in bilateral consultations as required so as to influence key policy deliberations and European Council outcomes Council.

#### **KEY STRATEGIC ISSUES AND IMMEDIATE PRIORITIES FOR THE EU DIGITAL SINGLE MARKET AND DIGITAL ECONOMIC POLICY UNIT ARE:**

- The negotiation of an EU Regulation on AI with potential adoption in Q1 2021
- Finalisation of a national AI strategy
- Inputting to the review by the Commission of the eCommerce Directive and the development of a Digital Services Act Package
- Transposition of the Platform to Business (P2B) Regulation including identification and designation of body for the taking of representative actions on behalf of by businesses

## 4.5 Workplace Regulation & Economic Migration Division

Clare Dunne, Assistant Secretary



### BUSINESS UNITS & HEADS IN THE DIVISION (PRINCIPAL OFFICER)

Economic Migration and Employment Permits	Fiona Ward
ILO International	Fiona Ward
Safety, Health & Chemicals Policy	Stephen Curran
Industrial Relations/WRC Liaison	Tara Coogan
Construction Contracts Adjudication Service	Tara Coogan

### OFFICES:

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

### AGENCIES:

Health and Safety Authority	Dr Sharon McGuinness, 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 and robust economic migration policy aligned with the needs of the economy, along with an efficient employment permits process to regulate the entry of individuals from non-EEA countries. The Division coordinates the Departments input to and engagement with the Labour Employer Economic Forum, which is the Governments formal structure for high level dialogue between representatives of employers and of labour to discuss economic and social policies insofar as they affect employment and the workplace. The Division leads on Irelands engagement

with the ILO, a United Nations agency based in Geneva, dealing with employment and labour market issues.

## **THE KEY STRATEGIC ISSUES FOR THE WORKPLACE REGULATION & ECONOMIC MIGRATION DIVISION ARE:**

### **ECONOMIC MIGRATION POLICY/EMPLOYMENT PERMITS**

- Ireland operates a managed employment permits system, designed to maximise the benefits of economic migration and minimise the risk of disrupting Ireland's labour market. The system is intended to act as a conduit for key skills which are required to develop enterprise in the State for the benefit of our economy, while simultaneously protecting the balance of the labour market. The focus of the regime is to ensure that the skills and labour requirements of enterprise in the State can be met through economic migration, where necessary.
- Our goal is to deliver an efficient employment permits process to regulate the entry of individuals from non-EEA countries which is sufficiently flexible to react to changes in the labour market, expanding and contracting in tandem with its inherent fluctuations delivered through regular review. It is managed through the operation of occupation lists (critical skills and ineligible) for employment permit purposes. These are reviewed twice yearly.
- The COVID-19 pandemic, which continues to severely impact our economy, will cause us to look closely at the evolving challenges that present in the labour market for some time to come. Any changes to the employment permit regime will be based on robust evidence, submissions received from stakeholders, engagement with the public employment service (DEASP), consultation with key stakeholders and the input of the Economic Migration Interdepartmental Group.
- In dealing with the COVID-19 crisis, the Department has implemented a COVID-19 contingency plan to ensure that the Employment Permit system continues to operate efficiently. With effect from Monday 30th March, the Department implemented remote working arrangements for staff and adjusted previously manual operations to provide for the acceptance of electronic/scanned documents. The Department has also agreed with Immigration Service Delivery, Department of Justice and Equality, as a temporary measure, soft copy arrangements for issuing employment permits.
- Since this crisis began, the Department has been prioritising the processing of employment permit applications for medical personnel on a daily basis

### **SAFETY HEALTH AND CHEMICAL POLICY**

- Our goal is to ensure that there is a robust and up-to-date occupational safety and health legislative regime in place that supports workers in achieving a safe and healthy working life and that supports employers in ensuring that their businesses can operate in a safe, productive and competitive environment.
- With the advent of Brexit, we have been working to ensure that Irish businesses can avail fully of all EU Single Market opportunities through appropriate regulation including chemicals regulation, market surveillance and accreditation.
- COVID19 has impacted significantly on the work of the Health and Safety Authority. The Department, along with the HSA led on the development of the Return to Work Safely Protocol and secured its agreement with the Social Partners. Since then, the HSA has

invested a lot of effort in developing on-line tools and training to help both employers and workers to understand and comply with the Protocol in the workplace.

- Monitoring compliance with the Return to Work Safely Protocol and identifying any necessary amendments/additions in line with COVID-19 public health advice, as the economy opens up, is a key focus for the HSA, which is the lead agency in monitoring adherence to the national Return to Work Safely Protocol

#### **WORKPLACE RELATIONS**

- Ensure that the Workplace Relations Commission (WRC) and the separate single appellate body, the Labour Court, continue to be sufficiently resourced to deliver a world-class workplace relations service and employment rights framework for employers and employees.

#### **INDUSTRIAL RELATIONS**

- Given that pay pressures are likely to intensify in a rapidly recovering and growing economy remain ready to respond to any move by Government to evolve our structures to help manage industrial relations tensions that may emerge.
- Defend challenges and respond to any adverse outcomes.
- Monitor and respond to individual industrial relations disputes as they arise.
- The Workplace Relations Commission will work with An Garda Síochána during 2020 to ensure a smooth transition for all parties in terms of access to the WRC and the Labour Court. The Industrial Relations (Amendment) Act 2019 (No. 21 of 2019) was commenced on the 1st day of February 2020.
- Develop and progress a series of amendments to the 2015 Workplace Relations Act and the Industrial Relations (Amendment) Act 2015, covering, inter-alia, matters relating to the Labour Court and other matters relevant to the enforcement of employment rights by the WRC.

#### **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. In June 2017, Ireland was elected to a Titulaire (full) seat on the ILO's Governing Body for the period 2017-20. This has recently been extended to June 21. The ILO has a unique tripartite structure, in which employers' and workers' representatives have an equal voice with those of governments. We have used our term as Titulaire member to raise Ireland's profile in the Organisation, speaking on behalf of both the EU and the wider IMEC group (Industrialised Market Economy Countries) on topics such as Gender Equality, development cooperation and Health and Safety.

#### **KEY ISSUES WITHIN EACH BUSINESS UNIT OF THE DIVISION:**

##### **Economic Migration and Employment Permits - Fiona Ward**

#### **ECONOMIC MIGRATION POLICY**

The Employment Permits Acts provide a robust legal underpinning of Ireland's employment permits regime. The employment permits system is managed through the operation of the

Critical Skills Occupations List and Ineligible Occupations List for the purpose of granting employment permits. The Critical Skills Occupations list comprises occupations in high demand in the Irish labour market and the Ineligible Occupations list covers those jobs for which there should be ample capacity already in the Irish/EEA labour market. Occupations not included on either list are considered eligible occupations but are subject to a Labour Market Needs Test (ie advertising), in order to demonstrate that the employer is unable to fill the job from within the Irish/EEA labour market.

The lists are reviewed twice-yearly on the basis of research, undertaken by the Skills and Labour Market Research Unit (Solas), the Expert Group of Future Skills Needs, the National Skills Council, education outputs, sectoral upskilling and training initiatives, known contextual factors, such as Brexit and, in the current context, COVID 19 and includes public consultation. In addition, input of relevant Government Departments and the Economic Migration Interdepartmental group is also part of the process.

The COVID-19 pandemic, which continues to severely impact our economy, will cause us to look closely at the evolving challenges that present in the labour market for some time to come. Any changes to the employment permits regime will be based on the evidence, submissions received, engagement with the public employment services (under the auspices of the Department of Employment Affairs and Social Protection), consultation with key stakeholders and the input of the Economic Migration Interdepartmental Group. Any changes proposed to the employment permits regime will be submitted for the consideration and approval of the Minister.

A Review of Economic Migration Policy was undertaken in 2018 overseen by the Economic Migration Interdepartmental Group which is chaired by the Department of Business, Enterprise and Innovation and draws membership from a number of Government Departments and Agencies. The Review, which involved a public consultation and focused stakeholder engagement, found that, overall, the State's vacancy-led employment permits system provided a robust basis for the management of economic migration, but that the current legislation imposed considerable inflexibilities on the operation of the system. Progress has been made on the implementation of the short to medium term recommendations.

The report recommended that the current employment permit legislation should be amended to ensure that it is supportive of a changing labour market and economy into the future. An entirely new Bill, rather than an amendment Bill, is being drafted, as further amendment to the 2003-2014 Acts would substantially diminish the legislation's accessibility. It is intended that the Employment Permits Consolidation and Amendment Bill would affirm the robust system set in place in 2014, but would allow for a much more adaptable framework, allowing for innovation in processes and in industries which avail of the system, and for developments in the economy and labour market. Parliamentary counsel has been assigned and work has commenced on drafting the legislation, Due to the COVID-19 crisis, the time frame for progressing the legislation is likely to be delayed to early 2021.

Key recommendations of the Review, which will be included in the new legislation are to amend provisions relating to the labour market needs test (advertising of vacancies with Ireland and across the EEA) and to provide for the introduction of a Seasonal Employment Permit in certain circumstances.

In addition to the ongoing Bill, the recommendations of the Report will be given effect through reviews of the current employment permits system. This includes a review of minimum remuneration thresholds for employment permit purposes where consideration is being given to revising current thresholds. Consideration is also being given to developing a third remuneration threshold for the critical skills employment permit for applicants who are highly experienced but without formal qualification in specific fields. In respect of fees, a review will be carried out to ensure that they continue to operate under the cost recovery principal.

#### **EMPLOYMENT PERMITS**

As the economy improved and we approached full employment, the Department experienced a high volume of employment permit applications which has led to some delays in processing applications. In 2019, 18,940 applications were received a 13% increase on 2018. A total of 18,630 decisions were made in this timeframe, which is a 22% increase on 2018. Both applications received and decisions made are at an 11-year high.

At end May 2020, a total of 7,277 permit applications have been received, a 1% decrease in permit applications over the same period in 2019 (7,348 permit applications). At the same time 7,494 permits have issued so far this year, a 17% increase over the same period last year (6,382). Applications from medical personnel accounted for 45% of the employment permits which issued in May 2020 with occupations in ICT, at 28%, accounting for the next highest number of permits issuing with Financial and Insurance activities accounting for approx. 5% of applications.

It is essential that we continue to deliver a high-quality service when considering employment permit applications, within positive timeframes, in line with the relevant legislation and regulations.

Over the course of 2019, Trusted Partner (regular user) applications, which account for 77% of all permit applications, were consistently being processed in a 3-4-week timeframe and Standard applications, which account for 23% of all applications, were being processed in a 10-11week timeframe. The target timelines are 2 weeks for trusted partner and 4 weeks for standard applications. The Department has been working to reduce these processing timelines. Currently it is taking 3 weeks and 7 weeks respectively to process trusted partner and standard applications.

In order to reduce processing times, the Employment Permits section has introduced a number of operational changes, streamlined processes and implemented ICT solutions. Additional staffing resources have also been assigned to the section and a fast track training programme has been devised. In addition, a Business Process Reengineering Review for the Employment Permits section has been completed which identified a number of short-term efficiencies and these are being acted upon immediately. The BPR has acted as a first step in the development of a new IT processing system which will take advantage of all the new technologies available, including full digitalisation.

#### **COVID-19 CONTINGENCY ARRANGEMENTS**

The Department has implemented a COVID-19 contingency plan to ensure that the Employment Permit system continues to operate. With effect from Monday 30th March, the Department implemented remote working arrangements for staff and adjusted previously

manual operations to provide for the acceptance of electronic/scanned documents. The Department has also agreed with the Department of Justice and Equality, as a temporary measure, soft copy arrangements for issuing employment permits.

The Department is contacting applicants at the point of processing an employment permit application to ask if they would like to continue with the processing of the permit, hold the application in the processing queue for the time being, change the employment start date or apply for a 100% refund. Most employers are opting to continue with the applications albeit some with later start dates.

Since this crisis began, the Department has been prioritising the processing of employment permit applications for medical personnel on a daily basis and these applications will continue to be prioritised. Between mid-March and 3 June 1,808 employment permits have issued to medical personnel with 1,032 permits issuing for Medical Practitioners, 759 for nurses and 17 for radiographers.

#### KEY ISSUES:

- Conduct bi-annual reviews of the Critical Skills Occupations List and Ineligible Occupations List in order to ensure the employment permit regime is aligned with evolving domestic labour market conditions.
- Progress new consolidated and amended Employment Permits legislation.
- Continue to implement the Recommendations contained in the Report of the Inter-Departmental Group on the Review of the Economic Migration Policy, in particular, to undertake a review of remuneration thresholds for employment permits and a review of fees for employment permits.
- Reduce employment permit processing times in line with our customer service goal of 2 weeks for Trusted Partner applications and 4 weeks for Standard applications.
- Begin implementing the recommendations identified in the recently published Business Process Review for the Employment Permits Section including the development of a new back-end IT processing system.

## ILO International - Fiona Ward

### LEADING ON IRELAND'S ENGAGEMENT WITH THE INTERNATIONAL LABOUR ORGANISATION (ILO)

The Department leads on Ireland's engagement with the International Labour Organisation (ILO), a United Nations agency based in Geneva, which deals with employment and labour market issues. The ILO has a unique tripartite structure, Ireland has played a key role in the ILO over the past three years. In June 2017, for the first time since we joined the ILO in 1923, Ireland was elected to a Titulaire (full) seat on the ILO's executive body, the Governing Body for the period 2017-2020. Our term coincided with a very ambitious and active period for the ILO due to its centenary in 2019. We have used our term as Titulaire member to raise Ireland's profile in the Organisation, speaking on behalf of the both the EU and the wider IMEC group (Industrialised Market Economy Countries) on topics such as Gender Equality, development cooperation and Health and Safety.

Due to the COVID-19 pandemic the annual International Labour Conference (ILC) was unable to take place as scheduled in May/June 2020. This meant that elections to the GB for



a new term could not take place and as a result Ireland will continue to hold a Titulaire seat on the Governing Body until the next ILC scheduled to take place in June 2021.

During 2020, the Unit will progress the ratification of two ILO instruments 1) the 1986 amendment to the ILO constitution (which governs issues such as permanent membership of the Governing Body) and 2) the Convention on Ending Violence and Harassment in the World of Work. The latter is the first international instrument on this subject. It was agreed at the International Labour Conference in June 2019 and Ireland has committed to the early ratification of the convention.

The challenge now facing the Unit is to continue to maintain Ireland's profile at the ILO albeit in a virtual manner and manage the transition from being a Titulaire member to that of an Observer at the GB, ensuring that we retain the level of influence which we have built up during our term as Titulaire concomitantly, Ireland's high profile has had positive impacts for Ireland across the wider UN system.

**KEY ISSUE:**

- Progress the ratification of the two ILO instruments 1) the 1986 amendment to the ILO constitution and 2) the Convention on Ending Violence and Harassment in the World of Work. (First international instrument on this subject, agreed at the International Labour Conference in June 2019, Ireland is committed to the early ratification of the convention).

## Safety, Health & Chemicals Policy – Stephen Curran

### GOVERNANCE AND RESOURCING THE HEALTH AND SAFETY AUTHORITY

The overall objective of the Safety, Health and Chemicals Policy Unit is to ensure that the Health and Safety Authority (HSA) is adequately resourced and equipped from a legislative, staffing and financial perspective to enable it to fulfil its statutory functions in respect of Occupational Safety and Health, Chemicals Regulation, Market Surveillance and Accreditation as well as to ensure that the HSA complies with the range of governance standards and policies applicable to State Agencies on staffing and budgetary matters.

The desired outcome is that the HSA can deliver a mandate that protects workers' health and safety and also supports competitiveness by maintaining the highest standards of occupational health and safety through enhanced enforcement, risk-based workplace inspections and effective sanctions for non-compliance as well as supporting industry through the provision, by the Irish National Accreditation Board (INAB), of an impartial, internationally recognised accreditation service which is responsive to market demands and an appropriate chemicals regulation regime.

**KEY ISSUES:**

### RETURN TO WORK SAFELY PROTOCOL, HSA AND SAFETY HEALTH AND CHEMICALS POLICY UNIT

The **Return to Work Safely Protocol** was the result of a collaborative effort by this Department and the Health and Safety Authority (HSA) working closely with the Health Services Executive (HSE) and the Department of Health. It is designed to support employers and workers to put measures in place that will prevent the spread of COVID-19 in the workplace. The protocol was developed following discussion and agreement at the Labour

Employer Economic Forum (LEEF), which is the forum for high level dialogue between Government, Trade Union and Employer representatives on matters of strategic national importance. The work has been overseen by the Department of the Taoiseach and the Department of Business, Enterprise and Innovation. A subgroup of LEEF was established to overview the implementation of the Protocol, it is meeting regularly as the phased reopening of the economy progresses.

The national Return to Work Safely Protocol was designed to be used by all workplaces to adapt their workplace procedures and practices to comply fully with the COVID-19 related public health protection measures identified as necessary by the HSE and the Department of Health. It is operating in parallel with existing workplace health and safety statutory requirements. The Protocol sets out in very clear terms for employers and workers in all business sectors the steps that they must take both before a workplace reopens and on an ongoing basis. The Health and Safety Authority is the lead agency in monitoring adherence to the national Return to Work Safely Protocol.

In terms of monitoring adherence to the Protocol the Health and Safety Authority inspectorate is being supplemented significantly by deploying, other inspectors from across the system who already have an environmental health, agriculture or other workplace/business inspection responsibilities. These resources are being drawn from the Workplace Relations Commission (WRC), the Department of Agriculture, Food and the Marine (DAFM) and the cohort of Environmental Health Officers (EHOs) and have delivered an additional 500 or so inspectors checking compliance with the Protocol as part of their normal inspection programme. Memoranda of Understanding have been agreed between the Health and Safety Authority and the WRC, the DAFM and the Department of Health/EHOs

The results from the inspections outlined remain encouraging and are a positive indication that both employers and employees are generally taking a responsible and proactive approach to compliance with the Protocol. The HSA has noted a high level of compliance with the Return to Work Safely Protocol to date during Phases 1 and 2. Where businesses have not fully complied with the Protocol, any matters that need to be addressed are the subject of the inspection report and followed up as appropriate to ensure compliance. In relation to Phase 3, there will be a focus on the businesses reopening at that stage, particularly on restaurants, cafes and pubs. Along with the HSA's own inspectorate, the Environmental Health Officers have deep knowledge of that sector and they too will be inspecting in line with the public health guidance and the Protocol.

Overall, the Department will monitor any potential impact on the Health and Safety Authority, arising from its role as the lead Agency in relation to compliance with the Protocol, in terms of financing and resourcing of the HSA as well as any potential legal matters and the impact on the HSA in delivering its remit across other sectors of the economy.

#### **OTHER KEY ISSUES:**

- The HSA has a Budget allocation in 2020 of €20,502,000 – pay/pension €13,522,000 non-pay €6,980,000 as well as generating a small amount of Own Resource Income. Monitoring of the HSA in terms of its workforce plan and resource allocation is required to ensure that resource optimisation is achieved. This is done through evaluating and monitoring the HSA's annual work programme, workforce plan and organisation strategy which are approved by the Minister. An annual oversight performance and delivery agreement is also agreed with the HSA which is monitored on an ongoing basis.



- Updating the Chemical Weapons Act to bring it into line with the amendments to the Chemical Weapons Convention, approved in December 2019. While no amendments are required to transpose the amendments from the Chemical Weapons Convention into Irish law, the Chemical Weapons Act will be updated for clarity.
- Monitor the response to an EU Notice of Possible infringement relating to the implementation of the SEVESO III Directive and work with stakeholders to ensure full implementation of the Directive through the Chemicals Acts and Planning Legislation.
- An update to the Dangerous Substances (Licensing Fees) Regulations 1979 has been drafted and settled, however the signing and commencement has been delayed due to COVID-19. Tendering for the review of the Dangerous Substances (Oil Jetties) Regulations 1979 has been postponed due to COVID-19. The Department has continued to work with the LGMA's interdepartmental group to ensure the new Dangerous Substances licensing and enforcement regime is developed and rolled out. The proposed Business Case has passed peer review and will be returned to the Public Sector Reform Oversight Group for final approval.

#### **BREXIT, HSA AND SAFETY HEALTH AND CHEMICALS POLICY UNIT**

Brexit will impact on the work of the HSA in several ways.

The HSA is a Competent Authority for a number of EU Regulations and Directives which govern the import, use and placing on the market of a range of products from chemicals to machinery to pressure equipment and lifts, while INAB is responsible for the accreditation of conformity assessment bodies required under specific EU laws.

The HSA is the designated Market Surveillance Authority (either solely or jointly) for six individual EU Product Safety Directives (e.g. Directives on Machinery, Personal Protection Equipment, Lifts and Safety Components for Lifts etc.) With the change in status of the UK to a Third Country will mean that products entering Ireland from the UK will now be entering the EU Single Market at the Irish point of entry. Therefore, as a result of Brexit the relevant Market Surveillance Authority – the HSA in the case of six Directives referred to above – will have a broader statutory responsibility regarding the certification of the products which would previously have been carried out by the UK Authorities.

A Notified Body is a Body accredited by an EU Member State to assess the conformity of certain products before being placed on the single market. In Ireland INAB provides accreditation to applicant Notified Bodies to enable them to conduct assessments for their clients to test and certify the products/services being placed on the single market. Many Irish manufacturers have, to date, relied on the services of UK Notified Bodies. However, as a result of Brexit they will need to source a notified body from within the EU.

Separately, many UK Notified Bodies are now seeking accreditation from INAB so as to be appointed as an Irish Notified Body by the Minister of Business, Enterprise and Innovation so that they can continue to operate within the EU. The appointments by the Minister are managed by the Safety Health & Chemicals Policy Unit since 2018 nine (9) UK based conformity assessment bodies for products under this Department's areas of responsibility have relocated to Ireland and been appointed by the Minister.

#### **KEY ISSUES:**

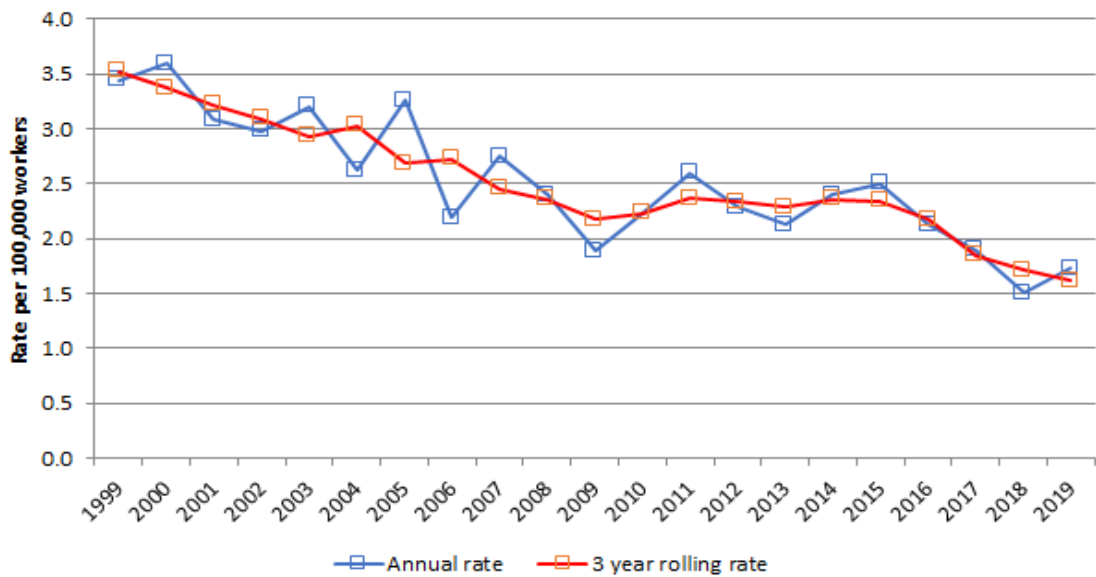
- At present, a considerable number of Irish companies/manufacturers using chemicals either source them directly from the UK or obtain them from Irish distributors who import from the UK. The Department will work during 2020 to minimise the potential impact arising from Brexit on how industry in Ireland manufactures chemicals, or uses, transports or places chemicals on the market.

- Processing and appointment of several UK based Notified Bodies as Irish Notified Bodies by the Minister of Business, Enterprise and Innovation so that they can continue to operate within the EU.
- Monitoring the conformity assessment activities of appointed Notified Bodies.
- Introduction of six (6) amending product safety related statutory instruments ensure the transposition of Regulation (EU) 2019/1020 of 20 June 2019<sup>3</sup> on market surveillance and compliance of products will have to be done by June 2021

**SECTORAL ISSUES:**

**TRENDS IN ACCIDENTS AND FATALITIES**

There were 47 fatalities reported to the HSA last year (In 2018 in total there were 39 reported workplace fatalities). 19 of these fatalities were in the agriculture sector and 12 were in the construction sector (this is more than double the 2018 fatalities in construction) which is rather concerning. The Department will continue to work with the HSA on focusing its efforts and resources on these high-risk key sectors. While there has been a notable downward trend in workplace fatalities between 2015 (56 fatalities) and 2019 (47 fatalities) continued action is needed by not just the HSA but also by employers and employees to ensure that every worker goes home safely. HSA Inspections are only one element in the prevention of workplace accidents and the resources of the HSA are adjusted yearly to meet challenges as they arise.



<sup>3</sup> OJ No. L169, 25.06.2019, p. 1.

## WORKPLACE FATALITIES 2008-2019 BY ECONOMIC SECTOR

Economic sector	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Agriculture	20	10	21	22	20	16	32	18	21	25	15	18
Forestry and logging	1	1	3	0	1	0	0	1	1	0	1	0
Fishing and Aquaculture	1	2	4	5	7	5	1	5	4	2	4	3
Mining and quarrying	1	2	1	1	1	2	0	2	1	0	0	0
Manufacturing	8	1	2	2	0	1	3	3	2	0	2	2
Electricity, gas, steam and air conditioning supply	0	0	0	0	0	1	1	0	0	0	0	0
Water supply; sewerage, waste management and remediation activities	2	0	2	3	3	1	0	3	1	1	2	2
Construction	15	11	6	6	8	11	6	11	10	6	5	12
Wholesale and retail trade; repair of motor vehicles and motorcycles	3	2	4	2	3	3	5	3	2	3	2	1
Transportation and storage	2	6	3	7	2	4	3	3	1	5	6	6
Accommodation and food service activities	0	1	0	1	0	0	0	0	0	1	0	0
Information and communication	0	0	0	0	0	0	0	0	0	0	0	1
Financial and insurance activities	0	0	0	0	0	0	0	0	0	0	0	0
Real estate activities	0	0	0	0	0	0	0	0	0	0	0	0
Professional, scientific and technical activities	1	1	0	2	1	1	1	0	0	0	0	0
Administrative and support service activities	1	1	0	0	1	0	2	0	2	0	0	1
Public administration and defence; compulsory social security	0	2	0	1	0	0	0	4	1	5	0	0
Education	0	2	0	0	0	1	0	0	0	0	0	0
Human health and social work activities	0	1	1	1	1	0	0	2	1	0	0	0
Arts, entertainment and recreation	1	0	1	1	0	0	1	1	1	0	2	0
Other service activities	1	0	0	0	0	1	0	0	0	0	0	0
<b>Total</b>	<b>57</b>	<b>43</b>	<b>48</b>	<b>54</b>	<b>48</b>	<b>47</b>	<b>55</b>	<b>56</b>	<b>48</b>	<b>48</b>	<b>39</b>	<b>46</b>

## **FARMING**

The HSA has consistently prioritised the farming sector in their annual programme of work. In addition to targeted inspection campaigns the HSA has also, in recent years, through high-profile information campaigns and collaborative efforts with stakeholders sought to embed a crucial mindset change in the farming community to better embrace farm safety and take ownership of the critical need for it. The HSA has also targeted the specific issue of child safety on farms through its farm safety strategy delivered in primary schools. The aim of the strategy at primary school level is to influence children through the formal education system, through the provision of teaching and learning resources that meet explicit farm safety learning outcomes in the Social Personal & Health Education (SPHE) curriculum. While the level of awareness of farm safety among farmers has increased, work still needs to be done in translating this into real improvements on the ground

## **CONSTRUCTION**

It is of great concern that construction deaths increased from five in 2018 to 12 in 2019, with 75% of all construction fatal injuries taking place in the last six months of 2019. Falls from heights was the leading cause of construction worker deaths in 2019. Many of the fatalities involved small companies and self-employed tradespeople. The increase in the number of construction deaths is a return to fatality levels not seen since 2015, when falls from a height were also the biggest trigger in fatal injuries. Because construction workers engage in activities that can expose them to hazards, such as falling from a height, unguarded machinery or being struck by construction equipment, it requires those with responsibility to ensure appropriate risk assessments are carried out and identified health and safety considerations are taken into consideration and implemented.

The HSA has developed tools aimed specifically at the smaller operators in the construction sector including BeSMART construction, which makes the carrying out of an appropriate risk assessment less of a burden for the construction contractor involved. The HSA will continue to target working at heights throughout their construction safety campaigns in 2020 and will also engage directly with the sector to increase knowledge and application of risk assessment tools to be used on all sites.

The HSA will continue to support the work of the Construction Safety Partnership Advisory Committee (CSPAC) and the development of a practical work programme for them within the specific objectives of that group. The Department is a member of the CSPAC.

The continued relevance of the SafePass and Construction Safety Certification Scheme (CSCS) co-ordinated by SOLAS cannot be overstated. These schemes have proven over many years to have improved awareness, competence and ultimately safety in the construction sector. The Department and the HSA co-operate closely with SOLAS and the Department of Education and Skills on ensuring the viability and relevance of the safety training schemes for the construction sector and participates on a Group overseeing the transformation of the SOLAS training to the construction sector.





A review of the senior management structures of the WRC is currently underway. The purpose of this review is to revisit the management model and consider whether the organisational structure as put in place at establishment in 2015 is still appropriate and capable of continuing to drive the organisation forward.

#### THE LABOUR COURT:

The Labour Court is the sole appellate body for all employment rights and equality cases arising from decisions of WRC Adjudication Officers. In addition, the Labour Court is the “*court of last resort*” in industrial relations disputes. Similar to the WRC, the Labour Court is also an independent statutory office under the aegis of the Department.

The Labour Court has a strategy statement for the period 2019-2022 which is a plan of modernisation and increased efficiency for the way the court does its business. The ambitions of this strategy are outlined in the key delivery objectives in the Memorandum of Understanding (MoU) that the Department has agreed with the Labour Court.

#### THE EMPLOYMENT APPEALS TRIBUNAL (EAT):

The EAT is an adjudicative body in the area of employment rights, the functions of the EAT have been subsumed into the WRC and it is to be dissolved once it has dealt with its legacy cases, in accordance with the Workplace Relations Act 2015.

The EAT has less than forty legacy cases at this point in time.

#### Funding:

The Labour Court, the WRC and the EAT are funded from the Departments Vote. In 2020, the Workplace Relations Bodies are in receipt of €19million in respect of pay and non- pay. The Bodies sign an agreed Memorandum of Understanding (MoUs) with the Department setting their commitments of service delivery to the Department and to their clients, on behalf of the Department.

#### Key issues:

- Work with stakeholders to facilitate the 1 February commencement of the Industrial Relations Amendment Act 2019, which permits An Garda Síochána to access the services of the WRC and Labour Court.
- Ensure that the services of the Workplace Relations Bodies are enabled to continue in the context of the COVID-19 emergency. It may be noted that the Labour Court has already begun a schedule of virtual court hearings and it is anticipated that the WRC will commence virtual hearings in July/August.
- Consider the recommendations on the review on the senior management structure of the WRC to ensure effective and appropriate management structure.
- Oversee and manage current legal challenges/ Judicial Reviews to IR and WRC legislation
- Oversee Sectoral Wage Setting in sectors of the economy
- Amendments to the Workplace Relations Acts and 2015 IR Acts;
- Complete a review of the Labour Court to ensure that its operation is optimised.







A schedule to the Act also actively disapplies certain provisions of industrial relations legislation, particularly those relating to provisions around legitimately engaging in strike action, provisions on trade union legislation, and provisions on the right to collectively bargain under sectoral employment instruments such as under Employment Regulation Orders, Sectoral Employment Orders etc.

#### **LABOUR-EMPLOYER ECONOMIC FORUM (LEEF) <sup>4</sup>**

The Labour-Employer Economic Forum (LEEF) is a formal structure for dialogue between representatives of employers and workers representatives to discuss economic and social policies insofar as they affect employment and the workplace. LEEF meets on a quarterly basis and is jointly chaired by the sponsoring Ministers with the Taoiseach chairing the first meeting annually.

The Industrial Relations and Workplace Liaison unit supports the LEEF sub-group on Employment Legislation and Regulation.

It is understood that LEEF as it existed under the former Government is currently under review by the Department of Public Expenditure and Reform.

#### **Construction Contracts Adjudication Service – Tara Coogan**

The Construction Contracts Act, 2013 applies to new construction contracts entered into after the 25th July 2016. The purpose of the Act is to regulate payments - particularly the timing of payments - under a construction contract covered by the legislation. The Act provides, inter alia, statutory payment protections for subcontractors who have been vulnerable in the payment cycle in the construction industry. There are some contracts that are excluded from the Act, for example if the value of a contract is less than €10,000. The Act also provides a right for a party to a construction contract to refer a payment dispute for adjudication as a means of swiftly resolving the dispute. The Act envisages that adjudications will usually be completed within 28 to 42 days of the referral of a payment dispute to an Adjudicator.

The Minister appoints a Panel of Adjudicators and a Chairperson of that Panel, as set out in section 8 of the Act. The current Chairperson of the Panel is Dr. Nael Bunni and his term of appointment, and that of the thirty other members of the Panel of Adjudicators, expires during 2020. Appropriate steps are being taken to ensure that the necessary appointments will be made in time to ensure the continuity of the important statutory functions carried out by the Chairperson and the members of the Panel of Adjudicators under this legislation.

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<sup>4</sup> On establishment of the Labour Employer Economic Forum in LEEF in 2016, the Department of Public Expenditure and Reform and the Department of Business, Enterprise and Innovation jointly co-sponsored the Forum. Now that responsibility for employment rights and the Low Pay Commission have been transferred to the Department for Employment Affairs and Social Protection there is a question as to whether that Department should co-sponsor the Forum. Discussions are ongoing regarding this matter.





## 4.6 Commerce, Consumers and Competition Division

### Vacant - Assistant Secretary

#### BUSINESS UNITS & HEADS IN THE DIVISION (PRINCIPAL OFFICER)

Competition and Consumer Policy Section	Clare McNamara
Company Law Policy, CLRG, IAASA, ODCE & PIAB Liaison Unit	John Maher
Company Law Development & EU	Eoghan Duffy
Accounting & Audit Policy & Enforcement Legislation	Nina Brennan
Better Regulation and CRO/RFS/RBO Policy and Liaison Unit	John Shine
Internal Audit Unit	Malachy Quinn
Company Law	Tanya Holly Legal Advisor

#### OFFICES:

Office of the Director of Corporate Enforcement (ODCE)	Ian Drennan Director
Companies Registrations Office (CRO)  Registry of Friendly Societies (RFS)  Central Register of Beneficial Ownership of Companies and Industrial and Provident Societies (RBO)	Maureen O'Sullivan Registrar

#### AGENCIES:

Competition & Consumer Protection Commission (CCPC)	Isolde Goggin Chairperson
Personal Injuries Assessment Board (PIAB)	Rosalind Carroll - CEO (WEF 2 Mar 2020)
Irish Auditing and Accountancy Supervisory Authority (IAASA)	Kevin Prendergast -CEO

## **ROLE OF THE COMMERCE, CONSUMER AND COMPETITION DIVISION:**

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

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

The Division has responsibility for policy relating to and liaison with the Personal Injuries Assessment Board, Irish Auditing and Accounting Supervisory Authority, the Office of the Director of Corporate Enforcement, the Competition and Consumer Protection Commission, the Companies Registration Office, Office of the Registrar of Friendly Societies, Registrar of Beneficial Ownership of Companies and Industrial and Provident Societies.

## **THE KEY STRATEGIC ISSUES FOR THE COMMERCE, CONSUMERS AND COMPETITION DIVISION ARE:**

### **COMPETITION AND CONSUMER POLICY SECTION**

- Comprehensive consolidated consumer contract rights Bill (including transposition of 2 DSM measures and incorporating the transposition of the Better Enforcement and Modernisation Directive).
- Competition (Amendment) Bill including transposition of the ECN+ Directive
- Policy decision on Sale of Tickets (Cultural, Entertainment, Recreational and Sporting Events) Bill.
- Two pieces of secondary legislation
- Policy considerations based on public consultations including one on Furniture Fire Safety Regulations and one on Casual and Occasional Trading Acts

### **COMPANY LAW POLICY & PIAB LIAISON UNIT**

- The maintenance of a modern and appropriate legislative framework for the operation of companies through keeping company law under review and bringing forward proposals for legislative change, as appropriate, particularly in light of COVID-19.
- Support the work of the Company Law Review Group (CLRG) and contribute to its deliberations.
- Facilitate arrangements to provide for the establishment of the Office of the Director of Corporate Enforcement as an independent agency.
- Participate in the Cost of Insurance Working Group (CIWG). DBEI officials have formed an integral part of the Working Group since its establishment in July 2016.

#### COMPANY LAW DEVELOPMENT & EU

- Contribute to the development of national and EU company law with a particular focus on insolvency and corporate governance.
- Transposition of EU directives.

#### ACCOUNTING & AUDIT POLICY & ENFORCEMENT LEGISLATION

- Publication and enactment of legislation establishing the Office of the Director of Corporate Enforcement as a stand-alone corporate enforcement agency, to provide greater autonomy to the agency.
- Following separate public consultations in 2019, prepare General Schemes of Bills to review and modernisation of the Business Names Act 1963 and the Limited Partnerships Act 1907.
- Commence the transposition of the EU Cross-Border Mergers Directive.
- Lead in negotiations on amendments to the EU Accounting Directive (Country by Country Reporting on income tax (On-going) and Non-financial reporting (expected Q4 2020)).

#### BETTER REGULATION AND CRO/RFS/RBO POLICY AND LIAISON UNIT

Deliver significant legislative review and modernisation projects in relation to:

- Industrial & Provident Societies Legislation 1893-2018 (Co-operatives)
- Trade Union Registration Legislation 1871-1990
- Arrange “Taking Care of Business” events
- Represent Ireland at EU and International fora on Better Regulation.
- Engage further with the Department of Finance in relation to the prudential supervision gap in respect of certain Friendly Societies (FS) and Industrial and Provident Societies (I&Ps).

#### IMMEDIATE PRIORITIES IN THE MONTHS AHEAD:

Develop General Schemes of a Bill on:

- I. Industrial & Provident Societies Legislation 1893-2018 (Co-operatives)
  - II. Trade Union Registration Legislation 1871- 1990
  - III. Business Names Act 1963
  - IV. Competition (Amendment) Bill (including transposition of the ECN+ Directive)
  - V. Limited Partnerships Act 1907
- Consider response to CLRG consideration of the Companies Act 2014 in light of COVID-19 challenges (June 2020)
  - Approval of new CLRG Work Programme by Minister (June 2020)
  - Advancement of consideration of company law amendments necessary to facilitate operation of share settlement system post Brexit
  - Consider responses to consultation (closing date 6 March) of transposition of EU Insolvency Directive

- Consider responses to consultations on Furniture Fire Safety Regulations and Casual and Occasional Trading Acts
- Publication and enactment of the Companies (Corporate Enforcement Authority) Bill

## KEY ISSUES WITHIN EACH BUSINESS UNIT OF THE DIVISION:

### Competition and Consumer Policy Section – Clare McNamara

#### PRIMARY LEGISLATION:

#### COMPREHENSIVE CONSOLIDATED CONSUMER CONTRACT RIGHTS BILL (INCLUDING TRANSPOSITION OF 2 DSM MEASURES AND INCORPORATING THE TRANSPOSITION OF THE BETTER ENFORCEMENT AND MODERNISATION DIRECTIVE)

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

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

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

Both EU Directives have since been adopted as has a further Directive on Better Regulation and Modernisation. Both the Digital content and Digital Sales Directives and parts of the Better Regulation and Modernisation Directive will be transposed via the overall consolidated Consumer Rights Bill. The drafting of the General Scheme of the Bill (amended to reflect the EU changes) is underway.

#### **COMPETITION (AMENDMENT) BILL (INCLUDING TRANSPOSITION OF ECN+ DIRECTIVE)**

Directive 2019/1/EU to empower the competition authorities of the Member States to be more effective enforcers and to ensure the proper functioning of the internal market is due for transposition by 4 February 2021. In transposing the ECN+ Directive, the Department is liaising with the Department's Legal Advisors and the Attorney General's Office (AGO) on what additional powers could be given to the Competition and Consumer Protection Commission (CCPC) and ComReg in order to both fulfil the aim of the Directive and to ensure the availability of the appropriate powers to address the challenges outlined below. It is intended to transpose the ECN+ Directive by primary legislation by the transposition date.

#### Scope and main objectives of the Directive

The Directive contains a framework of rules to ensure that National Competition Authorities (NCAs) have the necessary powers and resources to effectively apply Articles 101 and 102 of the Treaty on the Functioning of the European Union. The CCPC, ComReg, the Director of Public Prosecutions and the Irish Courts are National Competition Authorities (NCAs) in Ireland for the purposes of EU competition law.

The Directive aims to achieve the following specific objectives:

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

The ability of NCAs, such as the CCPC and ComReg, to have recourse to the imposition of financial sanctions is one of the key powers envisaged by the ECN+ Directive. These financial sanctions will be imposable using a civil level of proof (on the balance of probability). ComReg, as a regulatory body overseeing a licensing regime, already has recourse to financial sanctions but only on the basis of a breach of licensing conditions by regulated entities.

The drafting of the General Scheme of a Bill is underway. The Department chairs an Interdepartmental Committee comprising of representatives from the Department of Justice and Equality, the Department of Communications, Climate Action and the Environment, the Courts Service, the Office of the Director of Public Prosecutions, ComReg and the CCPC to contribute to the development this reform of competition enforcement in Ireland. A comprehensive request for legal advice is awaited from the AGO to facilitate finalisation of the General Scheme.

#### **PROHIBITION OF ABOVE-COST TICKET TOUTING BILL 2017**

At its meeting of 24 July 2018, the Government agreed to support at Second Stage, the Dáil Private Members' Prohibition of Above-cost Ticket Touting Bill, which was introduced by Deputy Noel Rock and Deputy Stephen Donnelly. It provided that it would be an offence to sell, or advertise for sale, a ticket for a sporting, musical or theatrical event at which an attendance of more than 300 people could reasonably be anticipated. Government amendments to the Bill included a provision giving effect to the commitment made to UEFA to ban the unauthorised transfer and use of tickets for matches and official events taking

place in Ireland during the EURO 2020 Championships. The Bill's Second Stage commenced in Dáil Éireann in Government time on 31 January 2019 and concluded on 21 February 2019.

On 29 January 2020, the Government approved a number of further amendments to the Bill, including a change of its title to the Sale of Tickets (Cultural, Entertainment, Recreational and Sporting Events) Bill. While the amended Bill retains the core provision of the Private Members' Bill prohibiting the sale of tickets above their original sale price, it contains a substantial number of additions and amendments. The Government further approved the submission of a draft of the Bill as amended to the European Commission in accordance with the requirement under Directive (EU) 2015/1535 on the procedure for the provision of information in the field of technical standards and of rules on information society services. The Bill was notified to the European Commission on 5 February and its enactment was precluded for a three-month period to permit its examination by Member States and interested parties. The notification period for the Bill under Directive (EU) 2015/1535 concluded on 6 May. No non-confidential comments or contributions were submitted on the Bill and the European Commission did not make any comments on the notification.

The text of the Bill notified to the European Commission was a working draft approved by Government for the purpose of the procedural requirement under Directive 2015/1535 with a view to facilitating its early enactment by a subsequent Government, and in particular the provision on the unauthorised sale of tickets for the EURO 2020 Championship that had been scheduled to commence in June 2020. Following the cancellation of the Championship until 2021, UEFA sought a renewal of the commitments given by Government on ticket sales and other matters. A renewed commitment on the sale of tickets was signed by the Secretary General of the Department on 23 April 2020.

A decision will be necessary on whether or not to proceed with the Bill. If a future Government decides to proceed with the Bill, it will have to approve a stamped draft of the Bill for publication and circulation to Dáil Éireann in accordance with the established procedures for legislative proposals. Assuming that the EURO 2020 Championship proceeds as planned in the summer of 2021, it will be necessary to enact the provision on the unauthorised sale of tickets for the Championship in good time before its commencement. While it can be argued that the impact of COVID-19 on entertainment and sporting events has been such that there is no longer the same need for legislation regulating the resale price of event tickets, a secondary ticket market may re-emerge if venues are required to operate at reduced capacity for physical distancing reasons and demand for tickets for high-profile events exceeds supply as a result.

## **SECONDARY LEGISLATION:**

### **DATA PROTECTION ACT 2018 (SECTION 60(6)) (COMPETITION AND CONSUMER PROTECTION COMMISSION, IRISH AUDITING ACCOUNTING AND SUPERVISORY AUTHORITY AND OFFICE OF THE DIRECTOR OF CORPORATE ENFORCEMENT) REGULATIONS 2020**

The purpose of the regulations is to restrict certain obligations of controllers and rights of data subjects arising from the General Data Protection Regulations that came into force on 25 May 2018. Section 60 of the Data Protection Act 2018 provides a Minister of the Government, where s/he considers it necessary and proportionate to restrict the rights and obligations on the basis of objectives of general public interest of the State in accordance

with section 60(7) of the Data Protection Act 2018. These Regulations extend to the Competition and Consumer Protection Commission (CCPC); Irish Auditing and Accounting Supervisory Authority (IAASA) and the Office of the Director of Corporate Enforcement (ODCE). The making of these Regulations is necessary because the bodies engage in civil (i.e. non-criminal) enforcement activities. Furthermore, the bodies have certain powers and obligations to share information (which may contain personal data) with other statutorily identified authorities.

**SI INTRODUCING IMPLEMENTING MEASURES TO GIVE EFFECT TO REGULATION (EU) 2019/1020 ON THE MARKET SURVEILLANCE AND COMPLIANCE OF PRODUCTS (PART IMPLEMENTATION DUE JANUARY 2021, PART DUE JULY 2021)**

The Regulation aims to strengthen the enforcement powers of market surveillance authorities in the EU, including in the area of online sales. It also aims to ensure that only compliant products that fulfil requirements providing a high level of protection of public interests, such as health and safety in general and the protection of consumers are made available on the Union market.

**PUBLIC CONSULTATIONS:**

**CASUAL TRADING AND OCCASIONAL TRADING ACTS – PUBLIC CONSULTATION**

A public consultation on the continued fitness for purpose of these two pieces of legislation commenced in summer 2018 and responses which were received from the public and stakeholders, including local authorities, are currently being examined. The intention is to bring forward a policy document that will look at areas of these two pieces of legislation that may need to be reviewed to in the light of contemporary developments that have taken place in the areas of casual and occasional trading.

**FURNITURE FIRE SAFETY REGULATIONS – PUBLIC CONSULTATION**

A public consultation was concluded in April 2020. The responses are undergoing analysis at present with a view to ascertaining future policy direction in this area.

**EU COMMISSION NEW COMPETITION TOOL – PUBLIC CONSULTATION**

The EU Commission launched a public consultation on a New Competition Tool which is intended to address perceived gaps in current EU competition rules. The Department is currently seeking the views of any interested parties on the EU Commission's proposal including the policy options identified by the EU Commission.

**Company Law Policy, CLRG, IAASA, ODCE & PIAB Liaison Unit – John Maher**

**COMPANY LAW REFORM TO FACILITATE COMPANIES IN THE CONTEXT OF COVID 19**

Company Law Policy Unit working with the Company Law Review Group (CLRG) have been considering the feasibility of proposals received and potential amendments to the Companies Act. Work is advancing well but the issues raised are complex and being considered at a rapid pace.



The issues under consideration by the Committee are legally complex and require solutions which balance the competing interests of a variety of stakeholders including employees, other creditors and the State. The Committee has agreed to deal with the proposals in two stages, those which are required as immediate term measures and those which it considers to be medium-term stabilisation measures. The rationale for this approach is to ensure the work is not delayed and that sufficient time is given to those measures which require more in-depth analysis before they are capable of being brought forward as proposals for legislative amendments.

The CLRG submitted its phase one report to the Department 25 June 2020 for the Minister's consideration.

The Department is supportive of bringing forward certain of the recommendations for legislative amendment and will engage with the Minister in further detail on the proposals.

Changes made in respect of meetings for companies will also be worked into changes in the Industrial Provident Societies Acts to apply to Co-operatives.

Following completion of the work of the Committees the CLRG will submit proposals and recommendations to the Minister for consideration.

#### **FACILITATE THE TRANSITION OF THE OFFICE OF THE DIRECTOR FROM AN OFFICE TO AN AGENCY OF THE DEPARTMENT**

The General Scheme of the Companies (Corporate Enforcement Authority) Bill 2018 to establish the ODCE as a stand-alone agency was published on 4 December 2018. The General Scheme is currently subject to pre-legislative scrutiny by the Oireachtas Joint Committee on Business, Enterprise and Innovation.

Changing the structure of the ODCE from an office to a statutory agency will provide greater autonomy to the agency in relation to staffing resources and ensure it is better equipped to investigate increasingly complex breaches of company law. Sourcing of expertise and specialist staff, such as forensic accountants, will be enhanced under the agency model.

An additional €1m was provided for the ODCE in 2019 to reflect the likely costs associated with the transition of the ODCE into a stand-alone Agency. A funding allocation of €6.057m was provided for the ODCE for 2019. This represented an increase of 20% on the 2018 allocation and remains unchanged for 2020.

The Department is working with the ODCE on the operational aspects of the transition to an agency.

#### **REPRESENT THE DEPARTMENT OF BUSINESS, ENTERPRISE AND INNOVATION ON THE COST OF INSURANCE WORKING GROUP (CIWG)**

The CIWG, chaired by Minister of State Michael D'Arcy T.D., was established in July 2016 in response to the rising cost of insurance and a Dáil motion. The CIWG brings together all the relevant Departments and Offices involved with the process. Its objective is to identify immediate and longer-term measures which can address increasing insurance costs, while bearing in mind the need to maintain a stable insurance sector. Officials from the







4. Provide ongoing advice to the Department of Business, Enterprise and Innovation on request for EU and international proposals, including proposals in relation to the harmonisation or convergence of national company insolvency laws.
5. Examine and make recommendations on whether it is necessary or desirable to adopt, in Irish company law, the UNCITRAL Model Law on Cross-Border Insolvency.
6. Review the operation of the Summary Approval Procedure introduced in the Companies Act 2014.

Meetings of the various sub-committees as well as plenary meetings of the CLRG are ongoing. The secretariat is provided by the Company Law Policy Unit of the Department.

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

- The Report of the Company Law Review Group on the UNCITRAL Model Law for Cross-Border Insolvency. The report makes a recommendation for the adoption of the Model Law. The Model Law offers a procedural structure within which a diversity of national laws can exist with an emphasis on recognition of foreign insolvency proceedings and co-operation between stakeholders in affected jurisdictions.
- The Report of the Company Law Review Group on the Regulation and Governance of Receivers. The report examines the regulation and governance of receivers in respect of their qualifications, supervision and fees. The CLRG has also completed its review of the summary approval procedure in the Companies Act 2014.

The Secretariat in conjunction with the Department and CLRG is currently preparing a draft work programme for 2020-2022 for the Minister's consideration.

#### **ONGOING REVIEW OF THE OPERATION OF THE COMPANIES ACT 2014**

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

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

Certain of the recommendations contained in the following reports of the CLRG:

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

are included in the Parts 3, 4 and 5 of the draft Companies (Corporate Enforcement Authority) Bill.

The Department considers all submissions and recommendations, bringing forward any necessary proposals for legislative change, as appropriate, and are currently examining the CLRG reports in respect of the Protections for Employees and Unsecured Creditors. Priority is however being given to proposals designed to address issues arising under the Companies Act as a result of COVID-19.

#### **IRISH AUDITING AND ACCOUNTING SUPERVISORY AUTHORITY (IAASA)– COVID-19**

IAASA is maintaining 'business as usual' across its remit, and while some tasks are taking a little longer, all key functions are being fulfilled. Several internal processes have been adapted to remote working.

IAASA has been in contact with its stakeholders and confirmed that there will be no relaxation in expected standards.

IAASA expects to see an increase in qualified audit opinions due to limitation in scope (access restrictions), difficulty in verification of future asset values in a non-functional marketplace, and difficulty in testing going concern assertions made by directors.

#### **OFFICE OF THE DIRECTOR OF CORPORATE ENFORCEMENT (ODCE) – COVID-19**

Full service is being maintained throughout this period, with telephone lines and email being monitored on an ongoing basis.

To the extent practicable, business is being conducted electronically. For example, with a view to accommodating stakeholders whilst working within the parameters of statutory deadlines etc., the Office has advised liquidators that their statutory reports can, in the first instance, be submitted electronically, with signed originals to follow as circumstances permit. Similarly, auditors' indictable offence reports are being accepted in electronic format.

There are, of course, certain activities that cannot be conducted electronically (such as statement taking, arrests etc.) and those activities are continuing to the maximum extent practicable having regard to prevailing circumstances.

The current public health emergency will inevitably present company directors with challenges in complying with certain of their statutory duties and responsibilities, such as, for example, convening companies' annual general meetings etc. The ODCE is cognisant of these difficulties and is engaging with the Department and other stakeholders on how certain of those difficulties might be addressed.

Having regard to the impact of the pandemic on the economy, it is, unfortunately, likely that the number of companies becoming insolvent over the coming months is set to increase substantially. In reviewing the associated liquidators' reports, the ODCE will have regard to all relevant facts and circumstances in assessing company directors' behaviour in the run up to insolvency.

#### **TRANSPOSITION OF EU INSOLVENCY DIRECTIVE**

This Directive, which must be transposed by 17 July 2021, aims to reduce barriers for cross border investment, reduce the cost of insolvency and support efforts to reduce non-performing loans. The Directive contains several key measures:

- Early warning and access to information
- Preventative restructuring frameworks
- Facilitating negotiations on preventative restructuring plans
- Restructuring plans
- Stay of individual enforcement actions
- Discharge of debt (not relevant to corporate insolvency)

Ireland currently has a preventative restructuring framework in examinership, which in the current format complies with many requirements under the Directive. The Department has issued a consultation document on the use of Member State options, being matters in respect of which Member States can or must make a choice.

Responsibility for the Directive is shared with the Department of Justice and Equality which has responsibility for the personal insolvency aspect, relevant to over indebted entrepreneurs.

#### **RECAST INSOLVENCY REGULATION**

Follow on actions arising from Recast EU Insolvency Regulation. The Regulation aims to:

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

The Regulation is directly applicable. We will examine whether any supporting legislation is necessary to give further effect to the innovations in the Regulation and, if necessary, progress same.

#### **SETTLEMENT OF SECURITIES POST BREXIT; COMPANY LAW ASPECTS.**

Central Securities Depositories (CSDs) are specialist financial institutions that hold securities and facilitate trading between market operators. CSDs are a vital and systemic part of market infrastructure that enable the effective functioning of settlement systems.

The Irish market relies upon a CSD based in the United Kingdom called Euroclear UK which operates the CREST settlement system. Once the UK becomes a third country, under the relevant European legislation, the Central Securities Depository Regulation (CSD-R), Euroclear UK will no longer be able to provide its services into Ireland.



In December 2019, the Oireachtas passed the Migration of Participating Securities Bill, which was signed into law on 26 December 2019. (This legislation was progressed in conjunction with the Department of Finance). The Act provides a mechanism to allow title to participating securities (shares) vest by operation of law to an EU CSD and obviates the need for schemes of arrangement under the Companies Act 2014, which would require High Court approval. The legislative mechanism as provided for in the Migration of Participating Securities Act 2019 will allow for a more orderly migration of the market from Euroclear UK ahead of the March 2021 deadline while reducing the legal and administrative burden of the migration process on issuers.

The Department is now progressing work to examine the company law amendments necessary to facilitate the new intermediated model post-migration. The necessary legislative amendments must be enacted before migration takes place in March 2021, and accordingly it is envisaged that they would be included in the new Brexit Omnibus Bill.

### **Accounting & Audit Policy & Enforcement Legislation – Nina Brennan**

#### **PUBLICATION AND ENACTMENT OF LEGISLATION ESTABLISHING THE OFFICE OF THE DIRECTOR OF CORPORATE ENFORCEMENT AS A STAND-ALONE CORPORATE ENFORCEMENT AGENCY, TO PROVIDE GREATER AUTONOMY TO THE AGENCY.**

The General Scheme of the Companies (Corporate Enforcement Authority) Bill was published on 4 December 2018. The purpose of the Bill is to establish the Office of the Director of Corporate Enforcement (ODCE) as an agency, in the form of a Commission, to be called the Corporate Enforcement Authority. Stamped copy of the Bill was received from the Office of the Parliamentary Counsel in July 2019, however as pre-legislative scrutiny was on-going subsequent actions such as publishing the Bill await the outcome of that process.

#### **BUSINESS NAMES ACT 1963**

The Department is reviewing the Registration of Business Names Act 1963 as part of its ongoing strategic policy agenda “to review and enhance Ireland’s regulation and enforcement regime to ensure that we maintain our world class business environment underpinned by appropriate regulation and legislation”. A business name is used to carry on a business by any individual, body corporate or partnership, which has a place of business in the State and that name is not the same as their true name(s). If a business is carried on under an assumed name, it may be difficult for a person to ascertain who the legal entity is behind the business supplying the goods or services. The registration of business names in accordance with the 1963 Act provides transparency for those doing business and enables customers and suppliers to know the legal entity behind a business name.

Following a public consultation in 2019, a General Scheme of a Bill is being prepared with a view to seeking Government approval to draft a Bill in Q3 2020.

#### **FINALISE AND PUBLISH A GENERAL SCHEME OF LIMITED PARTNERSHIPS BILL TO MODERNISE THE EXISTING LEGISLATION WHICH DATES FROM 1907.**

The Department is reviewing the Limited Partnerships Act 1907. Limited partnerships have been an option for Irish businesses since their introduction in the Limited Partnerships Act 1907. It is considered timely to review the 1907 Act given the significant developments in laws governing business activity since its enactment and the recent increase in registrations. A



#### **REFORM AND MODERNISE THE INDUSTRIAL AND PROVIDENT SOCIETIES (I&P) ACTS 1893-2018**

The Industrial and Provident Societies Acts 1893-2018 provide the statutory regulatory basis for the formation and general operation of industrial and provident societies (primarily co-operatives) in Ireland. The current legislative framework is a largely Victorian statutory code incorporating a number of antiquated provisions.

Various piecemeal amendments have been introduced over more than 120 years, most recently in 2018, and as a result, the legislation is fragmented. Following a root and branch review of the existing legislative framework, which included conducting a public consultation on the operation and implementation of the current statutory code, the Department is planning to bring forward a General Scheme of a Bill for modernised and consolidated legislation in Q4 2020. The Bill will encompass a wide range of issues identified by stakeholders in the responses to the public consultation or in bilateral engagements, and issues identified by the Department, the RFS and the Report on the Private Members' Industrial and Provident Societies (Amendment) Bill 2018, prepared by the Joint Committee on Business, Enterprise and Innovation. Focused consultations with key stakeholders are being undertaken in the process of developing the General Scheme of a Bill.

#### **MODERNISE THE TRADE UNION ACTS 1871 – 1990**

The registration requirements for trade unions are provided for in the Trade Union Acts 1871 – 1990. In line with the Department's commitment to the continuous improvement of legislation, a root and branch review of the existing legislative framework for the registration of trade unions was undertaken by officials in 2019. The review included a public consultation and extensive stakeholder engagement.

It is intended that the Registration of Trade Unions Bill 2020 will consolidate all existing provisions relating to the registration requirements of trade unions and their relationship with the Registrar of Friendly Societies into a single standalone Act. This will simplify all processes from initial registration to the filing of annual returns and provide a clear guide as to the statutory filing requirements for trade unions in one location thus minimising the burden of compliance for trade unions across Ireland.

A General Scheme of a Bill is being finalised with a view to seeking Government approval to draft a Bill in Q3 2020.

#### **PRUDENTIAL SUPERVISION GAP IN RESPECT OF CERTAIN FRIENDLY SOCIETIES (FS) AND INDUSTRIAL AND PROVIDENT SOCIETIES (I&P)**

There has been a long running issue regarding a small number of Industrial and Provident Societies (credit cooperatives) which are involved to some degree in the provision of financial services to their members, and which operate without the exercise of prudential supervision by any regulatory body.

The matter has been the subject of Aide Memoires to Government in the past, and the Department has engaged with the Department of Finance with a view to determining an appropriate model for prudential supervision of these entities. The enactment of the Friendly Societies and Industrial and Provident Societies (Miscellaneous Provisions) Act 2014 was a preliminary step in the process as it provided for the cessation of registration of new friendly societies.

In 2018 the Department commissioned an independent review of the financial and governance analysis of the then three remaining credit co-operatives by Mazars. This review continued through 2019 and the final reports were received from Mazars in January 2020.

The Department now understands that there is a further cohort of entities (primarily Friendly Societies) engaged in providing financial services to members in relation to medical and sickness benefit. The Department is considering how best to proceed and will engage further with the Department of Finance with a view to progressing the development of appropriate prudential supervision for the sector.

#### **BUSINESSREGULATION.IE PORTAL & TAKING CARE OF BUSINESS EVENT**

The Department maintains the [www.businessregulation.ie](http://www.businessregulation.ie) web Portal, which was set up to bring together in one place the many strands of regulatory and compliance information applicable to business, along with links to supports for small businesses and start-ups.

The Department organises, with support from relevant State agencies, the “Taking Care of Business” event. The 2020 event had been scheduled for March but was postponed due to the developing COVID-19 situation. First run in 2013, the free “Taking Care of Business” events have seen over 2,800 small businesses attend concise presentations from regulators and support agencies and seek information and advice on supports available and how best to deal with relevant regulations.

#### **REPRESENT IRELAND AT EU AND INTERNATIONAL FORA IN RELATION TO BETTER REGULATION ISSUES**

The Unit continues to Monitor Better Regulation developments at EU level and in key Member States, in order to ensure Ireland’s position is effectively represented. This means: (1) cooperation with D/Taoiseach and D/PER to ensure policy coherence across the Better Regulation agenda; (2) coordination of Ireland’s response to various requests for information, etc., from the EU Commission, the REFIT Platform, OECD, etc., and (3) participating in relevant meetings and conferences including: the EU REFIT Platform, the OECD Regulatory Policy Committee, the Better Regulation Network the EU Directors and Experts of Better Regulation, and other relevant international events.

#### **Internal Audit Unit – Malachy Quinn**

- Provide a risk-based internal audit service in compliance with Department of Public Expenditure and Reform (DPER) requirements.
- Provide assurance to the Accounting Officer (Secretary General of the Department) regarding the internal control systems of the Department and those Offices directly within the remit of the Department.
- Complete a programme of audit during 2020 as approved by the Audit Committee and Secretary General as part of a rolling three year strategic audit plan.

## 4.7 Corporate Services Division

Pauline Mulligan, Assistant Secretary



### BUSINESS UNITS & HEADS IN THE DIVISION (PRINCIPAL OFFICER)

Human Resources & Learning and Development Unit	Denise Kennedy
Finance Unit	Cathal O’Gorman
Communications Unit	Derval Monahan
ICT Unit	Pat McCourt
Business Services Unit	Fergal Cullen
Governance & Management Support Unit	Michael O’Leary

Legal Advisors	Jack Nea Aimee Sweeney
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### ROLE OF CORPORATE SERVICES DIVISION:

The mission of Corporate Services Division is to provide efficient and effective support for the Department to deliver on its strategic goals. This is delivered through HR and Learning & Development supports, finance, IT services, legal advice, support for internal and external communications, governance and management as well as business supports across the Department. Accommodation and related matters are overseen by the Business Services Unit.

### THE KEY STRATEGIC ISSUES FOR THE CORPORATE SERVICES DIVISION ARE:

- Using workforce planning and engagement with staff to ensure we have a workforce that is fit for purpose optimizing skillsets and matching them to deliver on Departmental goals.
- Maximise the value of and manage effectively the Department’s financial allocation and ensure that funding is well aligned with DBEI’s strategic objectives.
- Effectively communicate the work of our Ministers and the Department to our stakeholders, the media and the public and support effective internal communications.

- Finalise new ICT strategy (2020-2025) to give strategic direction to the delivery of ICT services over the period.
- Effectively manage our knowledge in the Department ensuring we have systems and processes in place to transfer that knowledge against a backdrop of high staff churn.
- Work across our 11 locations and with Office of Public Works, to ensure our buildings are “fit-for-purpose” and COVID-19 proofed, in line with National Return to Work Safely Protocol.
- Support effective governance across the Department and its Agencies and support the Management Board and Ministers to deliver on reporting responsibilities.

#### **IMMEDIATE PRIORITIES IN THE MONTHS AHEAD:**

- Prepare for the Minister’s presentation of our Revised 2020 Estimate to the Oireachtas Committee and the subsequent mid-term review of the Estimate by the Committee.
- Co-ordinate discussions/negotiations in relation to 2021 Budget requirements and funding requirements for any significant additional supports required in advance of Budget 2021.
- Prepare/ submit our 2019 Appropriation Account for audit to the Comptroller and Auditor General and assist the C&AG in relation to any audit queries on the Account.
- Monitor and analyse expenditure on an on-going basis, report and address any significant underspends/excesses identified.
- In the context of COVID-19, ensure staff have access to the necessary supports and facilities to continue to work effectively from home and to put in place the structures for a phased return to work, at an appropriate time, in a safe manner, and in line with Government policy.
- Succession plan for retirement and manage the ‘churn’ of staff while managing/administering competitions, promotions and assignments.
- Participate in the pilot new Human Resources Operating Model for the Civil Service to enhance the strategic value of HR to the Department this project has been delayed due to COVID-19 it is likely to resume Q1 2021.
- Ensure that the required training initiatives are identified and delivered to develop the skills and knowledge to enable the Department’s staff to deliver its objectives.
- In light of COVID-19 restrictions, develop new methodologies for delivery of learning and development initiatives along with tailoring existing offerings using innovative approaches.
- Work closely with Business Units to plan/deliver focused communications campaigns (e.g. COVID-19, Brexit, EU Free Trade Agreements and Future Jobs Ireland 2020).
- Effectively manage the transition of the DBEI website to the Gov.ie platform.
- Finalise the development of a Digital Communications Strategy for the Department.
- Further develop/replace business IT systems supporting the CRO, WRC, IPOI, Employment Permits, Trade Licensing Unit and the Labour Court.
- Support for more use of data for management purposes and to inform evidence-based policy making and supporting wider Government initiatives in relation to data use.
- Enhance use of shared IT Government services.
- Position the Department to benefit from the changing landscape for ICT service provision, including cloud services, data and end to end delivery of digital services.

- Subject to COVID-19 related restrictions, undertake, in conjunction with OPW, a series of accommodation and facilities upgrades primarily in the Kildare Street and Earlsfort Centre including a significant LED Lighting (major energy saving project) installation from June to October in the Kildare St building.
- Support business units in the procurement of goods and services in line with national and EU procurement rules and co-ordinate annual reporting to DPER/C&AG.
- Lead on roll out of eDocs project (new file management system) across the Department and review/update associated Records Management Policy.
- Further deliver on our Corporate Social Responsibility through our DBEI Resource Efficiency Action Plan (via “Green Team”) and Staff Wellbeing Framework.
- Support good corporate governance as set out in our Governance and Compliance Frameworks e.g. FOI, Risk Management, Data Protection, Agency Oversight.
- Support the Management Board and the Ministerial Management Board, including delivering on reporting requirements e.g. PQs, Memos for Government.
- Develop a new Statement of Strategy for the Department.

**KEY ISSUES WITHIN EACH BUSINESS UNIT OF THE DIVISION:**

**Human Resources & Learning and Development Units -Denise Kennedy**

The HR unit supports the Department in delivering its goals through the provision of strategic insights and data. Within the Department, the Unit plays a central role in supporting the Civil and Public Service reform and renewal agendas.

The unit provides effective **Workforce Planning** with a focus on the synergy between the business needs and individual needs/career development; with a particular emphasis on **succession planning**. HR Unit also places a strong emphasis on building employee relations by supporting our staff to address matters, such as interpersonal relationships with colleagues, and grievance, disciplinary and underperformance matters. The HR Unit works closely with the Public Appointments Service (PAS) to both recruit staff to fill critical vacancies and to develop and strengthen our workforce.

**HR STRATEGIC PILLARS**





The Learning and Development Unit (LDU) provides targeted training and development to improve individual and organisational capacity, and to build skills and knowledge to meet the current and future strategic priorities of the Department. The Department places a high priority and a budget of .5m on the development of our staff to ensure that they are provided with the necessary skills and knowledge to contribute to the work of the Department and to improve organisational performance. In light of COVID-19 restrictions, LDU is developing new methodologies for delivery of learning and development initiatives along with tailoring existing offerings using innovative approaches. The pursuit and achievement of the Department's goals are dependent on the excellence and efforts of all our staff, our key asset. The Civil Service Renewal Plan has identified our staff as the single biggest resource that we have and emphasises the need to maximise the performance and potential of all employees.

**THE KEY STRATEGIC ISSUES FOR THE HR UNIT ARE:**

- To produce relevant HR data to support Business Planning, inform HR Business Partners engagements, and to communicate issues to staff.
- To manage the external services provision of transactional HR, including attendance management, staff records and correct payment of wages and pensions with the NSSO the Civil Service HR and Payroll Shared Services Centre.
- To ensuring that staff of the Department have the necessary skills, capacity and knowledge as identified through PMDS, the Strategy Statement and through HR Business Partnering and Workforce Planning, to support the Department in achieving its strategic goals.
- To ensure the model for HR service delivery fully leverages the valuable input HR can provide to support the Department in achieving its strategic objectives.

**IMMEDIATE PRIORITIES IN THE MONTHS AHEAD:**

- As one of two pilot organisations, the Department is assisting in the design of a new Human Resources Operating model (HROM) which will be rolled out across the Civil Service. HROM will enhance the strategic value that the HR Unit provides to the Department while also enriching the HR service experience of our people and our managers. Working with the project team and internal HR stakeholders, we will develop a detailed HROM design and prepare an appropriate transition plan to facilitate smooth implementation in the Department over the next 18 months.
- Manage and administer competitions, promotions and assignments
- Succession plan for retirement and manage the 'churn' of staff caused through promotion, retirement and operating in a very buoyant employment market.
- Keep abreast of changes in HR Strategy, Policy, HR Data analysis to inform strategic HR development and address business needs.
- Continue to ensure that the required training initiatives are identified and delivered, using new innovative approaches in light of COVID-19 restrictions, to develop the skills and knowledge to enable the Department's staff to deliver its objectives.
- Roll out final two modules of the Development Programme for the Department's 220 Executive Officers.
- Launch internal Mentoring Programme to provide valuable support and guidance to staff, allowing them to benefit from the experience of more senior colleagues.

A significant number of the Department's staff are approaching retirement age. This presents the Department with an immediate and substantial capability challenge. Workforce planning will feature centrally in the Department's ultimate response.

Represent the Department at various fora including HR Strategy Group, CSEES Working Group, DBEI innovation Steering Group and lead on the Departments contribution to Our Public Service (OPS).

The new on-line portal for learning and development opportunities (LMS) is transforming the way staff of the Department are accessing the training initiatives and opportunities to develop skills and capability. LDU will continue to promote and raise awareness of the benefits in accessing and utilising the new system. OneLearning, the shared learning and development service for the Civil Service, is sourcing new ways to deliver training, including online, as COVID-19 restrictions have meant that face-to-face classroom tutor-led instruction can no longer be the main method of delivery.

### **Finance Unit - Cathal O'Gorman**

The Finance Unit is responsible for negotiating, reporting on and accounting for the financial resources needed to deliver the Department's Strategy, Mission and Goals. This is aligned to Goal Seven of the Statement of Strategy 2018 – 2021. It is also responsible for ensuring the accurate reporting of all financial data for management and auditing purposes.

Finance Unit's work directly supports the Pillars and Programmes of the Department's Strategy Statement. Finance Unit has a wide range of customers including:

- Internally – employees and other persons (e.g. WRC Members) on the payroll, staff who travel, Line Managers, Assistant Secretary Corporate Services Division, Secretary General, Management Board, Ministerial Management Board, Minister and Ministers of State.
- Externally – service suppliers (as payees), National Shared Services Office (NSSO), Department Public of Expenditure and Reform, Department of Finance, Comptroller and Auditor General, Department's agencies, other Government Departments, Oireachtas Committees, Revenue Commissioners

#### **THE KEY STRATEGIC ISSUES FOR THE FINANCE UNIT ARE:**

- Ensuring that the exchequer funding provided to the Department is properly accounted for and
- Securing the requisite resources to enable the Department, its Agencies and Offices to deliver on their mandates in the light of challenges such as COVID-19, Brexit.

#### **IMMEDIATE PRIORITIES IN THE MONTHS AHEAD:**

- Prepare for the Minister's presentation of our Revised 2020 Estimate to the Oireachtas Committee and the subsequent mid-term review of the Estimate by the Committee.
- Co-ordinate discussions/negotiations in relation to 2021 Budget requirements and funding requirements for any significant additional supports required in advance of Budget 2021.
- Prepare/ submit our 2019 Appropriation Account for audit to the Comptroller and Auditor General and assist the C&AG in relation to any audit queries on the Account - facilitate

the C&AG's site visits in final audit of the 2019 Account and interim audit of the 2020 Account.

- Monitor and analyse expenditure on an on-going basis, report and address any significant underspends/excesses identified.
- Provide timely expenditure reports to DPER, DBEI Management & Ministerial Management Boards and, where required, to the D/Finance.
- Continue to process payments and account for same in a timely way and comply with Prompt Payments requirements
- Continue to engage with the National Shared Services Office in relation to the delivery of Payroll and T&S services to Departmental staff
- In conjunction with the Department's travel services provided continue to provide a professional travel service to the Department's Ministers and staff when travelling on official business of the Department
- Continue to comply with legislative, data protection and accounting reporting requirements
- Continue to engage with the Financial Management Shared Services project and Accruals project and ensure that the necessary preparations are undertaken in a timely fashion to allow the Department to migrate to the FMSS and accruals system once the revised migration timetable is determined.

### Communications Unit - Derval Monahan

The Communications Unit is responsible for the internal and external communications of the Department. The Unit provides press office support to the Minister and Ministers of State and the Department and liaises closely with our Offices and Agencies in effectively communicating our work to our stakeholders, the media, and the public. The Unit works closely with colleagues in organising media events to promote Departmental strategies and announcements and attends events with Ministers and officials to promote their work. The Communications Unit manages the Department's social media accounts and creates innovative and vibrant content to ensure that the Department's work is effectively communicated through this medium. The Department has 25.5k followers on Twitter and just over 21.6k followers on LinkedIn – the most followed Government Department on [LinkedIn](#).

The Unit also responds to media requests, liaises with the press and disseminates announcements as well as advising colleagues in the Department on communications matters such as graphic design and branding. The Unit liaises with members of the media in actively promoting initiatives, schemes, etc. and also to clarify and correct misinformation when appropriate. The Communications Unit is also responsible for media monitoring services and the dissemination of relevant and timely information to Business Units.

The Communications Unit also oversees the content for the Department's intranet, referred to as bob (business on business). The intranet hosts a mix of news, business and social content as well as a knowledge store which act as a learning tool for many elements of work within the Department. The Communications Unit manages the Department's website and will oversee the proposed move to the Gov.ie platform in the second half of 2020.

The Communications Unit would have a key role in any crisis communications. The Unit is part of the inter-Departmental COVID-19 Crisis Communications Group led by the

Department of an Taoiseach and works closely with key Departments on COVID-19 communications.

**THE KEY STRATEGIC ISSUE FOR THE COMMUNICATIONS UNIT IS:**

- To effectively communicate the work of our Ministers and the Department to our stakeholders, the media, and the public and to support effective communications internally in DBEI.

**IMMEDIATE PRIORITIES IN THE MONTHS AHEAD:**

- To continue to promote the work of the Ministers and Department through effective communications and campaigns across all media platforms.
- Work closely with Business Units of the Department to plan and deliver focused campaigns, e.g. Supports for Business during the COVID-19 pandemic, Brexit Preparedness. Other campaigns such as Taking Care of Business, Promotion of EU Free Trade Agreements and Future Jobs Ireland 2020 are at present on hold due to COVID-19. Campaigns will be revisited in light of commitments in the Programme for Government.
- Continue to develop remotely the skillset and capability of the Communications Unit to create and deliver high quality content, especially for social media.
- Effectively manage the transition of the DBEI website to the Gov.ie platform. This priority will be reviewed in Q3 as significant input will be required from Business Units. Units may have to rewrite their material in line with commitments in the Programme for Government.
- Finalise the development of a Digital Communications Strategy for the Department.
- Continue to contribute effectively to the in-house and inter Departmental steering groups, committees, etc. on which the Unit participates.

**ICT Unit - Pat McCourt**

ICT Unit provides information and communications technology services to support the work of the Department and its Offices, including support for desktop and mobile systems and a diverse range of business systems. For a Department of its size, the work of the Department is very diverse, and this diversity is reflected in the range of systems supported. These systems include core desktop services for all staff, and a range of specialized business systems including financial systems, case management systems and more specialized systems in areas such as the Office of the Director of Corporate Enforcement, Companies Registration Office (CRO) and the Intellectual Property Office of Ireland (IPOI, formerly the Patents Office). The ICT Unit also supports online customer facing services for the Companies Registration Office, the IPOI, the Workplace Relations Commission, the Employment Permits Unit and the Trade Licensing Unit.

The ICT Unit also leads on the Department's engagement with the Government Task Force on Emergency Planning and the National Emergency Coordination Group (NECG). In recent years the principal issues which have arisen have been severe weather related i.e. storms, flooding and snow. ICT Unit represents the Department at the NECG and coordinates with other areas of the Department as necessary. Issues which have been addressed include the closure of the Department due to severe weather, the provision of practical support (snow ploughing services by the Local Authorities) to food distribution centres during the snow storms of 2018, and support for small business affected by flooding

in Donegal in 2019. The Department has responsibility for the scheme of humanitarian support for small businesses affected by flooding where, through no fault of their own, they are unable to get flood insurance. The scheme is administered on the Department's behalf by the Irish Red Cross. As there is no legislative framework to support this scheme, any scheme must be invoked by a decision of the Government.

**THE KEY STRATEGIC ISSUE FOR THE ICT UNIT IS:**

- Finalisation of a new ICT strategy (2020-2025) to give strategic direction to the delivery of ICT services over the period.

**IMMEDIATE PRIORITIES IN THE MONTHS AHEAD:**

- Having successfully transitioned the vast majority of staff (over 800) to remote working in response to COVID-19, the challenge now is to ensure that the remote working facilities of staff are optimized given that many may not return to the workplace for some months. This will include additional facilities for home working staff, where possible, and improving access to videoconferencing facilities to streamline participation by staff.
- Further development or replacement of business systems supporting the CRO, WRC, IPOI, Employment Permits, Trade Licensing Unit and the Labour Court. In some cases, this is to update ageing technology platforms, and in all cases the aim is to deliver further improvements in the quality and efficiency for both staff and customers.
- Support for more use of data for management purposes and to inform evidence-based policy making and supporting wider Government initiatives in relation to data use.
- Making further use of shared Government services.
- Positioning the Department to benefit from the changing landscape for ICT service provision, including cloud services, data and end to end delivery of digital services.
- Ensuring the continued delivery of a high quality and secure ICT service.

**Business Services Unit - Fergal Cullen**

The Business Services Unit is responsible for the accommodation requirements across the Department's 3 main buildings at 23 Kildare Street, 59 Dawson Street and at Block C, Earlsfort Terrace/Lower Hatch Street. The Unit works closely with the Office of Public Works to ensure the upkeep and maintenance of our accommodation. In most locations (see table below) the Department is one of a number of tenants, sharing with other Departments/Public bodies or with private sector companies.

The Business Services Unit is also responsible for:

- Health and Safety of staff and visitors;
- Fixed Asset Management;
- Procurement Co-Ordination Unit;
- Our internal Green Agenda (energy/water consumption, waste management/recycling etc);
- Records Management;
- Wellbeing Framework and supported initiatives internally.

The Unit also provides assistance, guidance and direction, as required, to the Department's Offices on all of the above matters.

**THE KEY STRATEGIC ISSUE FOR THE BUSINESS SERVICES UNIT IS:**

- To work closely with the Office of Public Works (OPW) to ensure that our buildings are “fit-for-purpose” for the 21st century.

**IMMEDIATE PRIORITIES IN THE MONTHS AHEAD:**

- COVID-19 has fundamentally altered BSUs accommodation plans for 2020 with “lockdown” delaying various projects. The immediate priority now is to assist the cross-Departmental COVID-19 Working Group to ensure that our accommodation and Health & Safety arrangements across all buildings are in line with the National Return to Work Safely Protocol.
- Manage ongoing accommodation related adjustments to ensure that our physical environment is COVID-19 proofed to enable a phased and safe return of staff to our buildings over the months ahead.
- Carefully re-start and initiate, in conjunction with OPW, a series of non-COVID-19 specific accommodation and facilities upgrades primarily in the Kildare Street and Earlsfort Centre buildings. This will include a significant LED Lighting (major energy saving project) installation from June to October in Kildare St along with some urgently needed refurbishment works in the basement area.
- To support business units in the procurement of goods and services in line with national and EU procurement rules and co-ordinate the annual reporting requirements in this regard to the Department of Public Expenditure & and Comptroller & Auditor General.
- Lead on roll out of eDocs project (a new file management system) across the Department and this will involve an associated Records Management Policy review and update. The timing of this is also being impacted by the consequences of COVID-19 as the project involves assistance of the Office of the Government Chief Information Officer.
- Contribute to the internal Departmental Corporate Social Responsibility by leading on our:
  - DBEI Resource Efficiency Action Plan (via “Green Team”).
  - DBEI Staff Wellbeing Framework.

BSU leads on the internal “Green” response and will await further specifics arising from the Programme for Government on new climate action/energy targets and requirements to be set for public sector organisations. This will become a key priority for BSU for the second half of 2020. The Unit already works closely with colleagues in the Department of Communications, Climate Action and the Environment and Sustainable Energy Authority of Ireland.

**Governance and Management Support Unit - Michael O’Leary**

The Governance & Management Support Unit (GMSU) coordinated this Brief on behalf of the Secretary General. GMSU also coordinates the Department's Statement of Strategy and Annual Reports, provides a range of supports to the Department's Management Board and Ministerial Management Board. The Secretary General is required to prepare a new Three-Year Statement of Strategy within six months of the appointment of a new Minister.



On behalf of the Minister, the Unit coordinates a range of inputs/reports to Government, certain PQs and Memorandums to Government and the Department's Legislative Programme.

The Unit is the Department's interface with the Parliamentary Liaison Unit in D/Taoiseach. It also coordinates a number of governance matters for the Department, such as, Delegation of Functions Orders for Ministers of State, the Department's Risk Management Policy, the Department's Governance Framework, Protected Disclosures Policy and Regulation of Lobbying Policy.

**THE KEY STRATEGIC ISSUE FOR GOVERNANCE AND MANAGEMENT SUPPORT IS:** Supporting effective governance across the Department and its Agencies and supporting the Management Board and Ministers to deliver on reporting responsibilities.

**IMMEDIATE PRIORITIES IN THE MONTHS AHEAD:**

- Support good corporate governance in the Department, as set out in the Department's Governance and Compliance Frameworks e.g. Freedom of Information, Risk Management, Data Protection, Agency Oversight arrangements.
- Provide a range of supports to the Management Board, the Ministerial Management Board, including coordinating appropriate reports.
- Coordinate certain formal reports to Government for clearance by the Secretary General/Minister.
- Develop the Department's Statement of Strategy and report annually on its implementation.
- Manage the Department's consultancy budget (c €1.27m).

**FOI & Customer Service**

The FOI & Customer Service Unit is responsible for coordinating the Departments FOI Policy and FOI requests, Irish Language Policy and the Department's Customer Charter and Customer Service Policy. The Unit keeps the Minister's Office and the Press Office apprised of FOI requests on hand. Current commitments include bedding down the eFOI tracking system and providing training and support to FOI decision makers across the Department.

The Unit handle and distribute all calls and emails to the Departments main switchboard and email account providing all day cover including lunchtime. The Unit monitor and progress actions under the Department's Irish Language Scheme and provide assistance to Business Units in relation to obligations arising under the Official Languages Act 2003.

**Data Protection**

The Data Protection Unit is responsible for coordinating both the Department and its Offices Personal Data Protection Policy and Data Protection requests. It also oversees all data protection and GDPR compliance issues including dealing with Personal Data Breaches, provision of training modules for staff and support and advice together with fit-for purpose administrative solutions for day-to-day data protection issues that arise across local Business Units. The Data Protection Officer keeps the Management Board and the Secretary General apprised of significant personal data protection issues that may impede our business activities.



### **Legal Advisors**

The Department currently has two internal Legal Advisors (Advisory Counsel) on secondment from the Attorney General's Office. The role of the seconded Legal Advisors is to provide legal advice to Department officials across all Department Units (barring company law matters which are dealt with by a specialist Legal Advisor), including on policy as it is developed, General Schemes of Bills in advance of their submission to the Office of Parliamentary Counsel for drafting and the transposition of EU law measures.

The Legal Advisors are responsible for submitting preliminary legal opinions and requests for advice to the Office of the Attorney General on behalf of the Department in relation to novel issues of constitutional or EU law, or issues which have a cross-cutting impact across Departments. As one of the legal advisors is currently on maternity leave temporary cover is being provided for the period.

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## Section 5: Offices and Agencies of the Department

### 5.1 Introduction

The Department currently funds and staffs 7 Offices. In addition, it funds 8 Agencies<sup>5</sup> and 31 Local Enterprise Boards. The Offices of the Department are staffed by civil servants, who are employees of the Department. These staff are subject to the same values, standards and behaviours for Civil Servants which apply to other employees of the Department.

Each of these Agencies is established under primary legislation, which sets out the functions of the Agency. Responsibility for the delivery on the mandate and functions of an Agency rests, in the first instance, with its Board and the Chairman of 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 agrees, on an annual basis, a Memorandum of Understanding/Oversight Performance and Delivery Agreement (MOU) /OPDA which act as a performance contract between the Department and the Office. These MOUs/OPDAs which are jointly signed off by the Secretary General of the Department and the Head of each Office, set out agreed levels of performance / service in respect of the Body for the relevant year. These also allow for the adoption of both annual and multi-annual targets, and the development of output and outcome indicators including milestones to measure performance against targets.

The Department and each Agency agrees, on an annual basis, an Oversight and Performance Agreement (OPDA) which acts as a performance contract between the Department and the Office. These OPDA's, which are jointly signed off by the Secretary General of the Department and the Head of each Agency, set out agreed levels of performance/service in respect of the Body for the relevant year. These also allow for the adoption of both annual and multi-annual targets, and the development of output and outcome indicators including milestones to measure performance against targets.

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<sup>5</sup> PIAB is a self-funding Agency.

## 5.2 Offices

The Department includes 7 discrete Offices as part of its integral structure and a short description of each is set out below:

### LABOUR COURT

**CHAIRMAN: KEVIN FOLEY**



The Labour Court provides a free, comprehensive service for the resolution of industrial relations disputes and deals also with matters arising under employment rights legislation

The Court's functions can be divided between those relating to industrial relations matters and those relating to the determination of appeals in matters of employment rights. With the enactment of the Workplace Relations Act 2015 the Labour Court now has sole appellate jurisdiction in all disputes arising under employment rights enactments.

The main functions of the Court are:

- to investigate trade disputes and make recommendations for their settlement;
- to make determinations on appeals of Adjudication Officers recommendations/decisions under the Industrial Relations Acts;
- to establish Joint Labour Committees, consider and adopt proposals, as appropriate, and forward to the Minister for consideration with a view to the making of Employment Regulation Orders;
- to register employment agreements and examine the terms and conditions of employment in a sector pursuant to Section 14 of the Industrial Relations (Amendment) Act 2015 and make recommendations to the Minister on the terms and conditions to be included in Sectoral Employment Orders;
- to hear all appeals of Adjudication Officer's decisions under various Employment Rights and Pensions Acts.

The Labour Court is not a court of law. It operates as an industrial relations tribunal, hearing both sides in trade disputes and then issuing recommendations, setting out its opinion on the dispute and the terms on which it should be settled. While these recommendations are not binding on the parties concerned, the parties are expected to give serious consideration to the Court's recommendation. Ultimately, however, responsibility for the settlement of a dispute rests with the parties.

The Court's determinations under employment rights legislation are legally binding.

Labour Court Gross Allocation as per REV	REV 2020
Gross Allocation	€3.887m
Staff numbers	19

## WORKPLACE RELATIONS COMMISSION (WRC)

CHIEF EXECUTIVE: LIAM KELLY

The Workplace Relations Commission (WRC) was established in 2015 to deliver a modern, user-friendly workplace relations system in Ireland.



All the functions of the Labour Relations Commission (including the Rights Commissioner service), the Equality Tribunal, the National Employment Rights Authority (NERA) and the first instance functions of the Employment Appeals Tribunal and the Labour Court were brought together under the remit of a new statutory body called the Workplace Relations Commission with the commencement of the Workplace Relations Act 2015 on the 1<sup>st</sup> of October 2015.

The Commission activities are primarily concerned both with facilitating and assisting workplace change and creating an environment of equity and fairness in employment.

The Commission has a broad range of functions including industrial relations advisory and conciliation services and the resolution of industrial relations disputes of interest between employers and workers across the public and private sectors. It provides a comprehensive early resolution, mediation and adjudication services in relation to the full spectrum of employment rights and equality cases. It carries out workplace inspections to ensure the employment rights of workers and responsibilities of employers are respected and it has an enforcement function in relation to breaches of employment legislation.

In particular the WRC has responsibility for:

- promoting and encouraging compliance with legislation relating to the employment of persons;
- providing a first-instance adjudication service in relation to entitlements of employees under relevant legislation;
- providing a first instance adjudication service in relation to claims of discrimination under the Equal Status Acts;
- providing an employment rights compliance and enforcement service;
- providing information on, and enhancing awareness of, workplace relations legislation and services;
- prosecuting summary offences under employment law;
- providing a workplace Conciliation and Mediation service
- preparing codes of practice for bettering workplace relations,
- offering guidance on such codes of practice and help to resolve disputes concerning their implementation;
- reviewing and monitoring developments in the area of workplace relations;
- building on the Minister's Workplace Relations Reform Programme;
- conducting or commissioning research into matters relevant to workplace relations;
- administering the licensing of young persons and employment agencies

WRC Gross Allocation as per REV	REV 2020
Gross Current Allocation	€15.182m
Staff numbers	184

## EMPLOYMENT APPEALS TRIBUNAL (EAT)

**CHAIRMAN: KATE O'MAHONY**

The Employment Appeals Tribunal, as part of the Workplace Reform programme is being wound down. The functions of the EAT were transferred to the WRC in October 2015 and the body is now only dealing with legacy cases. There are less than 40 legacy cases remaining to be heard by the EAT.

EAT Gross Allocation as per REV	REV 2020
Gross Current Allocation	€230,000
Staff numbers	*

\*Outside contractors engaged as required

## OFFICE OF THE DIRECTOR OF CORPORATE ENFORCEMENT

**DIRECTOR: IAN DRENNAN**

The mission of the Office of the Director of Corporate Enforcement (ODCE) is to improve the compliance environment for corporate activity in the Irish economy by encouraging adherence to the requirements of the Companies Act 2014 and bringing to account those who disregard the law.

The functions assigned to the Director of Corporate Enforcement under the Companies Act 2014 include:

- enforcing and encouraging compliance with company law;
- investigating suspected offences under the Companies Act 2014;
- prosecuting detected breaches of the Companies Act 2014;
- referring cases to the Director of Public Prosecutions for prosecution on indictment; and
- exercising a supervisory role over the activities of liquidators and receivers.

The 2014 Act provides that the Director of Corporate Enforcement is required to be independent in discharging his compliance and enforcement role and to keep confidential any information obtained in the performance of his functions.

The General Scheme of the Companies (Corporate Enforcement Authority) Bill to establish the ODCE as a stand-alone agency was published on 4 December 2018. The General Scheme is currently subject to pre-legislative scrutiny by the Oireachtas Joint Committee on Business, Enterprise and Innovation. Changing the structure of the ODCE from an office to a statutory agency will provide greater autonomy to the agency in relation to staffing resources and ensure it is better equipped to investigate increasingly complex breaches of company law. Sourcing of expertise and specialist staff, such as forensic accountants, will be enhanced under the agency model. As an independent agency, the ODCE will have to take on a range of functions currently provided by the Department. These include HR, ICT, Accounting and Salaries. The optimum resourcing, structure and operation of the ODCE is being considered.



	REV 2020
Gross Current Allocation	€6.057m
Staff numbers	32

**INTELLECTUAL PROPERTY OFFICE OF  
IRELAND (IPOI)**

**CONTROLLER: GERARD BARRETT**



**Oifig Maoine  
Intleachtúla na hÉireann**  
Intellectual Property  
Office of Ireland

The Intellectual Property Office of Ireland (IPOI) (formerly the Patents Office) was established under the Industrial and Commercial Property (Protection) Act 1927. It is an independent statutory office under the control of the Controller of Intellectual Property and is responsible for the grant and registration of intellectual property rights in Ireland, specifically patent, trade mark and industrial design rights.

The Controller also has certain statutory functions under the Copyright and Related Rights Act, 2000 (as amended), which are mainly concerned with the registration of copyright licensing bodies, references and applications relating to licensing schemes operated by those bodies and the resolution of disputes regarding royalties payable under those schemes.

The 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.

Due to COVID 19, the IPOI premises remains closed to the public and to personal callers until further notice. Otherwise, the Office is fully operational with the majority of staff working remotely. The Office continues to provide a full range of services both online and e-services to clients and customers including e-filing of applications for IP rights, electronic fee payments as well as responding to telephone and email enquiries during normal working hours.

	REV 2020
Current	€3.133m
Capital	0
Total Gross Allocation	€3.133m
Staff Numbers	43.58

## 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.



## 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.



	REV 2020
Gross Current Allocation	€7.875m
Staff numbers	132



## 5.3 Agencies

The Department is assisted in the delivery of its programmes by the following Agencies:

### IDA IRELAND

**CEO: MARTIN D. SHANAHAN**

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 approximately 350 and this figure includes Irish based staff, expatriate staff and locally hired staff in its offices abroad.

IDA Ireland has approximately 1,550 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 in the form of employment, capital, research and development, environmental and training grants.
- The provision of turnkey property solutions in regional locations through the IDA Regional Property Programme (RPP).
- Showcasing Ireland as a place to invest through the organisation of site visits and face to face meetings with key stakeholders from government, multinational companies and financial institutions. The IDA also organises networking and information events with industry associations, chambers of commerce, recruitment firms, third level institutions, research bodies and professional service providers.

### IDA Strategy

The IDA has completed its previous five-year strategy '*Winning: Foreign Direct Investment*,' covering the five years from 2015-2019. This period was marked by strong FDI-driven employment growth, with 1,209 investments won and the creation of 112,327 jobs, making it IDA Ireland's most successful period of investment to date. At the end of 2019, the number of people directly employed in the multinational sector in Ireland stood at 245,096, the highest in the history of the state.

In the *Winning* strategy, the IDA placed a particular emphasis on growing FDI in regional Ireland. 54,868 jobs were created outside of Dublin over this five-year period, leading to 33,118 additional direct jobs (net) on the ground in regions at the end of the strategy. Every

region hit the five-year strategy targets of a 30% uplift in investment and three regions, the Mid-West, Mid-East and South-East, exceeded 40%. Investments in the Border region increased threefold since the outset of the strategy.

The launch and implementation of the IDA's new strategy will be a key priority. A core part of this new strategy will be – in keeping with the approach set out in “Future Jobs” – growing the FDI base in a way that is sustainable, inclusive and environmentally friendly.

#### **Benefits of foreign direct investment:**

Ireland's economy benefits significantly from FDI. IDA Ireland clients create high value jobs and account approximately for two thirds of Ireland's corporation tax and one third of total income tax, USC and employers' PRSI paid by companies in the State.

As set out in the Department's Annual Business Survey of Economic Impact (ABSEI) for 2018<sup>6</sup>, multinational companies account for:

- Expenditure totaling €8.2bn on Irish materials and services;
- An annual payroll spend of €13.3bn and capital investment of €6.3bn;
- Exports amounting to €218.7bn in 2018 – the equivalent of 68% of national exports; and
- In-house Research and Development (R&D) expenditure of €2.2bn.

#### **IDA Ireland at a glance:**

- 245,096 people employed in IDA client companies at the end of 2019 – the highest in the history of the agency and an increase of 6% compared to 2018.
- 21,844 gross new jobs in IDA client companies created in 2019 (13,867 net new jobs when taking into account job losses).
- 250 investments approved in 2019 including 110 investments in regional locations.
- 57% of IDA supported employment is now outside Dublin.

	REV 2020
Current	€53.177m
Capital	€136m
Total Gross Allocation	€189.177m
Staff Numbers	321

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<sup>6</sup>2018 is the latest ABSEI that was released in May 2020.

## ENTERPRISE IRELAND (EI)

CEO: JULIE SINNAMON

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 end of year headcount figure for 2019 is 761. This figure includes Irish based staff, expatriate staff and locally hired staff across the network of international offices. This figure is inclusive of 54 posts sanctioned and filled as part of the organisation's strategic response to Brexit. EI's budget is approx. €549m.

EI has approximately 5,000 clients and delivers a range of supports across key sectors e.g. Food and Beverage, Industrial, Life Sciences, ICT and International Services.

EI's priority is the achievement of export sales growth from Irish-owned companies. Export sales growth leads to an increase in demand for Irish goods and services and increases the flow of income into the Irish economy. This is fundamental to job creation and maintenance in Ireland.

EI provides financial support for the development of Irish companies by making direct investments (grants and equity) in individual client projects. EI also invest in Research & Development (R&D) infrastructure and invests in private seed and venture capital funds.

EI works with entrepreneurs and business people across the full business development spectrum - from early-stage entrepreneurs, to established business owners and Irish multinational companies. EI clients include:

- High Potential Start-Up companies with the capability to start a business and sell in export markets.
- Established manufacturing and internationally traded services businesses that are Small or Medium sized Enterprises (SMEs).
- Large companies (employing more than 250).
- Irish-based food and natural resource companies, that are overseas-owned or controlled. EI is responsible for attracting greenfield and expansion investments from foreign owned companies operating in the Agri-food sector and other natural resource-based activities. It is also responsible for attracting investment from mobile entrepreneurs and providing access to a range of services for foreign owned start-ups.

### EI Corporate Strategy

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

- Grow exports by €5bn to €26bn per annum

- Double client expenditure on R&D
- Increase spend in the Irish economy
- Create 60,000 new jobs by the end of 2020. However, the impact of COVID-19 has fundamentally changed the outlook for Irish enterprise, and EI immediate focus for the current year is on supporting client companies in meeting the challenges presented by the economic fallout from the pandemic as well as the continuing prospect of a no-deal Brexit.

Work is currently underway in developing Enterprise Ireland's corporate strategy for the period 2021-2025 which is due to be presented, following an extensive period of consultation, to EI's Board in November 2020.

#### El at a glance:

- 221,895 people employed in EI client companies – the highest in the lifetime of the agency.
- 16,971 new jobs in EI client companies created in 2019 with 4,706 net jobs created (2% employment growth overall).
- 66% of all new jobs were created outside Dublin
- 65% of client employment outside Dublin.
- EI client exports of €25.6bn – an increase of 8% on 2018.
- Spend in the Irish Economy by EI clients was in the region of €28.122bn in

EI A7 & B4 Subheads	REV 2020
Current	€94.333m
Capital*	€582.25m
Capital Carryover	€23.500m
Total Gross Allocation	€700.082m
Staff Numbers	761

\* EI has Own Resource Income (ORI) through its ability to generate its own income from investments that are made through certain programmes funded from its exchequer capital allocations.

#### 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. Established and opened for business on 15th April 2014 following the dissolution of the County and City Enterprise Boards (CEBs). The reformed structure provides a service which amalgamates national enterprise policy and local business supports in order to strengthen the local business culture and environment.

The LEO structure combines the expert knowledge of the former CEBs, the Business Development expertise of the Local Authorities, overseen by a dedicated National Centre of Excellence in Enterprise Ireland which will ensure that 'best-practice' will prevail across the LEO network.

Policy, funding and legal responsibility rests with DBEI through Enterprise Ireland (EI). A Service Level Agreement (SLA) is in place between EI and each LA, which sets out respective roles and responsibilities.

N.B. Staff in the LEOs are employed either by their Local Authority (LA) or by Enterprise Ireland (EI), with the latter staff seconded to work in the LEO. As such, the LEO staff are subject to LA terms and conditions, while recruitment is a matter for the LAs / Department of the Housing, Planning and Local Government. From 2017, the Current allocation to the Department is used predominantly to fund a block administration grant to the LAs towards the cost of running the LEOs, plus some central EI administration costs on behalf of the LEOs.

	REV 2020
Current	€10.681m
Capital	€60.5m
Capital Carryover	€6.000m
Total Gross Allocation	€77.181m
Staff Numbers	178

The LEOs can offer direct grant aid to microenterprises (up to 10 employees) in the manufacturing and internationally traded services sector which, over time, have the potential to develop into strong export entities. Subject to certain eligibility criteria, the LEOs can provide financial assistance within three main categories:

- Feasibility Grants (investigating the potential of a business idea)
- Priming Grants (to part-fund a start-up)
- Business Development grants for existing businesses that want to expand.

On foot of Budget 2020, additional funding and financial supports are available through:

- Competitive Challenge Fund - a €2.5M LEO Competitive Fund to support LEO led projects in alignment with the framework of the Future Jobs Ireland strategy and the Regional Enterprise Plans.
- LEO Productivity Challenge Fund - Small Irish businesses or enterprises can apply for one of the 200 productivity vouchers valued at €2,500 each, to help them develop more efficient and productive business operations.

For Start-ups or expanding businesses, the LEOs may be able to offer 'soft' support in the form of training or provide a mentor to work with the business proposer including courses such as:

- The Start your Own Business Programme which guides clients through the various aspects of business and business planning.
- The Mentor Programme which is designed to match up the knowledge, skills, insights and entrepreneurial capability of experienced business practitioners with small business owner/ managers who need practical and strategic one to one advice and guidance.

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.

LEO clients employed 38,535 people and created an additional 3,149 net jobs during 2019.

#### **DESIGN AND CRAFTS COUNCIL OF IRELAND**

The Design and Crafts Council of Ireland (DCCol) is a registered private company limited by guarantee that promotes craft and design activities in Ireland.

DCCol managed the very successful Year of Irish Design 2015 that promoted the significance of design to a national audience, promoted the quality (and exports) of Irish design internationally and ran a number of initiatives to improve collaboration between the design sector, the third-level sector and the business sector.

From this Department's perspective design is seen as an intrinsic part of the innovation agenda and the wider enterprise development agenda<sup>7</sup>, and critical to particular emerging and growth sectors including medical devices, professional services, digital/media/gaming and the wider creative sectors, as well as to business production and service systems more generally.

To that end a number of actions on Design were included in APJ 2017, including the establishment of a National Design Forum which had its inaugural meeting in May 2017. This Forum brings together representatives from the public sector, design sector, the third-level sector and the business sector and is chaired by the Minister. The Forum last met in December 2019, chaired by Minister Humphreys.

DCCol receives funding through EI (Subhead A.7) for the purpose of promoting crafts and design initiatives in Ireland. The Budget is approved by the EI Board. The spending is governed by a Service Level Agreement between the two parties providing for the required supporting documentation and review of agreed performance metrics. There is a total of 12 members on the Board and 4 of those are appointed by the Minister including the Chair and an official from Enterprise Ireland. *Ms. Breege O'Donoghue is the current Chair of the DCCOI and Ms. Rosemary Steen (formerly Executive Director at EirGrid) has recently been appointed to the position of Chief Executive Officer replacing Ms. Karen Hennessy.*

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<sup>7</sup> Design is referenced in the new Science technology and Innovation Strategy to 2020 and in Enterprise Policy 2025

**SCIENCE FOUNDATION IRELAND (SFI)**  
**DIRECTOR GENERAL (& CHIEF SCIENTIFIC**  
**ADVISER TO THE GOVERNMENT): PROF. MARK**  
**FERGUSON**



The Industrial Development (Science Foundation Ireland) Act 2003 established Science Foundation Ireland as a separate statutory agency as part of the Forfás group of industrial development agencies.

SFI is the national foundation for investment in research in the areas of science, technology, engineering, and mathematics (STEM) to assist the development and competitiveness of industry, enterprise and employment in Ireland. It also promotes and supports STEM education and engagement to improve awareness and understanding of the value of STEM to society and to support the STEM careers pipeline. SFI operates with 62 core staff, complemented by an additional 22 Secondees and Fellows.

SFI makes awards based upon the merit review of distinguished scientists. SFI also advances co-operative efforts among education, government, and industry that support its fields of emphasis and promotes Ireland's ensuing achievements around the world.

SFI funds *oriented basic* and *applied* research in STEM areas. That research promotes and assists the development and competitiveness of industry, enterprise and employment in Ireland.

*Oriented basic* research is research that is carried out with the expectation that it will produce a broad base of knowledge that is likely to form the background to the solution of recognised, or expected, current or future problems or possibilities.

*Applied research* is an original investigation undertaken to acquire new knowledge and is directed primarily towards a specific practical aim or objective.

**SCIENCE FOUNDATION IRELAND STRATEGY 2020-2025**

During 2019 SFI had significant engagement with the Department and undertook a widespread consultation as part of preparing the foundation's new strategy for the period 2020-2025. The strategy will be aligned with the new national innovation strategy (successor to Innovation 2020).

It is proposed that the focus of the strategy will be on building today and preparing for tomorrow. The new strategy will see the agency continue to deliver and evolve excellent research, foster diverse top talent and fund research that produces tangible benefits for society and the economy.

The new Strategy also proposes to continue to use research to solve Ireland's big challenges in areas such as improving the productivity of businesses, equipping current and future generations with the necessary skills for the jobs of the future and addressing issues like climate change and energy dependence. The strategy can be brought to Government and published later in 2020 if the Minister agrees.



## SOME KEY SFI INITIATIVES:

### COVID 19 -FIVE POINT PLAN

SFI developed a Five Point Plan to support the Government's National Action Plan in response to COVID-19. The plan focuses on key activities where SFI believes it and the research community can make a positive impact. The COVID-19 Rapid Response Research & Innovation Fund is one the central elements of the plan, it was established by SFI, Enterprise Ireland, IDA Ireland, the Health Research Board and Irish Research Council.

The SFI managed strand of the programme (also involving EI and IDA) received over 350 applications in its first phase. To-date €3 million has been allocated to 14 projects – over 50 projects are still under review. SFI has allocated a budget of approx. €15 million to the programme. The focus for the second phase will be on important scientific and engineering research that will contribute in a meaningful way to re-opening Ireland.

### CHALLENGE BASED FUNDING

The SFI Future Innovator Prize aims to support the teams to develop novel, potentially disruptive, technologies to address significant societal challenges.

Under the programme, teams progress through several phases to compete for an overall prize award. Under the current challenges, 24 teams are focused on projects in the areas of Zero Emissions and AI for Societal Good.

### TALENT AND SKILLS FOR A 21ST CENTURY IRELAND

The Department, through SFI, has commenced a Phd programme in areas of nationally and internationally identified future skills needs of digital, data and ICT in collaboration with industry for the new economy. Six new Centres for Research Training will support over 700 PhD students in ICT and Data Analytics. The first 120 students commenced in September 2019. This new programme will see an investment of over €100 million from the Government of Ireland over an 8 year period.

	REV 2020
Current	€12.645m
Capital	€178.486m
Capital Carryover	€4.925m
Total Gross Allocation	€196.056m
Staff Numbers	63

## NATIONAL STANDARDS AUTHORITY OF IRELAND

**CEO: GERALDINE LARKIN**

The National Standards Authority of Ireland (NSAI) was established in 1997, under the National Standards Authority of Ireland Act, 1996, as a statutory non-commercial State body, to manage the policy instruments of Standards, Metrology and Conformity Assessment.



NSAI represents Irish interests in European and International Organisations that work towards technical harmonisation and removal of technical barriers to trade and is notified as the National Standards body for Ireland under EU Regulation 1025/2012 on European Standardisation.

NSAI's end of year headcount figure for 2019 is 206. This figure includes 18 External Service Delivery staff, most of whom are contracted to provide certification services, 20 NSAI Inc. staff, 2 seconded Brexit staff, 1 staff member from St. Michael's House and 6 temporary staff. NSAI is headquartered in Northwood, Santry, Dublin with 7 regional offices and a subsidiary, NSAI Inc., based in New Hampshire, USA and employs 20 staff. The main responsibilities of the Authority include Standards Development, Certification Services and the Legal Metrology Service.

Standards create a climate of trust in the marketplace for goods and services. NSAI provides Ireland with the components necessary for an effective trading infrastructure for products and services to be developed, traded, and relied on nationally and internationally. Through setting standards in the quality and safety of goods and services, NSAI delivers these services to industry and the public through its Standards and Certification functions e.g. Motor Vehicles and Medical Devices.

Apart from its Standards work, the NSAI provides knowledge-based services and technical support to Government, consumers and industry, through the independent Certification of products, processes and services and Certification specific to the Construction industry, known as 'Agrément'; It is also responsible for both Legal and National Metrology functions, which ensures the accuracy of all measurements and measuring instruments used for trade and other purposes. NSAI also offers certification services in the US market through its subsidiary, NSAI Inc.

	REV 2020
Current	€6.790m
Capital	€0.500m
Total Gross Allocation	€7.290m
Staff Numbers	206

## HEALTH & SAFETY AUTHORITY (HSA)

**CEO: DR SHARON MCGUINNESS**

The principal functions of the Health and Safety Authority are to monitor and enforce compliance with occupational health and safety law, to provide information and expert advice to employers, employees and the self-employed, to promote workplace safety, health, welfare, education and training, to publish research on workplace hazards and risks and to propose new regulations and Codes of Practice to the Minister for Business, Enterprise and Innovation.



The Authority is also responsible for the administration and enforcement of more broadly based chemicals legislation, including REACH, CLP and Seveso. Since 2014, the Authority incorporates the Irish National Accreditation Board (INAB), which has responsibility for the accreditation of laboratories, certification bodies and inspection.

	REV 2020
Current	€20.502m
Capital	-
Total Gross Allocation	€20.502m
Staff Numbers	183

## COMPETITION AND CONSUMER PROTECTION COMMISSION (CCPC)

**CHAIRPERSON: ISOLDE GOGGIN**

The Competition and Consumer Protection Commission (CCPC) was formed through the amalgamation of the Competition Authority (TCA) and the National Consumer Agency (NCA) on the 31<sup>st</sup> October 2014. It is the statutory body responsible for enforcing consumer protection and competition law in Ireland and its mission is to make markets work better for consumers and businesses.



The role and functions of the CCPC can be summarised as follows:

### Enforcement

- Enforcing Irish and European competition law in Ireland.
- Enforcing a wide range of consumer protection legislation with a variety of enforcement tools to tackle illegal practices by traders.
- Assessing mergers including notification about proposed mergers, acquisitions and takeovers which reach a certain financial threshold, and all media mergers.
- Enforcing product safety regulations to ensure that product safety standards are being complied with through the General Product Safety Directive and other relevant regulations. The CCPC also shares information about dangerous goods and enforcement measures across the EU through the RAPEX system.

### Information

- Influencing public debate and policy development by highlighting to Government and other policymakers the possible impact of proposed legislation or regulations on competition and/or consumer welfare. The CCPC also study markets and recommend ways in which competition or the experience of consumers can be improved.
- Informing consumers about their rights by giving them information about their rights through its helpline and website.
- Encouraging business compliance by informing businesses of how to comply with the law.
- The CCPC has a specific role under legislation to provide personal finance information and education to consumers.

### **Protect & Regulate**

- Grocery sector regulations monitoring compliance with the Grocery Goods Regulations, investigating complaints and, where appropriate, taking enforcement action.
- Geo-blocking regulations, the CCPC has the power to stop a trader geo-blocking a consumer on the basis of their nationality or place of residence.
- Authorised Credit Intermediaries, the CCPC shares responsibility for the advertising of credit facilities with the Central Bank and have specific responsibility for the authorisation of credit intermediaries and for maintaining the Register of Credit Intermediaries.
- Alternative Dispute Resolution, the CCPC assesses applications from parties that wish to become Alternative Dispute Resolution (ADR) entities.

### **Some of the High priority goals for 2020 include:**

- Preparations for Brexit have been a strong priority for the CCPC given its responsibilities for market surveillance and product safety as well as merger control which will increase when the United Kingdom transitions to third country status under EU law on 1 Jan 2021.
- The CCPC is also preparing for the introduction of a new suite of enforcement tools for infringements of competition law arising from the transposition of the 'ECN+ Directive' by the 4th February 2021.
- The Minister, in accordance with section 10 (4) of the Competition and Consumer Protection Act 2014, can request the Competition and Consumer Protection Commission (CCPC) to carry out a study. The CCPC was requested to undertake a study on public liability insurance on how the market operates due to concerns about the increased cost of public liability insurance on business. The CCPC commenced this work in July 2019 and has advised that the study is a priority and it will be delivered in the shortest possible timeframe. The CCPC's study is progressing well and the evidence collated to date includes desk-based analysis of existing information, market research and stakeholder engagement. These activities will inform the completion of an evidence-based report which will make recommendations as to how any issues found might be addressed.
- The CCPC is committed to continued investigations in the motor insurance, ticketing and furniture wholesale sectors.

- Along with ongoing product safety investigations and Customs referrals, the CCPC is devising a long term product safety and market surveillance strategy, as well as continuing to develop the recently expanded Product Safety Division.
- The EU Consumer Protection Cooperation (CPC) network is comprised of national authorities, including the CCPC, who are responsible for enforcing EU consumer protection laws in EU and EEA countries. With more traders operating across many Member States the EU, in 2017, the CPC published new regulations which came into effect in January 2020. The CCPC's role is to implement these new regulations, ensuring the organisation continues to meet CPC timelines.

### COVID-19 Specific Work

#### 1. Consumer Information

Given the significant increase in the demand for our services from consumers seeking information about their rights during COVID-19, the CCPC has developed a dedicated [COVID-19 Information Hub](#) which went live on 22 March and to date has received over 58,000 visits. The online information hub offers a centralised platform for consumers looking to know their rights as a result of unprecedented issues brought about by the COVID-19 pandemic, including; package holidays and travel, insurance, online shopping and cancelled contracts. It also provides information to businesses, particularly in relation to their obligations under consumer protection law, for example; if they are changing their payment methods or making changes to their terms and conditions, as a result of the crisis.

#### 2. Consumer Welfare

##### Consumer Protection

At the start of the crisis, the CCPC increased its monitoring and surveillance activities. The initial monitoring activity by the CCPC has concluded with over 185 store visits and 1,300 item checks completed. The primary purpose of this activity was to monitor compliance with on-premises pricing requirements and inform any required actions. The CCPC also increased its level of monitoring of online retailers, with a focus on COVID-19 related products. When assessing websites, the CCPC ensured compliance with consumer protection law, including commercial practices which are misleading, or businesses who are failing to provide consumers with their rights under the Consumer Rights Directive. As a result of this monitoring activity, the CCPC engaged with a number of traders, issued a public warning in relation to a particular trader and commenced a formal investigation.

The CCPC has been very active through the Consumer Protection Cooperation (CPC) network. We participated in the coordinated action by the CPC network in March 2020, in relation to online platforms. The platforms concerned engaged with the European Commission and communicated what actions they had taken to protect consumers, which resulted in the removal of millions of sites by rogue traders. On a national level, we issued a letter to Facebook, outlining our functions in the area of consumer

protection. We also wrote to nine online platforms, outlining the risk of unscrupulous traders targeting consumers via social media platforms and advising that the necessary measures be put in place.

### Product Safety

The CCPC has also accelerated its market monitoring and surveillance activity of manufacturers of Personal Protective Equipment (PPE) and barrier masks which are sold to consumers. [Business guidelines](#) were developed to assist manufacturers, producers, importers and traders of consumer facemasks, to ensure compliance with product safety legislation and safeguard consumer welfare.

### 3. Business Guidance

Given the substantial impact on businesses as a result of COVID-19, a number of guidance documents were issued to remind traders of both existing and new consumer protection legislation. The following is a list of the guidance documents that have been issued to date:

- [A reminder to businesses of Consumer Protection Law Requirements during COVID-19](#)
- [Guidance for business on PPE for consumer use during COVID-19 Crisis](#)
- [New product safety guidance for COVID-19 consumer face masks](#)
- [Business guidelines on unfair terms in consumer contracts](#)

	REV 2020
Current	€13.836m
	-
Total Gross Allocation	€13.836m
Staff Numbers	110

## PERSONAL INJURIES ASSESSMENT BOARD

CEO: ROSALIND CARROLL

CHAIRPERSON: DERMOT DIVILLY







## IRISH AUDITING & ACCOUNTING SUPERVISORY AUTHORITY

### 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. The principal objectives of IAASA, are set out in Section 904 of the Companies Act 2014 and provide the framework for its activities. IAASA has seven principle objectives:

1. to supervise how the prescribed accountancy bodies regulate and monitor their members;
2. to monitor the periodic financial reporting of certain entities whose securities have been admitted to trading on a regulated market in the EU,
3. to carry out certain functions in respect of liquidators,
4. to promote adherence to high professional standards in the auditing and accountancy profession,
5. to act as a specialist source of advice to the Minister for Business, Enterprise and Innovation on auditing and accounting matters,
6. to carry out the external quality assurance of the audits of public interest entities; and
7. oversight of statutory audit.

IAASA's Work Programme for the period 2020-2022 is grounded in the statutory functions conferred on IAASA under the Companies Act 2014 and the Transparency Regulation. It sets out three Strands to guide the Programme, Regulation, Promotion of High Standards, and Maximising Impact. Within these Strands are a range of Strategies, each of which in turn are linked to activities that will be undertaken to ensure that these Strategies are implemented.

The Work Programme takes a medium to long term view of how IAASA will succeed in fulfilling its remit, notwithstanding the operational and other challenges, including the potential impact of Brexit on the Irish audit landscape.

	REV 2020
Current	€1.942m
Capital	0
Total Gross Allocation	€1.942m
Staff Numbers	29

## 5.4 North South Body

### INTERTRADE IRELAND

**ACTING CEO: AIDAN GOUGH**

InterTradeIreland (ITI) is one of six North-South implementation bodies established under the terms of the Belfast Agreement. It operates under the oversight of the NSMC and of its sponsor Departments, DBEI and the Department for the Economy in Northern Ireland and is jointly funded by the two Departments. It also collaborates with relevant State agencies on both sides of the border.

ITI's remit, as specified in legislation, is the promotion of trade and business on an all-island and cross-border basis. ITI operates from its offices in Newry, Co Down. It employs 39 full time staff (plus an additional 15 staff on a contract basis).

There are currently only six Board members (instead of 12) as it has not been possible to officially appoint new members in the absence of the NSMC. Chairman alternates between a Northern and Southern nominee. The current Chairman is Ken Nelson. Aidan Gough is the Designated Officer, which is effectively the acting CEO.

	REV 2020
Current	€2.497m
Capital	€10.195m
Total Gross Allocation	€12.692m
Staff Numbers	39 full time staff (plus an additional 12 staff on a contract basis) The maximum allowable headcount for the body is currently set at 42.

## 5.5 Boards of the Agencies

### BOARD APPOINTMENTS

The process for appointments to State Boards was reformed by Government in late 2014 and the Personnel Officer, through the State Agencies and Pensions Unit, serves as the Department's State Boards Liaison Officer for engaging with the Public Appointments Service (PAS) on the advertising and assessment processes after which lists of potential candidates are made available to the Minister to facilitate his/her making Board appointments.

### THIS DEPARTMENT IS REPRESENTED ON THE BOARDS OF ITS AGENCIES AS FOLLOWS:

Agency	Department Representative
Enterprise Ireland	Declan Hughes, Assistant Secretary, Indigenous Enterprise Division
IDA Ireland	Dermot Mulligan, Assistant Secretary, Innovation & Investment Division
Science Foundation Ireland	Dermot Mulligan, Assistant Secretary, Innovation & Investment Division
National Standards Authority of Ireland	Conor Verdon, Principal Officer, Indigenous Enterprise Division
Health & Safety Authority	Steven Curran, Principal Officer, Workplace Regulation and Economic Migration Division
Personal Injuries Assessment Board	Vacant [Clare Dunne, Assistant Secretary, Commerce, Consumers & Competition Div.]
Irish Auditing & Accounting Supervisory Authority*	N/A
Intertrade Ireland*	N/A
Competition & Consumer Protection Commission **	N/A

\* The Department is not currently represented on the Board of the Irish Auditing & Accounting Supervisory Authority or InterTrade Ireland.

\*\* The Competition and Consumer Protection Commission does not have a Board. The Commission's members are appointed by the Minister following a competition conducted by the Public Appointments Service (PAS).

## STATE BOARD VACANCIES ARISING IN 2020

Title of Board	Chair or Ordinary Member(s)	Date vacancy arises	Comments
<b>Enterprise Ireland</b>	2 Ordinary Members	23/07/2020	In compliance with Section 9(8) of the Industrial Development Act 1998 as one of the two members who will have served longest in office.
<b>Health and Safety Authority</b>	3 Ordinary Members	25/02/2020	PAS process completed. Awaiting Ministerial Selection and Approval
<b>Irish Auditing and Accounting Supervisory Authority</b>	2 ordinary Member	29/05/2020	Vacancy notice received. Liaising with PAS on draft booklet.
<b>IDA Ireland</b>	3 Ordinary Members	Nov 2018 Dec 2019 Jan 2020	PAS advertised vacancies 16/06/20 closing date 7/07/20
<b>National Standards Authority of Ireland (NSAI)</b>	4 ordinary members	April 2019 Sept 2019	PAS process completed on 22 <sup>nd</sup> June and will now require Ministerial selection and approval
<b>Personal Injuries Assessment Board</b>	2 Ordinary Members	25/07/2020  16/04/2020	1 is a nominee of the Department of Education.  1 is DBEI Representative
<b>Science Foundation Ireland (SFI)</b>	2 ordinary members	01/01/20	PAS process completed. Awaiting Ministerial Selection and Approval
<b>Workplace Relations Commission (WRC)</b>	1 vacancy	01/10/2020	

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## Section 6: Budget

### 6.1 Capital Commitments

Given the multi-annual nature of the agency grant supports, typically 80% to 85% of an agency's in-year capital provision is required to meet existing business with associated capital commitments.

Enterprise Ireland, IDA Ireland and Science Foundation Ireland have complex funding programme operations and must carefully manage their future year grant commitments. A complication in this regard is that neither the Department, nor the Agency, will know what the future capital allocations will be until the next year's financial allocations have been finalised and approved by Government and the Minister for Public Expenditure & Reform through the annual estimates/budgetary process, albeit that the National Development Plan 2018-2027 did set out indicative Departmental capital allocations for the first phase of the Plan out to 2022.

Agency capital commitments are managed at DBEI Vote level in line with Department of Public Expenditure and Reform sanctioned threshold levels usually over a rolling 3 year period. Typically, the DPER multi-annual capital commitments thresholds have been along the lines of:

- Year + 1 @ 85% maximum of the base year allocation
- Year + 2 @ 65% maximum of the base year allocation
- Year + 3 @ 50% maximum of the base year allocation

Given the reality of the multi annual nature of the capital programmes of the DBEI's Enterprise Agencies, the Department secured PER's agreement to include Agency Own Resource Income in the calculation of future year DBEI capital commitment thresholds. The effect of including ORI is that the calculation base is increased by approx. €85m, thus in turn increasing the permitted future year commitment thresholds.

For example, in terms of the 2019 capital commitments sanction, the inclusion of ORI (which increased the calculation base from €620m to €705m) meant that the permitted threshold for 2020 is €599m, €458m in 2021 and €360m in 2022.

Whereas if ORI had not been included in the base for calculation the permitted threshold for 2020 would only have been €527m, €403m in 2021 and €310mm in 2022.

It is expected that D/PER will issue the Department's 2020 multi annual capital sanction in the coming weeks.

## CAPITAL ALLOCATION 2020 V 2019

	2020*	2019**	Change	% Change
InterTrade Ireland – Subhead A4	€10.195m	€6.695m	+€3.50m	+52.28%
IDA Ireland – Subhead A5	€136.00m	€142.00m	-€6.00m	-4.22%
National Standards Authority of Ireland – Subhead A6	€0.50m	€0.50m	-	-
Enterprise Ireland – Subhead A7	€462.25m	€65.75m	+€394.50m	+600%
Local Enterprise Offices – Subhead A8	€58.50m	€27.50m	+€33.00m	+120%
Credit Guarantee Scheme – Subhead A9	€0.50m	€0.50m	-	-
Interreg – Subhead A10	€5.80m	€3.00m	+€2.80m	+93.33%
SBCI Loan Schemes – Subhead A14	€46.96m	€6.00m	+€40.96m	+682%
Humanitarian Relief Scheme – Subhead A15	€0.001m	€0.001m	-	-
Micro Finance Ireland – Subhead A16	€0.001m	n/a	+€0.001m	-
Science Foundation Ireland – Subhead B4 (R&D)	€178.486m	€172.75m	+€5.736m	+3.32%
Enterprise Ireland – Subhead B4 (R&D)	€122.00m	€122.00m	-	-
Tyndall National Institute – Subhead B4 (R&D)	€5.50m	€5.50m	-	-
Programme for Research in Third Level Institutions – Subhead B5	€24.072m	€24.30m	-€0.228m	-0.94%
Memberships of International Research Organisations – Subhead B6	€22.445m	€23.504m	-€1.059m	-4.51%
Disruptive Technology Innovation Fund – Subhead B9	€30.00m	€20.00m	+€10.00m	+50%
<b>Total</b>	<b>€1115m</b>	<b>€620m</b>	<b>€495m</b>	<b>+79.8%</b>

\*The 2020 allocations represents the allocations set out in the June 2020REV rather than the allocations in the Dec 2020 REV

\*\*The 2019 figures reflect the allocations published in Rev 2019 and do not, therefore, reflect the €15.289m re-distribution package secured in the December Supplementary Estimate.

## 6.2 Carryover of unspent Capital Allocations

The Finance Act, 2004 permits the deferral of the surrender by a Department of unspent capital monies (subject to such monies being not more than 10% of the Department's overall capital allocation) in any particular year and the carryover of such monies for use by the Department concerned in the following year. The Department secured the agreement of D/PER for the carryover of unspent capital monies of €27.6m in 2018 into 2019 and for the carryover of unspent capital monies of €42.15m in 2019 for use in 2020. The Table below identifies the Subheads which received additional allocations on foot of these carryovers

<b>APPLICATION OF DEFERRED SURRENDER</b>		
	2019	2020
Science Foundation Ireland	€6.8m	€4.925m
IDA Ireland	€20.8m	-
Enterprise Ireland – Subhead A7	-	€23.5m
Micro Finance Ireland	-	€3m
Local Enterprise Offices	-	€6m
Tyndall Institute	-	€1.5m
Programme for Research in Third Level Institutions	-	€425k
Disruptive Technologies Innovation Fund	-	€2.8m
Total	€27.6m	€42.15m

## 6.3 Agency Own Resource Income

In addition to Exchequer funding, several of the Department's Agencies, most notably Enterprise Ireland, IDA Ireland, National Standards Authority of Ireland generate Own Resource Income (ORI) from a range of their activities. The retention of the ORI by the Agencies is subject to annual sanction from the Minister for Public Expenditure & Reform. Typically, the quantum of annual ORI generated and retained for use by the agencies has been in the €100m-€150m range in recent years. However, the quantum of ORI generated in 2020 may well be affected by the ongoing COVID-19 crisis which has impacted on business operations and which could have budgetary implications for the Agencies concerned.

In the case of the Irish Auditing & Accounting Supervisory Authority (IAASA) and the Financial Information functions of the Competition & Consumer Protection Commission, some modest levels of funding is generated by means of a levy on the industries they regulate.



In relation to the Personal Injuries Assessment Board (PIAB), it is a self-funding agency and relies on income generated primarily from respondents to fund its activities. Typically, the annual PIAB cost of operations has been in the region of €12m. The Department does, however, provide a modest level of funding to PIAB to enable it to meet its pension and pension lump sum liabilities.

#### **INCOME RECEIVED BY THE DEPARTMENT (“APPROPRIATIONS-IN-AID”)**

A number of the Department’s Offices, such as the CRO, Patents Office and Employment Permits area of the Department provide services to the public with a fee generation element. Unlike ORI, the Department does not get to retain and use A&As, these are returned to the Exchequer and “netted off” against the Exchequer gross allocation to the DBEI Vote. For example,

- in 2019 CRO generated an income of c €17.5 million in incorporation/filing charges from companies/businesses
- c €13.5m was received in relation to the issuing of Employment Permits
- over €11.5m was received in the course of the year from fees in respect of the registration of Patents and Trademarks last year

Typically, the Department will generate in the region of €50m in A&As per annum from Offices’ fee generation and other sources, such as pension related deductions and the pension levy on staff. The quantum of AinAs that the Department may receive in 2020 may also be affected by the ongoing COVID-19 crisis which could in turn adversely impact the net exchequer allocation to the DBEI Vote

## **6.4 DBEI Vote Structure, 2020 Estimate and beyond**

Section 2 above provided some high-level detail of the Department’s 2020 financial provision as secured through the 2020 Budget and Revised Estimates Volume processes. The €1.4935 billion in funding for the Department as set out in the June 2020 REV will cover staffing and administration of the Department, its agencies and offices, pensions funding, and capital grants expenditure on a range of programmes designed to support jobs and facilitate further economic growth.

#### **STRUCTURE OF VOTE 32 – BUSINESS, ENTERPRISE & INNOVATION**

As a consequence of reforms introduced in 2012 to the public financial management process, the Department’s objectives are pursued and delivered through three high-level Programme Areas linked to the Department’s Statement of Strategy. This follows the Performance Budgeting approach adopted by the Department of Public Expenditure & Reform (D/PER).

The 3 DBEI high-level Programme Areas are:

- A: Jobs and Enterprise Development
- B: Innovation
- C: Regulation

In terms of Vote Management, the 3 areas of programme expenditure span across more than 30 discrete Subheads and 6 Administrative (Departmental) Subheads. The complex Vote structure reflects the wide diversity of the Department's remit and range of functions.

**TABLE: FUNDING DISTRIBUTION AT PROGRAMME EXPENDITURE AREA**

PROGRAMME AREA	2020 JUNE ESTIMATE		
	Current €000	Capital	Total
		€000	€000
A: JOBS & ENTERPRISE DEVELOPMENT	219,233	732,497	951,730
B: INNOVATION	31,729	382,503	414,232
C: REGULATION	87,946	0	87,946
Gross Total:	338,908	1,115,000	1,453,908
APPROPRIATIONS-IN-AID (i.e estimated income)	50,300	2,408	52,708
Net Total:	288,608	1,112,592	1,401,200

#### **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 “Future Jobs” 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 under Programme A is also provided:

- To assist North-South measures via the Enterprise Development strand of the cross-border INTERREG programme
- Capitalise Micro Finance Ireland (as required) as a means of providing access to finance for micro-enterprises under the Microenterprise Loan Fund.
- 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 further meet the Department's contribution to the Future Growth Loan Scheme (a total of €62m in exchequer funding has been committed to the FGLS scheme of which €37m is to be paid by DBEI and €25m is to be paid by the Dept of Agriculture, Food and the Marine)

The increased capital allocation of €483m over the capital allocation originally provided in the December 2020 REV has been allocated in full to the Department's Jobs and Enterprise Development Programme and in particular to support the various COVID-19 supports being rolled out by Enterprise Ireland, Intertrade Ireland, the Local Enterprise Offices and through the specific COVID-19 access to finance initiatives including the SBCI Loans, Micro finance Ireland etc.

#### **PROGRAMME B – INNOVATION**

The primary objective of this programme is to foster and embed a world class innovation system that underpins enterprise development and drives commercialisation of research to build national competitive advantage across the economy. Funding is provided for strategic investments in research, development and innovation and the development of human capital. This investment is serving as key driver for growth, and the creation and maintenance of sustainable employment into the future. This Programme also funds the Disruptive Technologies 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 – Innovation** are delivered by and through:

- The Intellectual Property Office of Ireland (formerly the Patents Office)
- Enterprise Ireland R&D supports
- Science Foundation Ireland
- Tyndall National Institute
- The Programme for Research in Third-Level Institutions (PRTL)

(The PRTL Subhead essentially funds the Department's remaining commitments under Cycle 5 of the PRTL. The Subhead also funds the SFI administered PhD Research Masters Programme. Funding is also provided through this Subhead to meet the cost of Ireland's participation in the EU High Performance Computing Programme (ICHEC) and also to meet subscription costs to the Irish Research eLibrary (IreL) which enables the Irish research community to access quality peer-reviewed online research publications journals, databases etc)

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

- Centre Européen de Calcul Atomique et Moléculaire (CECAM)
- European Space Agency (ESA)
- European Molecular Biology Laboratory
- European Molecular Biology Conference
- European Cooperation in Science and Technology (COST)
- Eureka
- European Southern Observatory

The Innovation Programme also funds the Disruptive Technologies Innovation Fund Programme. The DTIF is a challenge based Fund to develop disruptive innovation technologies on a commercial basis to tackle national and global challenges. Under the National Development Plan a total of €500m will be allocated to the DTIF over the lifetime of the Plan out to 2027. To-date there have been 2 rounds of funding calls under the DTIF.

### **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.

The Department aims to make markets, including the labour markets, work more efficiently through smart regulation which encourages innovation, keen competition, high standards of compliance and consumer protection but without unnecessary regulatory cost.

Funding under **Programme Area C – Regulation** covers the following:

- Workplace Relations Programme, including the Workplace Relations Commission, the Labour Court and the Employment Appeals Tribunal
- 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)
- Office of the Director of Corporate Enforcement (ODCE)

The activities of the High-Level Group on Business Regulation, the Company Law Review Group and the Sales Law Review Group are also included under this Programme area. Ireland’s membership of the International Labour Organisation is also provided for under this programme area.

## **6.5 Financial Considerations for the Department**

DBEI’s capital budget traditionally represented a significant quantum of the overall public funding provided to the Department (approximately 65%) and is critical to DBEI’s enterprise, innovation and job creation programmes. The addition of the €483 million in further capital

funding in the June 2020 Revised Estimate effectively means that three quarters of the exchequer funding provided to the DBEI Vote is represented by capital funding.

The investments through DBEI and its agencies have contributed strongly to growing productivity, innovation and employment in the economy and thereby significantly reducing the unemployment level from 15.2% in 2012 to 5.6% at end May 2020 (as per CSO figures). Notwithstanding the progress in growing the numbers of people employed since the financial crisis, this progress has been reversed significantly by the current COVID-19 emergency which has had a dramatic and severe impact in terms of the numbers of people who have/are suffering unemployment. It is clear, therefore, that the department's Enterprise Agencies will again have a lead role to tackle the jobs crisis arising from COVID-19 and it is essential that the necessary capital funding is provided to allow them to do so.

The Department's capital investment programmes differ significantly to other Public Capital Programme (PCP) projects and have a far greater jobs impact.

The majority of PCP offers one off construction projects which yield in the region of 10-20 jobs per €1m spent. Whereas, in terms of sustainable employment, it is important to note that enterprise agency job numbers are based on jobs that are sustained over at least 7 years as opposed to 2 to 4 years for capital investment in other infrastructure projects.

#### **JOBS BEING SUPPORTED BY ENTERPRISE AGENCIES**

At the end of 2019 more than 470,000 jobs (over 1 in 5 of those employed in Ireland) are directly supported by the enterprise agencies – Enterprise Ireland, IDA Ireland and the Local Enterprise Offices.

Allowing for the multiplier effect almost a similar number (a further 470,000+ jobs) are supported indirectly through interactions with enterprise agency client companies in services and sub-supply. Therefore over 940,000 +jobs - more than 2 in 5 jobs in Ireland – are connecting and benefitting as a consequence of enterprise agency supports.

- At the end of 2019, Enterprise Ireland client companies were directly supporting 221,895 jobs across its client base.
- IDA Ireland were directly supporting 245,096 jobs across its client cohort at the end of last year
- As of the end of 2018 over 36,500 jobs were being supported through the Local Enterprise Offices
- The capital provision through Science Foundation Ireland also provides direct funding and employment for nearly 3,000 high-class researchers with a further 5,000 plus researcher jobs being leveraged off the SFI funding. It is estimated that the SFI capital supports are directly and indirectly supporting in the region of 31,000 jobs
- SFI funded research is also leveraging significant additional investment in Ireland through EU research funding streams and directly from industry – typically in the range of €130m+ per annum (combined). This effectively means that for every €1 capital invested by SFI it leverages c.75 cent in further R&D investment in Ireland.

Underpinning much of this is the innovative capacity of Irish based enterprise which has benefitted hugely over the past fifteen years or more through the State's very significant investments in research and development via Science Foundation Ireland and the Programme for Research in Third-level Institutions. In recent years, typically in excess of

30% of the IDA new FDI investment wins each year have been R&D related in companies connected to SFI supported research teams.

The progress made by DBEI's agencies particularly as regards the growth in the numbers of jobs being supported by them has been dented by the COVID-19 crisis. However, the impact has been much less than in other sectors of the economy. Their track record since the financial crisis clearly demonstrates the jobs return that they can achieve should they be provided with the necessary resources to do so.

#### **BENEFITS OF THE DEPARTMENT'S INNOVATION PROGRAMMES**

A crucially important element of DBEI capital supports relates to "Expenditure Programme Area B – Innovation" which primarily covers R&D investments through Science Foundation Ireland, Enterprise Ireland and the Programme for Research in Third-Level Institutions (PRTLTI).

Since the late 1990s, successive Governments decisions to pursue a Smart Economy strategy and invest heavily in science and technology has resulted in the country being transformed into a leading centre for education, research and industry across a range of cutting-edge disciplines.

Ireland has a reputation for excelling in research and creative discovery, as evidenced by our strong position in global rankings. Ireland has been identified as a "Strong Innovator" and 9th most innovative country in the EU according to the European Innovation Scoreboard 2020. We are ranked 12<sup>th</sup> globally for the overall quality of our scientific research, and rank higher in individual fields such as immunology, agricultural sciences and nanotechnology.

Notwithstanding the progress achieved through the capital supports under the Department's Innovation Programme, maintaining/ improving Ireland's competitiveness in the innovation arena as well as maintaining/attracting high calibre FDI and ensuring a pipeline of highly skilled researchers to feed industry demand and help our enterprise base to thrive and diversify, will require a return to a trajectory of increasing public investment in research and innovation over the coming years. In this regard Innovation 2020, the national strategy to progress the vision of Ireland becoming a *Global Innovation Leader*, reaffirms the commitment to the EU "Europe 2020" target of achieving a research intensity target of 2.5% of GNP. This can only be achieved by a stepped increase in the level of public funding in the Innovation area. Ireland's estimated level of innovation investment (Gross Expenditure on R&D) as a proportion of GNP has been decreasing in recent years dropping to 1.56% in 2017 and an estimated 1.46% in 2018 even though the funding level has increased.

#### **NATIONAL DEVELOPMENT PLAN**

The National Development Plan, which was published in February 2018, committed a total of almost €116 billion of capital funding over the lifetime of the Plan (2018 to 2027) to underpin the implementation of the Strategic National Outcomes of the National Planning Framework. Of this, €91 billion will be provided directly from the exchequer and €24.9 billion from non-exchequer funding. A total of €38.5 billion of the exchequer funding will be provided towards the implementation of the NDP in the first phase of the Plan, i.e. from 2018 out to 2022

Insofar as DBEI is concerned, the NDP assigns to the Department and the Department of Education and Skills the lead roles in implementing the "Strong Economy, supported by

Enterprise, Innovation and Skills” National Strategic Outcome identified in the NPF (NSO 5 refers). The Department also has a role in implementing the Strengthened Rural Economies and Communities NSO (NSO 3 refers).

The National Development Plan commits a total of €9.4 billion over the 10 year lifetime of the Plan (i.e. 2018-2027) to meet the specific Strategic Priority Investment Projects necessary to deliver on the National Strategic Outcome of a “Strong Economy, supported by Enterprise, Innovation and Skills”. In this regard, the NDP has identified the following 16 specific Business, Innovation and Enterprise Priority Investment Projects which DBEI is responsible for implementing within the timeframe of the Plan:



Whilst the Plan commits to provide a total of €500m over the lifetime of the NDP to implement the Disruptive Technologies Information Fund Investment Priority Project, no specific provision is made in relation to the implementation of the other 15 Business, Enterprise and Innovation Priority Investment Projects.







namely an orderly exit of the UK at end-2020 and also a possible disorderly exit as was speculated for the 31<sup>st</sup> October 2019.

In preparation for the budget discussions, the Department had sought that its 2019 allocation of €950.2m would be increased by €31m (€25m in capital and €6m in current) to enable it to respond to the demands of an Orderly Brexit scenario. In the case of a Disorderly Brexit, the Department identified that it would need a further €687m in overall funding, of which €340m would be required in 2020, to enable it to roll out the suite of discrete initiatives that would be required in a Disorderly Brexit scenario.

The original €970.9m gross allocation secured for the Department in Budget 2020 represents an overall increase of €20.7m (2%) on our 2019 allocation of €950.2m. This is broken down as and between an increase in our capital funding of €12m (1.9%) and an increase of €8.7m in our current expenditure funding (2.6%). The €20.7m in increased funding will allow the Department to roll out a number of Brexit and other measures in the course of the year, including

- rolling out the next phase of the Disruptive Technologies Innovation Fund
- supporting the next phase of the renewal of Science Foundation Ireland's Research Centres Programme
- increasing the resources of the Department's Enterprise and Regulatory Bodies to enable them to continue to prepare for Brexit by expanding and further developing their suites of business supports and progressing the Global Footprint Initiative

As advised, Budget 2020 also made provision for a Contingency Fund of €650m to be made available in the event of a No Deal Brexit to support enterprises/sectors most impacted (i.e. Agriculture, Enterprise and Tourism) should the UK leave without an agreement. The budget announcement envisaged that the Contingency Fund would be released in tranches so as to facilitate graduated responses to the range of possible Brexit impacts which may take time to materialise. It also proposed that an initial Enterprise Supports Tranche of €110m would be activated immediately on the confirmation of a No Deal and would be targeted at funding the roll out of the following Schemes

- De-Minimis equity and lending supports (€45m)
- A Rescue and Restructuring fund (€42m)
- Targeted supports for small and micro enterprises (MFI loans, LEO repayable grants, Intertrade Ireland vouchers) (€12m)
- Business transformation grants (food and non-food sectors) (€8m)
- Additional pay and non-pay to the enterprise and regulatory agencies to deal with the additional demands on their resources (€3m)

Following the agreement reached on the manner of the UK's withdrawal from the EU, the focus has now turned to the nature of the UK's future relationship with the EU. Whilst it remains an open a question as to what measure of agreement can be reached in the discussions on this matter, the possibility of not reaching an agreement cannot be ruled out. In such circumstances it would be critical that the Department is in a position to access the contingency funding earmarked in Budget 2020 for a No Deal scenario. It is also important that the initial Enterprise Supports Tranche of €110m be built upon given the aforementioned overall quantum of additional funding that the Department has identified would be required to respond proactively to a No Deal scenario.

## **ONGOING RESPONSE TO THE COVID CRISIS/STIMULUS**

The additional €483m in capital funding provided to the Department's Vote in the June 2020 REV represents but the first phase of supports to enable businesses to survive and emerge from the COVID-19 crisis. Further supports will be required as we progress through the phases of the return to work plan.

The new Programme for Government specifically refers to a jobs led recovery and also to the intention to create a Recovery Fund to act as a targeted stimulus to create employment. The Programme also commits to bringing forward a National Economic Plan in conjunction with Budget 2021 which will set out the long-term strategy to restoring employment. Whilst obviously the details of the Recovery Fund and the Economic plan will be the subject of detailed discussion, the Department is currently developing a further number of discrete COVID-19 support measures which may well be incorporated into the Fund and the Plan. Specifically, the measures include the establishment of a discrete COVID-19 Credit Guarantee Scheme, the further expansion of the Future Growth Loan Scheme and further capitalisation of the Micro Enterprise Loan Fund.

All these measures require primary legislation and the drafting of the necessary legislative provisions to give them effect is well advanced. Aside from the foregoing, a number of other measures, such as the possible introduction of a Trade Credit Insurance Scheme, are under active consideration. The introduction of any or all of these measures would require significant additional capital funding, particularly so in the case of the proposed COVID Credit Guarantee Scheme as it is currently envisaged.

## **6.6 Strategic Reviews/Developments Budgetary Implications**

A number of recent developments and ongoing/soon to be undertaken strategy reviews may have implications in terms of funding demands on the Department's Budget in the coming years. These include

- the successor to Innovation 2020
- the implications of the Climate Action Plan for the enterprise sector
- the reviews of strategy by the IDA and SFI

### **SUCCESSOR TO INNOVATION 2020**

Work in framing the successor to Innovation 2020 has been initiated and is expected to conclude by the end of the year. It is likely that public funding of Research & Development and in particular the funding provided through the Department's Innovation Programme will be the subject of consideration as part of the Review. In this regard, the EU "Europe 2020" target of achieving a research intensity target of 2.5% of GNP, which was also a target of Innovation 2020, is likely to again be a reference point for the Review. As advised, attaining an intensity rate of 2.5% can only be achieved by a stepped increase in the level of public funding, which will be challenging, given the fact that the rate has continued to decrease in recent years and also given that the preponderance of public funding of R&D is invested through the Department's Innovation Programme.

## **CLIMATE ACTION PLAN 2019**

The Climate Action Plan 2019, which was published in June last year, was framed in the light of the recommendations of the Joint Oireachtas Committee on Climate Action. The Climate Action Plan is committed to achieving a net zero carbon energy systems objective for Irish society and in the process, create a resilient, vibrant and sustainable country. The Plan identifies the current state of play across key sectors including Electricity, Transport, Built Environment, Industry and Agriculture and prescribes a suite of actions to be undertaken, including sectoral actions. The actions prescribed for the Enterprise Sector have been framed on the basis of a commitment to

- Embed energy efficiency, replacement of fossil fuels, careful management of materials and waste, and carbon abatement across all enterprises and public service bodies
- Mobilise clusters regionally and sectorally to become centres of excellence for the adoption of low carbon technologies
- Plan for the delivery of quality employment and enterprise in the new areas of opportunity being opened up

The Action Plan in referring to the €30billion in funding allocated to climate initiatives in Project 2040 also makes it clear that the unavoidable level of change that will be required cannot solely be the responsibility of the tax payer and that the burdens will have to be borne by all groups/sectors. The Plan acknowledges that this is likely to involve a reprioritisation of spending envelopes within Government Departments. It is likely, therefore, that the implementation of the actions under the Plan will be a prominent feature of future budgetary negotiations and particularly so for DBEI given its responsibility for actions in relation to the Enterprise Sector.

The Action Plan also envisages the institution of carbon budgets. To this end, in January of this year, the Minister for Communications, Climate Action and the Environment published the general scheme of a bill which would, inter alia, require by law the setting of carbon budgets. It is likely that such a requirement would involve the maintenance of parallel carbon accounts. It is not yet clear as to what the implications/impacts of failing to meet the sectoral emissions obligations prescribed in carbon budgets may have in relation to the exchequer funding being provided to those Departments with responsibility for the sectors concerned.

## **STRATEGIC REVIEWS BY THE IDA AND SFI**

It is understood that both the IDA and SFI are likely to roll out their new strategies in the latter part of 2020. The implementation of these new strategies together with the myriad of other DBEI programmes will have to be achieved in the context of the funding secured by the Department for 2020 and in the budgetary settlements for future years. In this regard, it is salutary to bear in mind the limited additionality in capital funding allocated to the Department in phase 1 of the National Development Plan as outlined above.

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## Section 7: Legislation

### 7.1 High Priority

#### COVID 19 MISCELLANEOUS FINANCING PROVISIONS BILL 2020

Amendments were agreed by Government on 2<sup>nd</sup> May 2020 to 3 Acts in order to support the financing needs of businesses in the COVID-19 crisis. These are the Microenterprise Loan Fund Act 2012 (as amended), the European Investment Fund Act 2018 and the Credit Guarantee Act 2012 (as amended).

#### PERSONAL INJURIES ASSESSMENT BOARD (PIAB) ACT 2003

The Department is considering amending the Personal Injuries Assessment Board (PIAB) Act 2003, in light of the current COVID-19 crisis, to increase the statutory time allowed for PIAB to assess a claim from 9 months to 15 months for a limited period of time. The Department is also considering an amendment to allow PIAB to serve statutory documents by normal post rather than by registered post given the difficulties surrounding registered post in the current environment for the same limited period of time.

#### COMPANIES ACT 2014

The Department with input from the Company Law Review Group (CLRG) are examining legislative changes that may be required to ensure the Companies Act 2014 can best facilitate companies as they respond to the challenges of the crisis, while also maintaining the appropriate corporate governance safeguards. The CLRG has submitted its first report to the Minister in this regard, which is currently under the consideration of officials in the Department. Changes made in respect of meetings for companies will also be worked into changes in the Industrial Provident Societies Acts to apply to Co-operatives.

#### COMPETITION ACT 2002

Amendments to the Competition Act 2002 regarding statutory deadlines for issuing mergers and acquisition determinations by the Competition and Consumer Protection Commission.

#### CONTROL OF EXPORTS BILL

To update (repeal and replace) the Control of Exports Act 2008. The legislation will increase the Minister's powers of enforcement in respect of EU controls on the exports of sensitive items (principally, Dual-use items and Military equipment) as well as UN and EU trade sanctions.

#### COMPETITION (AMENDMENT) BILL

To provide for the reform of civil competition enforcement including the transposition of the ECN+ Directive.

The ECN+ Directive includes powers for competition authorities (CCPC + ComReg) to avail of administrative/civil sanctions and leniency/immunity measures as well as the imposition of

interim measures for breaches of EU competition law. In order to ensure a coherent competition enforcement regime, it is intended to provide the same measures for breaches of national competition law.

#### **COMPREHENSIVE CONSOLIDATED CONSUMER CONTRACT RIGHTS BILL**

This is a consolidation of existing consumer legislation and will also include transposition of 2 Digital Single Market measures and will incorporate the transposition of the Better Enforcement and Modernisation Directive.

## **7.2 Other Legislation**

#### **EMPLOYMENT PERMITS (CONSOLIDATION AND AMENDMENT) BILL**

The primary purpose of the proposed legislation is to consolidate the Employment Permits Acts, and to make certain amendments to modernise the employment permits system and increase its responsiveness including more flexible provisions relating to the labour market needs test (advertising of vacancies) and to provide for the introduction of a Seasonal Employment Permit. The core of the legislation will remain as it is but changes will allow for a much more adaptable framework allowing for innovation in processes and for developments in the economy and labour market.

#### **COMPANIES (CORPORATE ENFORCEMENT AUTHORITY) BILL**

The primary purpose of this General Scheme is to give effect to the decision by Government in October 2017 to establish the Office of the Director of Corporate Enforcement as a stand-alone agency with a commission structure. The new agency will be called the Corporate Enforcement Authority. A secondary purpose is to give effect to some recommendations of the Company Law Review Group in the areas of corporate governance and shares and share capital.

#### **SCREENING OF FOREIGN DIRECT INVESTMENTS BILL**

The purpose of the legislation will be to put in place a framework for screening foreign direct investments into Ireland from third countries. In so doing, the Bill would empower the Minister to carry out assessments on foreign direct investments from third countries including powers to assess, investigate, authorise, apply conditions, prohibit or unwind foreign investments based on security and public order grounds.

The Bill will ensure that Ireland can fully meet its' obligations under EU Regulation 2019/452 on Investment Screening of foreign investments from third countries in relation to cooperation, coordination and reporting to the Commission and with other Member States within the timelines prescribed. The EU Regulation enters into force in October 2020.

The Bill will define the nature, scale and type of investments that should undergo investment screening as well as other factors that will be considered when applying screening to particular foreign investments.



### **PROHIBITION OF ABOVE-COST TICKET TOUTING BILL 2017**

To provide for the prohibition of above-cost ticket touting and to provide for related matters.

This legislation stemmed from a Private Members' Bill in 2017 which provided that it would be an offence to sell, or advertise for sale, a ticket for a sporting, musical or theatrical event at which an attendance of more than 300 people could reasonably be anticipated. This was supported by Government on 23 July 2018 and was escalated due to a Government commitment to UEFA to ban the unauthorised transfer and use of tickets for matches taking place in Ireland during the EURO 2020 Championships.

While Covid-19 has seen a delay to that Championship into 2021 the draft remains ready to bring to Government for approval to publish once Government decides when or if to proceed with this Bill.

### **INDUSTRIAL DEVELOPMENT (MISCELLANEOUS PROVISIONS) BILL**

To provide that IDA Ireland would be permitted to establish and participate in corporate partnerships, with the sole purpose of developing critical industrial and commercial property in regional locations.

This Bill also contains two additional unrelated amendments in respect of Enterprise Ireland and the Health and Safety Authority and a proposed amendment in relation to the NSAI.

With respect to the Health and Safety Authority, the Bill will include two technical amendments to the Dangerous Substances Act 1972 to provide for the regulation of fuels other than petrol (e.g. diesel) and to allow for certain enforcement matters. The Bill will also contain minor technical amendments in respect of Enterprise Ireland's FOI obligations. Also to seek approval to include an amendment to the NSAI Act 1996 to modernise the language of Section 12, to better reflect the power of the Authority in charging fees.

### **THE CO-OPERATIVE SOCIETIES BILL 2020**

The purpose of the Bill is to consolidate the existing Industrial and Provident Societies legislation, and to ensure that an effective legislative framework suitable for the diverse range of organisations using the co-operative model in Ireland is in place.

A modernised statutory code aligned with the realities of the 21st century business and regulatory environment will also create a level playing field between co-operatives and the other legal options for structuring enterprise activities.

### **THE REGISTRATION OF TRADE UNIONS BILL 2020**

The purpose of the Bill is to modernise and consolidate the existing legislation in respect of the registration requirements for trade unions. These requirements are currently found in the Trade Union Acts 1871 – 1990.

### **LIMITED PARTNERSHIPS BILL**

To modernise the Limited Partnership Act 1907 which is concerned with the registration of Limited Partnerships.

**REGISTRATION OF BUSINESS NAMES BILL 2020**

The purpose of the Bill is to modernise the Registration of Business Names Act 1963, in order to update the existing legislation and enhance regulatory and enforcement provisions therein.

**AMENDMENT OF THE CONSTITUTION (UNIFIED PATENT COURT) BILL**

Amendment of the Constitution in order to allow for Ireland's participation in a Unified Patent Court. This Bill proposes an amendment to Article 29 of the Constitution (International Relations) to facilitate Ireland's ratification of the international Agreement on a Unified Patent Court (UPCA) signed by Ireland and 24 other EU Member States on 19<sup>th</sup> February 2013.

## Section 8: Implementation of EU Directives

The Department works to ensure the timely implementation of EU law by ensuring that EU Directives are transposed within the required deadlines. Failure to implement Directives properly and on time can lead to infringement proceedings and heavy financial penalties.

Summary position on EU Directives as at **25 June 2020**

SCHEDULED FOR TRANSPOSITION DURING 2020		
DESCRIPTION OF DIRECTIVE	DEADLINE/ UNIT RESPONSIBLE	CURRENT POSITION
1. COMMISSION DIRECTIVE (EU) 2019/1833 of 24 October 2019 amending Annexes I, III, V and VI to Directive 2000/54/ED of the European Parliament and of the Council as regards purely technical adjustments	24/11/2020  Unit:  Safety, Health and Chemicals Policy Unit	The transposition deadline for portions of this Directive relating to COVID-19 has been moved up from 20/11/2021 to 24/11/2020, as per Directive 2020/739. The entire Directive will be transposed in conjunction with Directive 2020/739 via an SI and a Code of Practice published by the Health and Safety Authority.  SHCPU has begun the tendering process for a barrister to draft the SI. The HSA has begun updating the 2013 Biological Agents Code of Practice.  The transposition deadline is expected to be met.
2. COMMISSION DIRECTIVE (EU) 2020/739 of 3 June 2020 amending Annex III to Directive 2000/54/EC of the European Parliament and of the Council as regards the inclusion of SARS-CoV-2 in the list of biological agents known to infect humans and amending Commission Directive (EU) 2019/1833	24/11/20  Unit:  Safety, Health and Chemicals Policy Unit	Directive 2020/739 will be transposed in conjunction with Directive 2019/1833 via an SI and a Code of Practice published by the Health and Safety Authority.  SHCPU has begun the tendering process for a barrister to draft the SI. The HSA has begun updating the 2013 Biological Agents Code of Practice.  The transposition deadline is expected to be met.

<b>EU DIRECTIVES TO BE TRANSPOSED BY END OF 2021</b>		
<b>DESCRIPTION OF DIRECTIVE</b>	<b>DEADLINE/ UNIT RESPONSIBLE</b>	<b>CURRENT POSITION</b>
<p>Directive (EU) 2019/1 of the European Parliament and of the Council of 11 December 2018 to empower the competition authorities of the Member States to be more effective enforcers and to ensure the proper functioning of the internal market</p>	<p>04/02/2021</p> <p>Unit: Competition &amp; Consumer Policy</p>	<p>The Department believes that it will be necessary to transpose the Directive by primary legislation given the necessity for the introduction of a new system of financial sanctions for non-criminal breaches of EU law.</p> <p>A Project Group comprising CCPC, ComReg, DCCAE, DJE, Courts Service and DPP, chaired by DBEI has been convened.</p> <p>Substantial legal advice has been sought from the AGO on broadening the scope of the Directive's measures for national law and the potential inclusion of additional measures beyond the scope of the Directive.</p> <p>The transposition of the Directive will be significant and result in the strengthening of the tools at the disposal of the CCPC and ComReg for future competition law enforcement in Ireland.</p>
<p>EU Directive 2019/790 of the European Parliament and of the Council of 17 April 2019 on copyright and related rights in the Digital Single Market and amending Directives 96/9/EC and 2001/29/EC.</p>	<p>7/06/2021</p> <p>Unit: Intellectual Property</p>	<p>Throughout Q4 of 2019 the IPU published a series of consultation papers (4 in total) regarding the transposition of EU directive 2019/790.</p> <p>The consultation process concluded in December 2019 resulting in the receipt of 97 submissions in total. The IPU is currently in the process of analysing these responses and awaiting the guidance from the Commission following their stakeholder dialogue on Article 17.</p>

<p>Directive (EU) 2019/770 of the European Parliament and of the council of 20 May 2019</p> <p>on certain aspects concerning contracts for the supply of digital content and digital services</p>	<p>01/07/2021</p> <p>Unit: Competition &amp; Consumer Policy</p>	<p>The Directive will be transposed as part of a comprehensive, consolidated Consumer Rights Bill. The General Scheme of such a Bill was published for consultation in 2015 but was not proceeded with due to the publication later in 2015 of this proposed Directive and the proposed Directive on consumer sales. The General Scheme will require extensive amendment arising from the need to substitute the provisions of this Directive and of the Sales Directive for the original provisions on consumer digital content and sales contracts.</p>
<p>Directive (EU) 2019/771 of the European Parliament and of the council of 20 May 2019 on certain aspects concerning contracts for the sale of goods, amending Regulation (EU) 2017/2394 and Directive 2009/22/EC, and repealing Directive 1999/44/EC</p>	<p>01/07/2021</p> <p>Unit: Competition &amp; Consumer Policy</p>	<p>This Directive will also be transposed as part of the Consumer Rights Bill referred to in the response on the transposition of Directive (EU) 2019/770 on contracts for the supply of digital content and digital services.</p>
<p>Directive (EU) 2019/1023 of the European Parliament and of the Council of 20 June 2019 on restructuring, insolvency and discharge of debt amending Directive 2017/1132/EC on restructuring and insolvency</p>	<p>17/07/2021</p> <p>Unit: Company Law</p>	<p>Ireland already has a preventive restructuring framework in its examinership law. The Department is undertaking a mapping exercise of the adopted Directive against the Companies Act 2014 and is considering what amendments might be necessary to comply with the Directive. Consultation document on transposition issued on 17 January 2020 with deadline for submissions of 6 March 2020. Company Law Development and EU Unit is currently in the process of considering the responses received. Two further responses have been indicated but delayed</p>

		<p>due to COVID-19: these will be considered upon receipt.</p> <p>Given the impact of Covid-19, the Company Law Development and EU Unit has reissued the consultation document to select stakeholders, with submissions welcomed until 14 August 2020.</p>
Directive (EU) 2019/1151 of the European Parliament and of the Council of 20 June 2019 amending Directive (EU) 2017/1132 as regards the use of digital tools and processes in company law	<p>01/08/2021</p> <p>Unit: Company Law Policy</p>	Company Law Policy Unit considers that transposition via legislation is not expected to be necessary as the CRO new ICT system is expected to be capable of meeting the requirements of the Directive.
Commission Directive (EU) 2019/1831 of 24 October 2019 establishing a fifth list of indicative occupational exposure limit values pursuant to Council Directive 98/24/EC and amending Commission Directive 2000/39/EC	<p>20/05/2021</p> <p>Unit: Safety, Health and Chemicals Policy</p>	<p>Drafting has not yet begun.</p> <p>The deadline for transposition of Directive (EU) 2019/1831 is expected to be met</p>
Commission Directive 2019/1832 of 24 October 2019 amending Annexes I, II and III to Council Directive 89/656/EEC as regards purely technical adjustments	<p>20/11/2021</p> <p>Unit: Safety, Health and Chemicals Policy</p>	<p>Drafting has not yet begun.</p> <p>The deadline for transposition of Directive (EU) 2019/1832 is expected to be met.</p>

<b>EU DIRECTIVES TO BE TRANSPOSED BY END OF 2023</b>		
<b>DESCRIPTION OF DIRECTIVE</b>	<b>DEADLINE/ UNIT RESPONSIBLE</b>	<b>CURRENT POSITION</b>
Directive (EU) 2019/2121 of 27 November 2019 amending Directive (EU) 2017/1132 as regards cross-border conversions, mergers and divisions	<p>31/01/23</p> <p>Unit: Company Law Policy</p>	Drafting has not yet begun.

<b>CODIFIED DIRECTIVES<sup>8</sup></b>		
CURRENTLY AWAITING TRANSPOSITION		
<b>DESCRIPTION OF DIRECTIVE</b>	<b>UNIT RESPONSIBLE</b>	<b>CURRENT POSITION</b>
Directive 2004/37/EC on the protection of workers from the risks related to exposure to carcinogens or mutagens at work (Codified	Safety, Health & Chemical Policy Unit	This codified Directive will be transposed following the adoption of all related Carcinogens and Mutagens Directives and Chemical Agents Directives.

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<sup>8</sup> Codification brings together previous legislation in a single new Act. There are no timelines required for the transposition of codified Directives.



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## **Appendix 1: COVID-19 response**

This is a list of the current and completed actions undertaken by the Department of Business, Enterprise and Innovation in response to the COVID-19 emergency up to 26th June 2020.

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## DBEI COVID-19 Response – 26/06/2020

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Assisting the Health Service and the National Effort				
<i>Action</i>	<i>Status</i>	<i>Update</i>	<i>Contacts</i>	<i>A/Sec</i>
IDA is assisting the HSE in <b>identification of properties</b> that could be used to enlarge its capacity on a temporary basis	In progress	HSE and IDA Property are in regular contact. HSE have been granted use of an IDA building in Sligo. A local authority in the South East has been granted use of an IDA building for COVID-19 surge capacity	XXXXXXXXXX XXXXXXXXXXXXXXXX	XXXXXX XXXXXXXXXX
Employment Permits Section is fast tracking and prioritising <b>work permits for health service workers</b> to ensure rapid deployment of much needed additional and key front-line staff.	In progress	To date 2,262 employment permits have been granted to medical personnel comprising 1,397 doctors, 843 nurses and 22 radiographers. In addition, a further 352 applications from medical personnel are at various stages of processing. All of these applications are being prioritised and new medical applications are being expedited on a daily basis.	XXXXXXXXXX XXXXXXXXXX	XXXXXX XXXXXX
Employment Permits Section has implemented a temporary measure (with the agreement of the Department of Justice and Equality) so that doctors who do not have the required validity on their passport to apply for an employment permit, and who cannot access passport renewal services in their own country, may submit a valid application for an employment permit.	Ongoing	In order for an employment permit to issue there is a requirement for 6 months validity on the non-EEA nationals' passport in order for a new permit to issue and 3 months for a renewal permit. This temporary measure is designed to ensure that key medical personnel continue to be available to assist the State during the COVID-19 emergency. Employment permit holders will be required to send in a copy of their new passport as soon as possible after it has been issued to them.	XXXXXXXXXX XXXXXXXXXX	XXXXXX XXXXXX

Employment Permits Section has moved all its operations to a remote working environment and introduced <b>temporary soft copy employment permit</b> .	In progress	Employment Permits system is now operating fully remotely and operations have been adjusted to allow for a fully online process. Agreement has been reached with the Department of Justice to introduce a temporary soft copy employment permit and a similar soft copy process to enable critical skills permit holders transition to permanent residence in the State.	XXXXXXXXXX XXXXXXXXXX	XXXXXX XXXXXX
MSA activity for CCPC in relation to PPE	In progress	CCP Unit is liaising with Departments and Agencies to ensure PPE products are quickly delivered to health workers and are not caught up in the supply chain for consumer type face masks. CCPC is engaging with Adco PPE group and providing information to PPE importers regarding new regulations around these products. CCPC has published guidance on the EU Recommendation on Market Surveillance and Conformity Assessment. CCPC continues to engage regularly with the HSA with respect to common PPE queries. (NOTE: HSA is MSA for workplace PPE)	XXXXXXXXXX XXXXXXXXXXXXXX	
The <b>Procurement</b> Working Group is to assist efforts to secure essential medical supplies with representatives from DBEI, IDA, EI, NSAI and HSE	In progress	Significant supplies of PPE, testing kits, reagent and ventilators have been secured via Working Group contacts in the far east. Work by a range of stakeholders on complex logistical and local regulatory requirements is ongoing. Efforts continue to pursue other sourcing options for PPE.	XXXXXXXXXXXXXXXXXX XXXXXXXXXX	XXXXXX XXXXXXXXXX
Helping to identify local companies that have capacity to produce PPE and items such as sanitisers and to consider possible measures to facilitate increased production.	Ongoing	A list of EI and LEO enterprises have been identified to date.	XXXXXXXXXXXXXXXXXX XXXXXXXXXX XXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXX
Researching COVID-19: Research, Development & Innovation Funding Support under SFI's implemented 5-point plan to contribute to solving the COVID-19 pandemic.	Ongoing	Minister Humphreys has announced a total investment of €3.1 million in 16 projects under the SFI-coordinated research and innovation response. This investment complements the existing research work underway in higher education institutions across the country. The next phase of the call is due to open during the	XXXXXXXXXXXXXXXXXX	XXXXXX XXXXXX

		week beginning June 29. This next phase of the call will focus on specific themes which will be outlined in the call documentation.		
Researching COVID-19: Problem Curation under SFI's implemented 5-point plan to contribute to solving the COVID-19 pandemic.	In progress	SFI is working closely with the Department of Health and the HSE to identify and assess the various challenges arising from the crisis. Five Expert Groups have been set up in areas of priority involving approx 30 subject area experts. The Expert Group in Contact Tracing has been working closely with DoH and the HSE App development team on specific issues related to data analytics and Bluetooth technology - providing vital niche expertise.	XXXXXXXXXXXXXXXXXX	XXXXXX XXXXXXXX
Researching COVID-19: Collating Information under SFI's implemented 5-point plan to contribute to solving the COVID-19 pandemic.	In progress	SFI is collating information on global research activities and support opportunities available. The agency is also making connections between research groups and companies to develop solutions to tackle the crisis - much of this work is being carried out with colleagues at IDA Ireland in the US, particularly in sectors such as biopharma and medical devices.	XXXXXXXXXXXXXXXXXX	XXXXXX XXXXXXXX
Assisting in the <b>coordination of research</b> efforts across the system	Ongoing	DoT have established a working group of Heads of Research across a range of Government Department to ensure coordination of effort in terms of research priorities linked to COVID-19.	XXXXXXXXXXXXXXXXXX	XXXXXX XXXXXXXX
The European Space Agency has issued an Announcement of Opportunity (AO) inviting companies to submit their ideas for deploying and demonstrating services related to telemedicine or tele-education.	In progress	Of eight Irish applications received, two have successfully passed technical assessment by ESA and have progressed to contract negotiation stage.	XXXXXXXXXXXX XXXXXXXXXXXXXXXXXX	XXXXXX XXXXXXXX
DBEI officials are <b>collating offers from private firms</b> and coordinating the donation of medical supplies to the HSE	In progress	Officials have managed the donation of significant amounts of PPE in addition to other non-PPE related donations. Where appropriate, officials are directing firms seeking to offer assistance to the relevant OGP website.	XXXXXXXXXXXX XXXXXXXXXXXXXXXXXX	XXXXXX XXXXXXXX
Ongoing evaluation of <b>Temporary Wage Subsidy Scheme</b>	In progress	Issues identified are relayed to D/FIN and/or Revenue when appropriate.	XXXXXXXXXXXX	XXXXXXXXXXXX

Offering advice and information to Dept of Health and Dept of Employment Affairs and Social Protection on <b>employee protection issues under occupational safety</b> and health legislation	In progress	Issues around employee protection under occupational safety and health legislation. Queries related to the Health and Safety at Work (pregnant at work) regulations and Section 23 of the Safety, Health and Welfare at Work Act 2005, “medical fitness to work”	XXXXXXXXXXXXX XXXXXXXXXXXXX	XXXXX XXXXX
<b>Serving the Political System:</b> Responding to requests for information/ briefing from political representatives to ensure transparency with regard to COVID-19 response	Ongoing	Officials from across the Department are dealing with a large volume of PQs and requests for information. COBID-19 Unit is playing a co-ordination role in this regard. Minister Humphreys has to date delivered two Dail Statements on COVID-19 related matters. DBEI officials briefed opposition T.Ds on 9th April on the range of actions the Department has taken to date. Secretary General met with the Oireachtas Special Committee on COVID-19 on 9 <sup>th</sup> June and follow up queries are being addressed.	XXXXXXXXXXXXX XXXXXXXXXXXXX XXXXXXXXXXXXX XXXXXXXXXXXXX	XXXXXXX XXXXXXX
Department of the Taoiseach developing <b>scorecard</b> to measure Government responsiveness to COVID-19.	In progress	DBEI are supplying a table on the take-up of COVID-19 business supports as input to the scorecard	XXXXXXXXXXXXX XXXXXXXXXXXXX	XXXXXXX XXXXXXX
Intertrade Ireland and TechIreland deliver online <b>platform for cross-border collaboration</b> on COVID-19.	Ongoing	The cross-border platform allows businesses to see quickly who they can work with to combat the supply chain and manufacturing challenges generated by the pandemic and meet pressing public need.	XXXXXXXXXXXXX XXXXXXXXXXXXX	XXXXXXX XXXXXXX
Intertrade Ireland repurposing of <b>Strand 5 of Co-Innovate</b> to support innovative projects for COVID-19 Response.	Ongoing	The repurposing of the Co-Innovate Strand 5 support assists manufacturers and suppliers to repurpose their manufacturing facilities and supply chains in order to resolve the demand for urgent supply of PPE and ventilators for the health care profession.	XXXXXXXXXXXXX XXXXXXXXXXXXX	XXXXXXX XXXXXXX

Economic Recovery				
<i>Action</i>	<i>Status</i>	<i>Update</i>	<i>Contacts</i>	<i>A/Sec</i>
It was agreed by Government on 2nd April to establish a <b>SOG subcommittee on economy recovery</b> to focus on steps needed to rebuild the economy once the pandemic has receded	In progress	Sub-committee has met on two occasions. DBEI has contributed inputs and sub-committee has inputted to papers listed under the Assessment of the impact of COVID-19 on key sectors of the Irish economy and Economic Considerations for Reinstating Economic Activity		XXXXXXXXXXXX
Assessment of the impact of COVID-19 on key <b>sectors of the Irish economy</b>	In progress	DBEI is currently undertaking an assessment of the impact of COVID-19 on key sectors to inform post pandemic economic recovery	XXXXXXXXXX XXXXXXXXXX XXXXXXXXXX	XXXXXXXXXXXX
An updated 'Economic Considerations for Reinstating Economic Activity' paper is in preparation as input to decisions relating to Phase 3 of the Roadmap for Reopening Society and Business.	In progress	Paper submitted to form a decision relating to Phase 3 of the Roadmap	XXXXXXXXXX XXXXXXXXXX XXXXXXXXXX	XXXXXXXXXXXX
Support the work of the Labour Market Advisory Council in relation to COVID-19	Ongoing	Providing input into the Labour Market Advisory Council	XXXXXXXXXX	XXXXXXXXXXXX
Consideration of assistance to <b>commercial tenants</b> required to pay rent despite firm closure	In progress	The Minister and officials are engaging at a cross-Government level to highlight this issue. The Minister has sought advice from AG on legislative options. Advice was received on 13th May indicating legislative options would be extremely difficult. An updated discussion paper, prepared on foot of the stakeholder engagement, was presented to SOG on 2nd June. The paper was further updated in light of this discussion and submitted to Minister for consideration.	XXXXXXXXXX XXXXXXXXXXXX	XXXXXXXXXXXX



<p>Generate proposals around taxation measures to support the recovery.</p>	<p>In progress</p>	<p>Preliminary work and discussions with DBEI development agencies has commenced.</p>	<p>XXXXXXXXXX XXXXXXXXXX</p>	<p>XXXXXXXXXXXX</p>
<p>NCC's Ireland's Competitiveness Challenge to focus on 5 broad challenges for Economic recovery post COVID</p>	<p>In progress</p>	<p>Identify how COVID-19 impacts on competitiveness and productivity, and focus on Five broad Challenges for Economic Recovery: Supporting Ireland's workers and seizing opportunities for upskilling; Ensuring the economic recovery is a sustainable green recovery; Investing strategically in Ireland's future; Addressing long standing issues; and Supporting an open international economy.</p>	<p>XXXXXXXXXX</p>	<p>XXXXXXXXXXXX</p>
<p>Revision of the EU Coordinated Plan on Artificial Intelligence</p>	<p>In progress</p>	<p>The EU Coordinated Plan sets out actions to stimulate growth in and adoption of AI technology in the market place with a particular emphasis on SMEs. Digital applications will be key to the economic recovery from COVID- 19. Shaping this revised plan to Ireland's benefit through informing the Commission of relevant coordinated cross government activity in Ireland while updating Departments of opportunities arising out of the European initiatives that follow.</p>	<p>XXXXXXXXXX XXXXXXXXXXXX</p>	<p>XXXXXXXXXXXX</p>





New €2 billion <b>COVID-19 Credit Guarantee Scheme</b>	In progress	It will provide an 80% guarantee on lending to SMEs until the end of this year, for terms between 3 months and 6 years. SMEs will be able to go directly to the banks in the Scheme, and the guarantee can be used for a wide range of lending products between €10,000 and €1 million that have a maximum term of 6 years or less. It will be available to all SME sectors, including primary producers. Requires new legislation in order to implement. Following Govt approval on 2nd May, OPC drafter assigned and working on preparing draft Bill for urgent progress through Oireachtas once a Government is formed.	XXXXXXXXXX XXXXXXXXXX XXXXXXXXXX XXXXXXXXXX	XXXXXXXXXX
Microenterprises can now access <a href="#">COVID-19 loans</a> of up to €50,000 from Microfinance Ireland.	Ongoing	There has been a lot of interest in COVID-19 Loan facility since it was introduced, with 3,334 application enquiries and 921 applications received. 581 loans were approved for a value of €15.65m to 25th June. Bill is being finalised which will facilitate additional borrowing by MFI to meet lending demands and will require urgent progress through Oireachtas once a Government is formed	XXXXXXXXXX XXXXXXXXXX XXXXXXXXXXXX	XXXXXXXXXX
€30 million <b>Seed and Venture Capital</b> call announced	Ongoing	A new €30 million Seed and Venture Capital call for proposals to support early stage and scaling firms through Enterprise Ireland under the Government's €175m Seed and Venture Capital Initiative.	XXXXXXXXXX	XXXXXXXXXX
Engage with Granting Authorities to maximise the opportunities under the Temporary Framework including grants, equity, repayable advances, loan guarantees, subsidised interest rates etc.	In progress	The State Aid Unit, DBEI are working with Granting Authorities to explore options under existing measures and the opportunities under the new Framework. The Framework is on its third amendment and notably under its first amendment aid was extended to include Covid related R&D which has resulted in the EU Commission approving Ireland's Covid-19 R&D Products scheme under the Framework. This third amendment is	XXXXXXXXXX XXXXXXXXXXXX	XXXXXXXXXX

		significant as it will allow support to small and micro enterprises who were in difficulty before 31/12/19 which is often the case, due to a technicality, for High Growth, High Performance SMEs. This will allow for supports to be available for a significant cohort of these companies under existing and future Framework schemes.		
Engage with the European Commission on amendments to the Temporary Framework to provide greater supports to enterprises impacted by the COVID-19 crisis	Ongoing	There have been three amendments to the Temporary Framework since its adoption in March 2020. The State Aid Unit, DBEI inputs to and presents the State's position on each of these amendments with a view to expanding the reach of the Framework to provide the necessary supports for enterprise.	XXXXXXXXXX XXXXXXXXXX	XXXXXXXXXX

<b>Business Support &amp; Advice</b>				
<i>Action</i>	<i>Status</i>	<i>Update</i>	<i>Contacts</i>	<i>A/Sec</i>
Enterprise Ireland <a href="#">Sustaining Enterprise Fund</a>	Ongoing	To the 26 <sup>th</sup> June, EI's Business Response Team has issued 130 applications issued to interested companies and 36 applications have been received. The total value of approvals to date is €2.92m	XXXXXXXXXX XXXXXXXXXX XXXXXXXXXXXX	XXXXXXXXXXXX
Enterprise Ireland <a href="#">Sustaining Enterprise Fund for Small Enterprise</a>	Ongoing	To the 26 <sup>th</sup> June there have been 9 applications and 5 approval. The total value of approvals to date is €225,000.	XXXXXXXXXX XXXXXXXXXX XXXXXXXXXXXX	XXXXXXXXXXXX
Enterprise Ireland COVID-19 <a href="#">Equity Fund for EI HPSUs</a>	Ongoing	To the 26 <sup>th</sup> June there have been 25 applications and 19 approvals. The total value of approvals to date is €950,000.	XXXXXXXXXX	XXXXXXXXXXXX
<a href="#">New Restart Grant</a> for micro and small business delivered by Local Authorities	In progress	Launched by Minister – Opened for applications via the Local Authorities on 22nd May. To the 19th June there have been 29,182 applications submitted of which 9,754 was approved. The total value of approvals to date is €38.19m	XXXXXXXXXX XXXXXXXXXX	XXXXXXXXXXXX
New Enterprise Ireland <b>COVID-19 Support for Enterprise Centres and regional enterprise hubs</b>	In progress	Preliminary discussions taking place regarding introducing a Grant Support to cover loss of rental income and operational costs for Community Enterprise Centres/Hubs in order to sustain the business.	XXXXXXXXXX XXXXXXXXXX XXXXXXXXXXXX	XXXXXXXXXXXX

New Enterprise Ireland <a href="#">COVID-19 Retail Online Scheme</a> launched	In progress	The total fund size is up to €2 million under this competitive call. The scheme closed on 28th May with 350 eligible applications received. An EI panel is currently assessing the applications. The objective of the Scheme is to support companies in the indigenous retail sector with a pre-existing online presence to respond to both the domestic and international consumer demand for a competitive online offer. As the Scheme is oversubscribed, DBEI is currently exploring possibility of increasing the available funding.	XXXXXXXXXX XXXXXXXXXXXX	XXXXXXXXXXXX
Enterprise Ireland <a href="#">Business Financial Planning Grant</a> launched	Ongoing	618 applications received 545 grants have been approved with a total value of €2.69m.	XXXXXXXXXX XXXXXXXXXX XXXXXXXXXXXX	XXXXXXXXXXXX
Enterprise Ireland <b>Lean Business Continuity Offer launched</b> <a href="https://dbei.gov.ie/en/Publications/Take-up-of-DBEI-COVID-19-Business-Supports.html">https://dbei.gov.ie/en/Publications/Take-up-of-DBEI-COVID-19-Business-Supports.html</a>	Ongoing	275 applications have been submitted, with 234 approved with a total value of €585,000.	XXXXXXXXXX XXXXXXXXXX XXXXXXXXXXXX	XXXXXXXXXXXX
Expansion of the €2,500 <a href="#">Trading Online Voucher Scheme for microenterprises</a> . COVID-19 Business Financial Planning Grant	Ongoing	Between 16th March 2020 and 24th June 2020, 6,073 applications for the Trading Online Voucher Scheme were received. 3,218 approvals were made with a value of €7.62m.	XXXXXXXXXXXX XXXXXXXXXXXX	XXXXXXXXXXXX
Intertrade Ireland have launched <a href="#">E-merge</a> , which offers consultancy support and advice to help businesses develop online sales & ecommerce solutions.	Ongoing	280 applications have been submitted, with 139 approvals made and a total value of €389,200.	XXXXXXXXXXXX XXXXXXXXXXXX	XXXXXX XXXXXXX



Intertrade Ireland have launched <a href="#">Emergency Business Solutions</a> . This offers fully funded consultancy support and advice to address key business challenges in areas such as emergency cashflow, loan applications and HR/People	Ongoing	225 applications have been submitted, with 145 approvals made and a total value of €326,250.	XXXXXXXXXXXX XXXXXXXXXXXX	XXXXXX XXXXXXXX
Local Authority <b>Rates</b> . Matter for DHLG.	Ongoing	Commercial rates are waived for a three month period beginning on 27 March for businesses that have been forced to close due to public health requirements.	XXXXXXXXXX	XXXXXXXXXXXX
Comms Unit, in conjunction with DoH, HSE, HPSC and others, have <b>published a range of advices</b> including an updated Business Continuity Plan, guidance for employers in business and retail sector and advice on workplace protection and improvement.	Ongoing		XXXXXXXXXX	XXXXXXX XXXXXXXX
Publish 'living' <b>Guide to Supports for Businesses Impacted by COVID-19</b>	Ongoing	The guide has been published on the DBEI website on the COVID-19 Supports page. It is a live document that will be continually updated as supports develop and evolve.	XXXXXXXXXX XXXXXXXXXX	XXXXXXX XXXXXXXX
Comms Unit publishing regular press releases and social media posts highlighting advices, guidelines, supports and finance options available and continue to maintain a comprehensive COVID-19 Supports for Businesses page on the DBEI website with links to all relevant official guidance	Ongoing	The website is being continually updated as new schemes or further details of supports to business become available	XXXXXXXXXX	XXXXXXX XXXXXXXX
Comms Unit in constant contact with DoT and DoH and liaising re issues arising from evolving situation, advising so that anomalies and problems can be addressed	Ongoing	Attend daily DoT led meetings. Working across Departments and Agencies with Comms colleagues on issues arising.	XXXXXXXXXX	XXXXXXX XXXXXXXX

<p>DBEI/HSA will be adding COVID-19 to the <b>Biological Agents Code of Practice</b> as a matter of urgency. The Authority has produced a statement about containment measures that should apply in those laboratories with immediate effect.</p>	<p>Ongoing</p>	<p>To update the Code of Practice for Biological Agents to reflect the classification of SARS-CoV-2 as a risk group 3 biological agent. This recognises the need to allow diagnostic testing for COVID-19 to be carried out at laboratories and to regulate the handling of samples of SARS-Cov-2 for other purposes (e.g. research). The Department and the HSA have commenced work to update the 2013 Biological Agents Code of Practice to reflect the changes required under the Biological Agents Directives 2020/739 (Covid 19) and 2019/1833 (other biological agents). These changes will be simultaneously approved and published in a new Statutory Instrument and Code of Practice by November 2020, in line with the Commission's deadline. As an interim measure, the HSA has published a guidance notice to allow diagnostic testing to continue safely.</p>	<p>XXXXXXXXXXXX XXXXXXXXXXXX XXXXXXXXXXXX</p>	<p>XXXXXXXXXX</p>
<p>Requirement for a derogation from statutory obligations, under occupational safety and health legislation, on businesses to carry out inspections/re-certification of work equipment which will fall due while businesses are closed due to COVID-19 restrictions is being monitored.</p>	<p>Ongoing</p>	<p>The purpose of this derogation would be to give legal certainty to business operators and to discourage anyone from opening a non-essential business to carry out such work. Consultation with HSA taking place.</p>	<p>XXXXXXXXXXXX XXXXXXXXXXXX</p>	<p>XXXXXXXXXX</p>
<p>Working with the HSA on the development of COVID-19 specific national health and safety guidance for employers and employees in preparation for the re-opening of workplaces. Separate discussions on how advisory and inspection resources of the HSA can be utilised to assist employers and employees are underway.</p>	<p>Ongoing</p>	<p>Return to Work Safely Protocol published and launched by the Minister. Deliberations on inspection regime ongoing. Protocol content to be monitored and updated in line with evolving Public Health advice. HSA has published a number of checklists and templates to assist employers with the obligations seek out in the Return to Work Safely Protocol. Compliance with the Protocol is reported to be high with the HSA carrying out approximately 2,118 inspections up to 19th June. Other inspection bodies are now coming on board as part of phase 2 re-opening to carry out RTWS inspections</p>	<p>XXXXXXXXXXXX XXXXXXXXXXXX</p>	<p>XXXXXXXXXX</p>

<p>Assist the HSA in identifying sectors which might require further guidance to ensure sectoral issues are identified and resolved with the sector representative bodies.</p>	<p>Ongoing</p>	<p>Ongoing engagement with the HSA and industry stakeholders</p>	<p>XXXXXXXXXXXXX XXXXXXXXXXXXX</p>	<p>XXXXXXXXXX</p>
<p>Intertrade Ireland has put additional crisis supports for firms currently participating in its programmes and is signposting firms towards supports offered by other agencies</p>	<p>In progress</p>	<p>InterTradeIreland has contacted all businesses that are currently participating on its programmes to offer additional crisis supports aimed at assisting companies to establish an online sales presence and to address key business challenges arising as a result of COVID-19</p>	<p>XXXXXXXXXXXXX XXXXXXXXXXXXX</p>	<p>XXXXXX XXXXXXXXXX</p>
<p>The Labour Court has confirmed that it will work to hold hearings within current public health restrictions. This has resulted in the scheduling of a programme of virtual hearings in the week beginning 2nd June 2020.</p>	<p>In progress</p>	<p>The Court will continue to schedule hearings in virtual court-rooms wherever possible with effect from 2nd June 2020. The majority of currently scheduled hearings concern industrial relations matters and as such the hearings will be held in private. The Court will publish its programme of employment rights-based hearings weekly on its website in the normal way. The Court is committed to fully supporting and observing public health guidance and protocols regarding a safe return to normal working. Hearings in physical Court rooms will resume when such advice permits.</p>	<p>XXXXXXXXXX</p>	<p>XXXXXXXXXX</p>
<p>WRC has undertaken a scoping exercise taking account of ICT, legal, procedural/process issues, case-type and end-user capabilities and appetite. This exercise is considering the feasibility of processing complaints to decision by way of written procedure where appropriate or “virtual” hearings also where appropriate stakeholders were invited to make submissions.</p>	<p>In progress</p>	<p>Following a comprehensive public consultation process how it proposes to process such complaints during the current pandemic. The service delivery options envisages a combination of mediation, written procedure, remote “virtual” hearings. From 15th June 2020 the WRC is writing to parties in relation to complaints that are best suited to written procedures or are suitable for virtual hearings, and is offering dates to parties to attend face-to-face hearings (subject to social distancing and associated health measures) from 20th July.</p>	<p>XXXXXXXXXXXXX</p>	<p>XXXXXXXXXXXXX</p>

<p>IDA Ireland and Enterprise Ireland have developed a new grant scheme under the EU Temporary State Aid Framework. The Scheme is aimed at the life sciences sector and will support COVID-19 related R&amp;D, construction and upgrade of testing facilities, and production of COVID-19 related products.</p>	<p>In progress</p>	<p>The COVID Products Scheme has now been formally approved by the European Commission.</p>	<p>xxxxxxxxxx</p>	<p>xxxxxx xxxxxxxx</p>
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		<p>has prepared a document for discussion with D/Taoiseach/ SOG which aims to address the queries for retailers to respond to queries, reps and PQs. REPEIU also prepared a document for discussion with D/Taoiseach/ SOG aimed at addressing the queries for retailers, reps and PQs on the reopening roadmap. REPEIU liaising with and informing the sector with regard to remaining phases and other issues relating to reopening, which have reduced considerably in number.</p>		
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**Regional Enterprise Plans**

<p>Open an engagement with the Regional Enterprise Plans Regional Steering Committees on their contribution to economic recovery planning</p>	<p>In progress</p>	<p>A telecon with Minister Humphreys and the Regional Chairs took place on May 29th. The Steering Committees are reviewing their plans and considering focus areas in the context of recovery from the pandemic. The Minister asked the chairs to convene the Steering Committees as soon as possible.</p> <p>A further meeting with the Chairs and the Minister will be arranged in the coming weeks. Minister has cleared REP Progress reports for web publication and a memo has been submitted to the Minister regarding replacement of 3 regional chair vacancies so as to move forward with regional engagement on Covid-19.</p>	<p>XXXXXXXXXXXXX XXXXXXXXXXXXX</p>	<p>XXXXXXXXXXXXX</p>
<p>Review progress on REDF projects and the Border (BEDF) Call in the context of the ongoing COVID-19 Restrictions</p>		<p>Officials convened a meeting of the national oversight group - with EI and EI Liaison Unit to discuss issues arising. Delays to projects are widespread but it is as yet too early to assess the full impact. REPEIU will continue to monitor the situation in conjunction with EI informed by a more detailed assessment at project level by EI to be carried out in due course. On 22 June 2020 Minister Humphreys announced that 11 projects have been approved funding totalling over €17m under the Border Enterprise Development Fund, with projects approved in each of the 6 border counties.</p>	<p>XXXXXXXXXXXXX XXXXXXXXXXXXX</p>	<p>XXXXXXXXXXXXX</p>

<p>Prepare responses to an increased level of political representations and PQs in relation to the impact of Covid-19 on the retail sector, and in relation to the reopening roadmap</p>	<p>Ongoing</p>	<p>Significant increase in Reps in particular concerning retail reopening and related Covid-19 concerns. REPEIU working closely with Covid-19 Unit on alignment of responses. C.70 Reps have been responded to and since Phase 2 the number of new Reps has seen a reduction.</p>	<p>XXXXXXXXXXXX XXXXXXXXXXXX</p>	<p>XXXXXXXXXXXX</p>
<p>Consideration of broader town centre preparedness to support retail business continuity in the context of ongoing Covid-19 public health guidelines.</p>	<p>In progress</p>	<p>Conference call has taken place with DRCD in relation to the potential for RRDF, Town and Village Renewal Scheme and other relevant schemes to ensure alignment and maximise engagement by LAs and other relevant stakeholders e.g. Chambers, Retail rep bodies etc. New €15m Town and Village Renewal Scheme launched on 27th May will be a support to retail reopening.</p>	<p>XXXXXXXXXXXX XXXXXXXXXXXX</p>	<p>XXXXXXXXXXXX</p>



**Supply Chain**

<i>Action</i>	<i>Status</i>	<i>Update</i>	<i>Contacts</i>	<i>A/Sec</i>
DBEI input to D/Taoiseach chaired cross-departmental group mapping issues on supply chain challenges - feeding in issues as identified by Minister and DBEI's stakeholder engagements (incl Retail Group, Enterprise Forum, Agency contacts etc).	Ongoing	Overall conclusion of latest meeting (5th May) was that there were no immediate critical blockages to report across supply chain, but all Departments keeping watching brief and identifying any need for potential further interventions. Critical supply chain issues should be flagged to Departmental reps ccing: xxxxxxxxxxxxxxxxxxxxxxxx	xxxxxxxxxxxx xxxxxxxxxxxx xxxxxxxxxxxx	xxxxxxxxxxxx
Establish regular engagement with IDA Ireland and Enterprise Ireland COVID-19 teams to garner early warning on supply chain issues amongst agency client companies	Ongoing	SCU has established a regular weekly telecon catch up with the Agencies. IDA has established a Supply Chain Manager client group. EI continue to survey clients for COVID-19 related issues including supply chain issues.	xxxxxxxxxxxx xxxxxxxxxxxx xxxxxxxxxxxx	xxxxxxxxxxxx
Liaise with SFI on leveraging Supply Chains expertise within the SFI Research Centres to focus on COVID-19 related challenges	Ongoing	National Supply Chain Academic Network established and are eager to engage on emerging supply chain challenges for industry at this time. SCU will continue to engage with SFI on this development and has informed the D/Taoiseach SC Group about the resource available. SFI and NSCAN aiming to convene a stakeholder workshop with industry to identify areas of focus. SCU facilitated introduction between NSCAN and OGP. A number of agency clients, OGP, DTTAS have expressed an interest in participating in the workshop. Proposed date of workshop is 15th June. On 15th June, SFI and NSCAN hosted an inaugural stakeholder workshop with industry and various Gov Depts and Public Bodies to identify areas of focus which was supported by DBEI. Over 60 participants joined the workshop chaired by Barry O'Sullivan, Insight Research Centre. Further thematic workshops will be planned.	xxxxxxxxxxxx xxxxxxxxxxxx xxxxxxxxxxxx	xxxxxxxxxxxx

Maintain contact with DBEI officials abroad to garner early warning on supply chain issues in international networks	Ongoing	SCU has maintained contact with the DBEI team overseas and has fed in to Irish Ambassador briefing for stakeholder meetings via Harry Lester in Washington; and received regular updates from esp UK team re shipping issues.	XXXXXXXXXXXX XXXXXXXXXXXX XXXXXXXXXXXX	XXXXXXXXXXXX
Participate on D/TTAS (new) National Transport and Logistics Forum	Ongoing	A new National Logistics Forum has been established under the auspices of D/TTAS whose purpose is to facilitate structured discussion amongst industry stakeholders regarding Logistics and Transport (L&T) issues resulting from the ongoing COVID-19.	XXXXXXXXXXXX XXXXXXXXXXXX XXXXXXXXXXXX	XXXXXXXXXXXX
Gather relevant data on Ireland's supply dependencies in terms of products and geographies	In progress	DBEI Survey Unit and Supply Chain Unit is examining CSO import and export data to analyse Ireland's dependencies in terms of products and geographies. Initial data has been sent to D/Taoiseach on foot of request for same	XXXXXXXXXXXX XXXXXXXXXXXX XXXXXXXXXXXX XXXXXXXXXXXX	XXXXXXXXXXXX
Engage with D/TTAS on potential issues for enterprise arising from reduced capacity and rising costs for air cargo	Ongoing	SCU is maintaining close contact with D/TTAS on air cargo issues captured through engagement with the enterprise agencies.	XXXXXXXXXXXX XXXXXXXXXXXX XXXXXXXXXXXX	XXXXXXXXXXXX

<p>Engage with D/TTAS and the enterprise agencies on costs of international road haulage due to changing trade patterns causing excessive 'dead legs'.</p>	<p>In progress</p>	<p>SCU has been monitoring this situation closely with direct communication from a large haulier and survey information from Enterprise Ireland. EI is engaged with client companies on issues arising from a business continuity perspective D/TTAS is engaged with the haulage representative bodies. SCU will continue close engagement with DTTAS on the issue as appropriate.</p>	<p>XXXXXXXXXXXX XXXXXXXXXXXX XXXXXXXXXXXX</p>	<p>XXXXXXXXXXXX</p>
<p>Examine potential mitigation response for challenges in international movement of specialised workers into and out of Ireland.</p>	<p>In progress</p>	<p>SCU, working with EI and IDA has established the extent and specifics of the issue amongst client companies, and has provided input to D/Health led engagement with relevant Departments. Focus currently to date has been on making passenger location form mandatory, but further elaboration of regs expected in relation to broader issues around self-isolation requirement. SCU has also provided input to D/Taoiseach led process and Memo to Gov on coordination of international travel restrictions within the EU.</p>	<p>XXXXXXXXXXXX XXXXXXXXXXXX XXXXXXXXXXXX</p>	<p>XXXXXXXXXXXX</p>

**Construction**

<i>Action</i>	<i>Status</i>	<i>Update</i>	<i>Contacts</i>	<i>A/Sec</i>
Provide assistance to the construction sector with regard implementation of physical distancing guidelines and new restrictions	In progress	The construction sector has restarted again, CIF is working closely with the HSA on implementation of the Return to Work Safely Protocol. HSA has a program of inspections which covers the construction sector and has reported that compliance is high with the Protocol.	xxxxxxxxxxxxx	xxxxxxxxxxx

Consumer Protection				
<i>Action</i>	<i>Status</i>	<i>Update</i>	<i>Contacts</i>	<i>A/Sec</i>
Monitor compliance with on-premises pricing requirements to inform any required actions	Ongoing	The initial monitoring activity by the CCPC has concluded with over 185 store visits and 1300 item checks completed. Information to date would indicate that compliance levels with the relevant statutory obligations is not a not a cause for concern.  The CCPC intends to conduct further checks on particular items of interest.	XXXXXXXXXXXXXX	
Develop standards and guidance in advance of a Government decision to recommend the widespread use of face masks by the public.	Ongoing	CCPC is engaging with Consumer Safety Network (CSN), other national stakeholders including HSA, HPRA, DOH and providing information to economic operators regarding how Consumer Barrier Masks are regulated. The CCPC published guidance on how barrier masks and PPE for consumer use are regulated on 18/5.	XXXXXXXXXX XXXXXXXXXXXXXX	
The CCPC set up a Covid-19 information hub on its website. This provides consumers with up-to-date information on personal finance and financial well-being matters related to Covid-19, as well as information on their consumer rights. Included in this is information on scams, insurance, government income supports and rent supplements, as well as measures taken by banks, financial providers, utility providers and other financial resources.	Ongoing	The Hub is updated as required.	XXXXXXXXXXXXXX	

Standards for Barrier Masks	Ongoing	The CCPC requested NSAI to develop a Specification for GPSD Barrier Masks (as distinct to PPE facemasks). The NSAI published the Specification on 18/5/2020. CEN is now preparing an EU Specification and the CCPC and the NSAI are participating in that group.	XXXXXXXXXX XXXXXXXXXXXXXX	
Online monitoring and surveillance of online traders offering goods and services related to the Covid-19 pandemic.	Ongoing	Focussing on traders selling Covid-19 related products, such as face-masks, hand sanitiser, etc., the CCPC is monitoring traders compliance with relevant consumer protection legislation.	XXXXXXXXXXXXXX	

Enterprise Engagement				
<i>Action</i>	<i>Status</i>	<i>Update</i>	<i>Contacts</i>	<i>A/Sec</i>
<b>Enterprise Forum</b> host regular meetings with members from a range of sectors to ensure constructive two-way dialogue on COVID-19 impacts and response.	In progress	Minster meets with the Enterprise Forum regularly to assist and inform Business groups of the Departments ongoing responses to the COVID-19 crisis. The most recent meeting on 20th May focused on feedback in relation to the business supports, the Roadmap and the Return to Work Safely Protocol.	XXXXXXXXXXXX	XXXXXXXXXXXX
<b>COVID-19 business supports page</b> on DBEI website provides details of the range supports on offer	Ongoing	The website is being continually updated as new schemes or further details become available	XXXXXXXXXXXX	XXXXXXX XXXXXXXX
Application of <b>strategic communications approach</b> to ensure firms can access the information required to effective take action	Ongoing	Officials are working closely with Agencies, Offices and across Government to ensure joined-up approach	XXXXXXXXXXXX	XXXXXXX XXXXXXXX
DBEI helpline established to direct firms towards supports	In progress	The week ending 25th June saw the Business Support Call Centre and Department switchboard dealing with 275 enquiries by email and phone. To date, the call centre and switchboard have responded to approximately 6,100 queries	XXXXXXXXXXXX XXXXXXXXXXXX	XXXXXXX XXXXXXXX
A significant number of <b>COVID-19 representations</b> continue to be made to the Minister from businesses, employees, consumers and their political representatives.	Ongoing	COVID-19 Reps are dispersed to relevant line units, with a large portion falling to the COVID-19 Unit for response. In the week ending 26 <sup>th</sup> June, the COVID-19 Unit had received a total of 943	XXXXXXX XXXXXXXXXXXX	XXXXXXX XXXXXXXX

		<p>reps, 929 of these have been responded to. Currently, the majority of reps received to the COVID-19 Unit relate to the Roadmap and reopening of businesses.</p>		
<p>Enterprise Ireland COVID-19 Business Response Unit established to signpost all Covid-19 queries, communicate available supports in the ecosystem as well as EI supports.</p>	<p>Ongoing</p>	<p>2,200 businesses supported through the helpline and inbox, averaging 80 enquiries a day. (6 weeks) 58% are general queries (Micro and LEO clients) 42% are relating to the new funding products</p>	<p>xxxxxxxxxx xxxxxxxxxx xxxxxxxxxx</p>	<p>xxxxxxxxxx</p>





		Companies Act 2014. The Department is working with the Company Law Review Group, to examine the feasibility of proposals, consider options that can be resolved through practical work arounds in the Act, relatively straight forward amendments to the Act and those proposals that might require legislation. Sub-committees of the CLRG have been meeting regularly to advance proposals as a matter of urgency. The CLRG's Report, reflecting the outcome of the Committee's deliberations, was submitted to the Minister, Thursday 25 June. The Division will submit a proposed response to the CLRG's recommendations shortly.		
Amend the Credit Guarantee Scheme to allow the Minister to increase the annual limit proscribed in the Act for amounts guaranteed, and to increase the portfolio cap and the percentage of the guarantee. This would significantly increase our ability to support lending to SMEs if needed very quickly to respond to exceptional circumstances.	In progress	Signalled future need to DoT	XXXXXXXXXXXX	XXXXXXXXXXXX
Amend CCPC legislation to prevent anti-competitive mergers proceeding (because of the current difficulties with the statutory timelines) that would impact negatively on the wider economy	In progress	Signalled need to DoT. Awaiting legislative opportunity, Heads of Bill prepared	XXXXXXXXXXXX	
Review of notified mergers and acquisitions	Ongoing	CCPC has put in place electronic merger notification system to ensure that businesses which have to notify mergers and acquisitions can do so.	XXXXXXXXXXXX XXXXXXXXXX	



Trade & International Engagement				
<i>Action</i>	<i>Status</i>	<i>Update</i>	<i>Contacts</i>	<i>A/Sec</i>
Participate in Trade Policy Committee deliberations – formal, informal & like-minded groups – as work impacts current and future Trade Policy during and post-COVID-19.	Ongoing	The TPC is a Treaty-based Committee that must be consulted on a range of Trade Policy proposals before they come to Ministers. It also oversees MS inputs to International Trade negotiations on which the EU COM has competence under the Treaties	xxxxxxxxxx	xxxxxxxxxx
Support Minister as meetings of and engagements by EU Trade Ministers, including in Council formation	Ongoing	Council both approves particular Proposals and FTAs as well as discusses the direction of EU Trade Policy. COVID responses and post-COVID recovery are both priority agenda items. VC Council of 16 April was devoted to COVID. The Trade Council meeting took place on 9 June via VC. The agenda focused on the state of play on WTO issues, including the appointment of the next Director General. Ministers also discussed an update on Trade aspects of the COVID-19 pandemic and the implications for trade policy and welcomed the Commission's decision to bring forward its review of EU trade policy, publicly announced on 16th June.	xxxxxxxxxx xxxxxxxxxx xxxxxxxxxx xxxxxxxxxx	xxxxxxxxxx
General IE engagement at the WTO on Trade Impact of COVID-19	Ongoing	International Trade rules are negotiated under the auspices of the WTO and current actions by WTO Members as well as approach to future role, where WTO is currently under immense pressure due to US frustration with its operations and the US's active disengagement, present significant challenges to the rules-based international trading environment on which small Member Countries such as IE rely	xxxxxxxxxx xxxxxxxxxx xxxxxxxxxx	xxxxxxxxxx

Promote DBEI positions at EU level, provide inputs and briefing, e.g. at Ministerial Councils, Commission engagement, SM Task Force, IM Advisory Committee, Like Minded & High Level Groups, Research Groups, MFF, with a view to influencing EU response in short and medium term.	Ongoing	Briefing for regular meetings of Commission's IPCR to coordinate response. Working on research related COVID-19 initiatives. Further Competitiveness VTC held on 12th June to discuss the Commission's economic recovery plan. Signed up to LM Paper on Single Market Task Force, May 8. Ongoing coordination for input to MFF negotiations. Provided input to EP ENVI Committee Report on access to pharmaceuticals.	XXXXXXXXXX XXXXXXXXXXXX	XXXXXXXXXXXX
Reporting intelligence back to D/BEI on relevant EU activity, e.g. new funding streams, state aid, procurement, and supply chains. Reporting back on policy responses of other MS.	Ongoing	Reporting back from the fortnightly Interdepartmental Group on the EU (D/FA led) and other interdepartmental engagement. Regular reporting from Brussels on Commission, Council and MS' developments. Specific reporting back on economic recovery measures in other MS provided regularly.	XXXXXXXXXX XXXXXXXXXXXX	XXXXXXXXXXXX
Identifying and reporting on COVID-19 impacts, policy responses and strategies from key Irish export, import, investment and research partners (China, Germany, UK, USA)	Ongoing	Regular reporting from D/BEI colleagues in Embassies Beijing, Berlin, London and Washington DC.	XXXXXXXXXXXX XXXXXXXXXXXX XXXXXXXXXXXX XXXXXXXXXXXX	XXXXXXXXXXXX
Service Single Market tools (vis SOLVIT, IMI, Strawberry Regulation), which have recently included some COVID-19 related cases.	Ongoing	Investigating and seeking informal resolution to complaints from individual businesses or citizens that a competent authority in Europe has denied them their Single Market rights; facilitating timely communication between European competent authorities through IMI; alerting relevant stakeholders of logistical obstacles to free movement of goods notified under the Strawberry Regulation. Attended in Services Directive Expert Group 18 <sup>th</sup> -20 <sup>th</sup> May incl.	XXXXXXXXXXXX	XXXXXXXXXXXX

<p>Engage at EU level on discussions regarding the WTO Health Initiative and the EU's Concept Paper which has the aim of ensuring the availability and affordability of healthcare products. The COM is proposing the removal of tariffs on pharma and medical goods and some PPE. The paper also looks to increasing co-ordination between WTO Members regarding export restrictions of key medical goods.</p>	<p>Ongoing</p>	<p>The Concept Paper was circulated to MS on 02nd June and discussed at TPC Deputies on the 05th June and at an informal technical meeting on 08th June. It was noted at the technical meeting that the average tariff on the products listed in the annex of the Concept Paper is only 4% and is considered quite low. It is noted that the EU has offensive interests in areas such as chemicals and high-grade medical instruments while there are defensive considerations regarding PPE. Overall, the EU holds a trade surplus of €470 million in the products listed. In an 'Ottawa Group' Joint Statement on 15 June 2020, it was agreed that Ministers should instruct officials to advance analysis in order to identify what steps WTO members could take to facilitate trade in medical supplies and ensure that 'versatile, diversified and resilient' supply chains exist to allow access to medical supplies. After discreet consultations with stakeholder representatives and formal engagement with the Department of Health, Ireland submitted to DG Trade on 24 June brief comments on aspects of detail in the Concept Paper while signalling our broad support for the initiative.</p>	<p>XXXXXXXXXXXX XXXXXXXXXXXX XXXXXXXXXX</p>	<p>XXXXXXXXXXXX</p>
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Corporate Activity				
<i>Action</i>	<i>Status</i>	<i>Update</i>	<i>Contacts</i>	<i>A/Sec</i>
Redeployment of staff within the Department to ensure areas of critical need are appropriately supported	In progress	Internal redeployment panel in operation within DBEI to ensure critical functions can continue to operate and to support staff to remain engaged with the work of the Department. This panel continues to supply resources as the demands increase in certain areas across the Dept.	XXXXXXXXXXXXX XXXXXXXXXXXXX	XXXXXXX XXXXXXXXX
Operation of COVID-19 Unit to ensure co-ordinated response across the Department and provide call centre to support firms	In progress	Unit in operation with staff temporarily reassigned from areas of the Department that are less critical at this time	XXXXXXXXXXXXX	XXXXXXX XXXXXXXXX
Develop and operate mechanisms to track COVID-19 related activity across the Department and its Offices	Ongoing	DBEI Table of COVID-19 Actions tracks activities across all Divisions of the Department arising from the pandemic. COVID-19 Business Supports Table tracks uptake of financial business supports. Both documents are reviewed at the weekly DBEI Management Board meetings.	XXXXXXXXXXXXX	XXXXXXX XXXXXXXXX
Supporting staff and managers with guidance on the implementation of new and rapidly changing working environment	In progress	HR is providing ongoing guidance in areas including flexible working/working from home, dealing with staff reporting symptoms/being tested and staff redeployment. Ensuring that all staff are connected in terms of Sec Gen updates and engaged with line managers. HR is liaising with Principal Officers to ensure all staff are 'connected' in terms of having the supports to be available to work from home as appropriate. HR has provided guidance and is available to support line managers in terms of up to 90 staff being on probation at this time.	XXXXXXXXXXXXX	XXXXXXX XXXXXXXXX

Support managers to ensure delivery of Department objectives while wide-scale remote working remains in place	Ongoing	A suite of supports to assist managers to effectively manage teams under remote working conditions was prepared and issued by LDU and a Webinar took place on Thursday 21st May on Wellbeing while Managing Remotely. LDU in collaboration with the Laois Offaly Education Training Board (LOETB) are offering 10 places on a Leading Remote Teams on-line training programme facilitated by the LOETB for the development of virtual leadership skills.	XXXXXXXXXXXX XXXXXXXXXXXX	XXXXXX XXXXXX
Monitor priorities across the Department to ensure effective allocation of resources	Ongoing	Management Board are undertaking a further review of activity across the Department and identifying priority projects to facilitate a targeting of available resources	XXXXXXXXXXXX XXXXXXXXXXXX	XXXXXX XXXXXX
Expansion of remote access capabilities to support significant increase in number of staff working from home	Ongoing	Remote working facilities have been substantially provided for all staff who need them. More resources are now being directed to meet the longer term needs of remote working staff, including requests for docking stations to facilitate staff bringing home screens, keyboards etc. Requests for phones where these are required are being facilitated, although there can be a delay in procuring these from our phone provider.	XXXXXXXXXXXX	XXXXXX XXXXXX
Expansion of video and teleconferencing facilities to support home working and physical distancing	Ongoing	ICT Unit is continuing to support significant numbers of VC meetings (approx. 20 per week including training sessions). Efforts are being directed to training end users to reduce reliance on ICT resources and give staff greater autonomy. ICT Unit is liaising with Offices, particularly Labour court and WRC to facilitate delivery of services through VC.	XXXXXXXXXXXX	XXXXXX XXXXXX
Business continuity and processing procedures have been developed to ensure any impact on staff or supplier payments are minimised.	In progress	Budget officers have received guidance regarding processing of PAFs on temporary bass. Backup team train and in place to support critical finance staff.	XXXXXXXXXXXX	XXXXXX XXXXXX



Ensuring that the necessary sanctions are secured for the various COVID-19 enterprise support measures being rolled out by the Department	Ongoing	Engaging with line units and with the Vote to secure timely turnaround of sanction requests	XXXXXXXXXXXXXX	XXXXXXX XXXXXXX
Assisting relevant business units in engagements with DoF to provide additional funding to meet needs for greater business supports	In progress		XXXXXXXXXXXXXX	XXXXXXX XXXXXXX
Ensuring that the Department's Estimate is presented to the Dáil for approval in sufficient time given the limitations of the 4/5ths rule	In progress	Finance Unit is currently evaluating as to the date by which the Department's Estimate has to be presented to the Dáil so as to ensure that the Department does not exceed the limits imposed by the 4/5ths rule	XXXXXXXXXXXXXX	XXXXXXX XXXXXXX
Measures to support responsible social distancing and enhancing hygiene and other arrangements in the Departments	Ongoing	BSU enhanced COVID 19 signage has been completed in all 3 BSU managed buildings [Kildare St, Earlsfort Centre & Dawson St] along with the installation of protective perspex coverings for receptions. Further systems and arrangements are being considered in drafting our "Safe Return to Work onsite" protocols documents.	XXXXXXXXXXXXXX	XXXXXXX XXXXXXX
Measures to adhere to enhanced restrictions introduced by Government on Friday, 27th March	In progress	In line with National Requirements & to support a safe return onsite BSU is co-ordinating a "Return to our buildings - Protocols" document in preparation for the easing of some restrictions in future phases of the Government Roadmap. It is envisaged a draft document will be shared with the soon to be established Cross-Divisional Covid-19 Working Group (to be chaired by the Head of HR) in mid-June. Arrangements will be tailored per location given the differences in business units, staff numbers, interaction with the public and the physical layout in each of our buildings.	XXXXXXXXXXXXXX	XXXXXXX XXXXXXX

**COMPLETED ACTIVITIES**

Assisting the Health Service and the National Effort				
<i>Action</i>	<i>Status</i>	<i>Update</i>	<i>Contacts</i>	<i>A/Sec</i>
Redeployment of Agency staff to support HSE / DEASP	Complete	The Department has worked with the HSA to assist in meeting the need for additional resources to support the significant increase in calls and emails to the HSA helpline and 7 colleagues have been temporarily reassigned to the HSA helpline to date. One colleague has been redeployed temporarily to the IBTS and one to the HSE. While larger numbers were available for redeployment earlier in the crisis, that has changed as more and more business as usual is coming back on stream and it is unlikely that any further staff will be deemed releasable.	XXXXXXXXXXXXX XXXXXXXXXXXXX	XXXXXXXXXXXXX
Economic Migration Policy Unit has drafted Regulations, enacted by the Minister on 1st May, to facilitate access for all Radiographers (degree and diploma qualified )to Critical Skills Employment Permits and to facilitate fully online applications for Trusted Partner Status.	Complete	Since 1st May, it is easier to register an application or renewal of Trusted Partner Status, which will benefit frequent users of the EP regime including hospitals. It is now possible for diploma qualified radiographers to access a Critical Skills Employment Permit.	XXXXXXXXXXXXX XXXXXXXXXXXXX XXXXXXXXXXXXX	
HSA has provided HSE with its full inventory of PPE stock	Complete	Second delivery of stock arranged	XXXXXXXXXXXXX XXXXXXXXXXXXX	XXXXXXXXXXXXX
EU introduced emergency export controls on Personal Protective Equipment (PPE) such as masks, gloves, gowns and eyewear. The Commission has taken this step to protect the supplies of PPE within the EU. These controls came into force with immediate effect	Complete	Minister signed the relevant S.I and EU Commission has been informed Minister is the competent authority. Businesses wishing to export items on the list outside the EU must apply to the DBEI. This Regulation expired on 25th April.	XXXXXXXXXXXXX XXXXXXXXXXXXX XXX	XXXXXXXXXXXXX
Commission adopted a second export control regulation on Personal Protective Equipment (PPE) to succeed the March Regulation, which has expired. The new controls will be in force from 26th April for a period of 30 days.	Complete	The Minister has signed the S.I. giving full legal effect to the new controls. Information on the controls has been disseminated to exporters via newspapers and web. This Regulation expired on 25th May and was not renewed.	XXXXXXXXXXXXX  XXXXXXXXXXXXX	XXXXXXXXXXXXX

Relevant research labs and industry are being contacted to make available any PPE, ventilators etc that could be used in the health sector	Complete	Research labs across the Irish HE sector contributed directly to local and affiliated hospitals. All sourcing opportunities were brought to attention of OGP for follow-up.	XXXXXXXXXXXXXXXXXX XX	XXXXXXXXXXXXXXXXXX
At EU level there is a need to postpone implementation of new medical device regulatory regime which may result in delays to devices being placed on the market	Complete	The Commission has agreed to postpone the implementation of the new regime by one year until 21 May 2021. It has also agreed to waiving of VAT and duties on the import of medical equipment from third countries.	XXXXXXXXXX XXXXXXXXXX	
Assess impact of physical distancing guidelines	Complete	DBEI /SFI funded Research Centre Insight providing data analytics support	XXXXXXXXXX	XXXXXXXXXXXXXXXXXX
Supports to assist the large number of employees out of work as a result of outbreak	Complete	DBEI officials are assisting DEASP with their work in this regard. 2 <sup>nd</sup> scheme launched 24 <sup>th</sup> March	XXXXXXXXXX XXXXXXXXXX XXXXXXXXXX	XXXXXXXXXXXXXXXXXX
Support critical private sector infrastructure firms to maintain supply chain	Complete	The State Aid Unit in DBEI worked with DTTAS on options for supports for Ferry and Port companies which are crucial to the supply chain and engaged with the Commission on the possibility of designating maritime freight carriers as a temporary Public Service. This has resulted in DTTAS applying a Temporary PSO on the relevant Ferry routes to protect the supply chain.	XXXXXXXXXXXX XXXXXXXXXXXX	XXXXXXXXXXXXXXXXXX

Economic Recovery				
<i>Action</i>	<i>Status</i>	<i>Update</i>	<i>Contacts</i>	<i>A/Sec</i>
Paper on Economic Considerations for Reinstating Economic Activity published 15 <sup>th</sup> May.	Complete	Paper submitted to Government and published 15th May	XXXXXXXXXX XXXXXXXXXX	XXXXXXXXXXXX
Understand issues surrounding <b>commercial rents and leases</b> during COVID-19 crisis	Complete	An initial discussion paper was prepared, and an inter-departmental discussion has taken place. Work is now underway to assess the scale of the issue and to identify measures introduced in other countries. DBEI engaged with a range of stakeholders to gain additional insights to inform any further discussions.	XXXXXXXXXXXX XXXXXXXXXX	XXXXXXXXXXXX
Support the work of the <b>Labour Market Surveillance Group IDG</b> in relation to COVID-19	Complete	DBEI chairing the Analytical Subgroup to help identify sectoral, occupational and geographic labour market implications of COVID-19	XXXXXXXXXX	XXXXXXXXXXXX
Generate discussion around potential areas for targeted grants.	Complete	A discussion paper has been circulated to other Departments and was considered as part of a suite of measures to aid the recovery.	XXXXXXXXXX XXXXXXXXXX	XXXXXXXXXXXX

<p>National Competitiveness Council identification in its annual Competitiveness Scorecard report competitiveness indicators crucial to an economic recovery</p>	<p>Complete</p>	<p>Ireland’s Competitiveness Scorecard 2020 identifies several indicators as being particularly important to Ireland’s economic recovery in the face of the COVID-19 shock. These indicators point to several critical areas where Ireland currently falls behind competitor countries, or where the impact of COVID-19 disruptions have been and will continue to be particularly acute, and where the NCC believes improvements can be made in order to ensure a sustainable recovery. Report published 27 May <a href="http://www.competitiveness.ie/publications/2020/ireland%20s%20competitiveness%20scorecard%202020.html">www.competitiveness.ie/publications/2020/ireland%20s%20competitiveness%20scorecard%202020.html</a></p>	<p>xxxxxxxxxxx</p>	<p>xxxxxxxxxxx</p>
<p>Consideration of the funding implications arising from delays in <b>research projects</b> caused by COVID-19</p>	<p>Complete</p>	<p>The Department will take a constructive approach to facilitating necessary measures in situations where COVID-19 may have a significant impact on the research, development and innovation activities of companies and academic researchers.</p>	<p>xxxxxxxxxxxxxxxx</p>	<p>xxxxxxxxxxxxxxxx</p>

**Critical Business Continuity**

<i>Action</i>	<i>Status</i>	<i>Update</i>	<i>Contacts</i>	<i>A/Sec</i>
Identify <b>critical sectors</b> should exemptions be needed.	Complete	DBEI has undertaken analysis to support planning for any decisions that might be required to exempt certain “critical” enterprise sectors, infrastructures, facilities or classes of workers in the event of additional COVID-19 related restrictions on personnel travel for work, or other constraints on operation, being introduced. This input has been provided to DoH as a recommendation in line with Section 31A(4) of Health Act 1947	XXXXXXXXXXXXX XXXXXXXXXXXXX	XXXXXXXXXXXXX
Support critical firms affected by closures in their supply chain	Complete	Closure of Irish sawmilling on foot of UK shut down has created significant problems for a pallet production facility which supports both medical and food supply chains. Work ongoing with EI to find alternative supplier.	XXXXXXXXXXXXX XXXXXXXXXXXXX	XXXXXXXXXXXXX

**Access to Finance**

Minister Humphreys met with <b>Banks</b> (AIB, BOI, Ulster Bank) and liaison with DOF	Complete	Minister Humphreys met with the pillar banks, and subsequently an announcement was made by the Minister for Finance that measures will be introduced that include extensive supports for SME customers with the banks working to ensure that simplified access to a wide range of credit, cash flow and supply chain supports will be offered to businesses		XXXXXXXXXXXXX
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<b>Business Support &amp; Advice</b>				
<i>Action</i>	<i>Status</i>	<i>Update</i>	<i>Contacts</i>	<i>A/Sec</i>
Develop a €250m Restart Grant for micro and small business to be delivered by Local Authorities	Complete	Launched by Minister - Applications open 22 May 2020	XXXXXXXXXXXXX XXXXXXXXXXXXX	XXXXXXXXXXXXX
The Businesses Continuity Voucher now available through LEOs. The vouchers provide support to firms who need assistance with business continuity and preparedness arising from the COVID-19 outbreak.	Complete	14,871 applications for Business Continuity Vouchers have been received, with 10,642 approved at a total value of € 23.06m.	XXXXXXXXXXXXX XXXXXXXXXXXXX	XXXXXXXXXXXXX
First Responders for firms in difficulty. DBEI and DEASP will provide a joint support service through the Intreo Offices and development agencies.	Complete		XXXXXXXXXX	XXXXXXXXXXXXX
EI Early warning Reports – streamlining	Complete		XXXXXXXXXXXXX	XXXXXXXXXXXXX
The CRO has announced (18th March) that all annual returns due to be filed by companies between now and then 30th June, 2020 will be deemed to have been filed on time if all elements of the annual return are completed and filed by that date	Complete	Current situation reviewed and decision to extend current arrangement - until 31st October (CRO) and 31st December (RFS)	XXXXXXXXXXXXX	XXXXXXXXXX



NSAI leading cross agency drafting of business advice on implementing <b>Physical Distancing in the workplace</b>	Complete	NSAI published two documents providing guidance on social distancing; one in relation to general workplaces and one specifically aimed at retail outlets	XXXXXXXXXX XXXXXXXXXX XXXXXXXXXX	XXXXXXXXXXXX
Temporary working from home advice from Health and Safety Authority	Complete	Guidance document produced by the Health and Safety Authority - FAQ's for Employers and Employees in relation to Home-Working on a temporary basis (COVID-19)	XXXXXXXXXXXXXX  XXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Issues around PPE - The Health and Safety Authority is the Market Surveillance authority in Ireland.	Complete	Following discussions at Departmental level the Health and Safety Authority has produced guidance on the manufacturing and importing of PPE and has set up a dedicated contact point for queries on the matter.	XXXXXXXXXXXXXX  XXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Intertrade Ireland is surveying 1,000 businesses to assess the impact of COVID-19	Complete	Survey has been completed and results shared with DBEI Officials	XXXXXXXXXXXXXX  XXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXX
WRC has prepared Q&A that covers the most frequently asked questions for Employers and Employees in relation to Lay Offs due to COVID-19 and the WRC call centre staff are dealing with queries, whereby Information Officers are continuing to deal with the normal volume of calls at c200 calls per day, albeit the subject matter of the calls has altered significantly and is focused on COVID-19 related situations.	Complete		XXXXXXXXXXXXXX	XXXXXXXXXXXX

Advise DoT of DBEI supports available for local print media	Complete		XXXXXXXXXX	
Conduct a survey via the Enterprise Forum and the Retail Consultation Forum on the state of readiness of businesses to adapt the physical work environment to sustain key COVID-19 prevention behaviours	Complete	Survey results circulated internally, with follow-up discussion by teleconference. Results have been shared with external stakeholders, including Enterprise and Retail Consultation Fora members.	XXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXX
On-site WRC Inspector visits resumed on 8 June 2020 in tandem with the commencement of next phase of the Government Roadmap. The WRC inspectorate is also supporting the HSA with regards to Covid inspections.	Complete	The WRC has engaged with key stakeholders on the employer and employee representative sides with regard to the resumption of inspections. The WRC has entered a MoU with the HSA in relation to the WRC's participation in inspections arising under the Covid 19 Return to Work Protocol.	XXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Communications campaign to highlight key non-repayable supports	Complete	Comms Unit developed a poster to highlight the key non-repayable supports available to help small businesses in re-opening. It was circulated on 19 June through the CRO to 233,000 companies, and to targeted contacts in over 30 representative organisations, as well as to Local Authorities and the LEOs for further dissemination.	XXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXXXX

Retail Sector				
<i>Action</i>	<i>Status</i>	<i>Update</i>	<i>Contacts</i>	<i>A/Sec</i>
Lift <b>delivery time restrictions</b> for grocery retailers	Complete	Minister Eoghan Murphy signed the Planning and Development Act 2000 (Exempted Development) (No. 2) Regulations 2020 which took immediate effect.	XXXXXXXXXXXXX XXXXXXXXXXXXX	XXXXXXXXXXXXX
The tap limit on bank cards is to be increased from €30 to €50	Complete	This is now fully operationalised.	XXXXXXXXXXXXX	XXXXXXXXXXXXX
Provide guidance to retail sector on implementing the Public Health Guidelines so as to address outstanding queries from the retail sector on compliance	Complete	REPEIU supplied Department of Health with queries received from retail sector via Minister's stakeholder telecon calls and directly from stakeholders. HPSC then developed and issued a Business Guidance for the retail sector which has since been replaced and updated with the NSAI Guidance	XXXXXXXXXXXXX XXXXXXXXXXXXX XXXXXXXXXXXXX	XXXXXXXXXXXXX
Examine the UK example of suspension of plastic bag tax levy to support physical distancing for home delivery services	Complete	Revenue will not be making any changes to the plastic bag levy.	XXXXXXXXXXXXX XXXXXXXXXXXXX	XXXXXXXXXXXXX
Providing clarification to retailers regarding fulfilment and delivery of online orders	Complete	DBEI officials have provided guidance to online retailers regarding the principles which must be adhered to in order to continue to operate.	XXXXXXXXXXXXX	XXXXXXXXXXXXX
Providing clarification to hardware store stakeholders who had queried inclusion of hardware in D/Health Regulations as an essential retail outlet.	Complete	REPEIU has provided additional clarification provided by D/Health via NPHEIT to retail rep bodies and included same on relevant DQs and Reps.	XXXXXXXXXXXXX XXXXXXXXXXXXX	XXXXXXXXXXXXX

Work with NSAI on the updating of the COVID-19 Retail Protection and Improvement Guide including its alignment with the Return to Work Safely Protocol and the road-map for reopening society and business.	Complete	REPEIU has collated retail queries and feedback from engagement with the retail sector since the first Guide was launched. These and other issues relating to alignment of the NSAI Retail Protection and Improvement Guide with the HSA Return to Work Safely Protocol have been shared with the NSAI for input to the updating of the Guide. REPEIU supported the development of the NSAI's COVID-19 Shopping Centre Recovery and Protection Guide	XXXXXXXXXXXX XXXXXXXXXXXX	XXXXXXXXXXXX
At the request of D/Health, undertake an assessment of readiness of the retail multiples and Irish based suppliers, regarding the potential introduction of a recommendation concerning the wearing of face masks by the general public in certain circumstances.	Complete	REPEIU made contact with the main grocery multiples and some retail representative bodies to ascertain indicative current supply and potential level and timeframe for ongoing supply of non-medical grade face masks. The results of the assessment were submitted to D/Health	XXXXXXXXXXXX XXXXXXXXXXXX	XXXXXXXXXXXX
Provide information updates to the retail stakeholder contact list and manage inbound queries received directly from stakeholders and via COVID-19 call centre.	Complete	The retail stakeholder contact list has been provided almost daily updates on COVID-19 when they become available from relevant Government Departments and Agencies. REPEIU has dealt with c.100 inbound queries to date from the sector.	XXXXXXXXXXXX XXXXXXXXXXXX XXXXXXXXXXXX	XXXXXXXXXXXX
Work with NSAI on the production of the COVID-19 Retail Protection and Improvement Guide	Complete	Through discussion and research with the retailers, unanswered queries, and examples of best practice protocols were shared with the NSAI for input to the development of NSAI COVID-19 'Retail Protection and Improvement Guide'. EIU worked with NSAI to engage relevant retailers during drafting stages.	XXXXXXXXXXXX XXXXXXXXXXXX	XXXXXXXXXXXX
Develop a Safe Shopping Video	Complete	DBEI officials fed into the development of the safe shopping video, produced by the Department of Health.	XXXXXXXXXXXX XXXXXXXXXXXX	XXXXXXXXXXXX

			supported by Comms Unit	
Safe Shopping Video - updated to 'Shopping Safely as measures ease'	Complete	REPEIU fed into the development of Shopping Safely video for TV and Social Media use, which was produced by the Department of Health. REPEIU has since contributed to the updating of the Shopping Safely video for social media use - entitled 'Shopping Safely as measures ease'	XXXXXXXXXXXX XXXXXXXXXXXX	XXXXXXXXXXXX
Link the grocery retailers to the Community Call - Community Support Framework led by DHPLG/local authorities.	Complete	EIU worked with the D/Health and D/HPLG to ensure that retailers were engaged in the Community Support Framework led by local authorities.	XXXXXXXXXXXX XXXXXXXXXXXX	XXXXXXXXXXXX
Minister engagement with the Hairdressing, Barbering and Beauty industry in Ireland.	Complete	Facilitated a meeting between Minister Humphreys and the Hairdressing, Barbering and Beauty sector on Wednesday 20 May, and Tuesday 16 June at which various specific sectoral issues were raised in relation to the reopening roadmap.	XXXXXXXXXXXX XXXXXXXXXXXX	XXXXXXXXXXXX
NSAI leading cross agency drafting of business advice on implementing the Covid-19 Shopping Centre Recovery and Protection Guide	Complete	The COVID-19 Shopping Centre Recovery and Protection Guide addresses risks to workers and the public and will help business owners implement the mandatory Return to Work Safely Protocol that applies to all workplaces across the economy. Shopping Centres to reopen 15 <sup>th</sup> June	XXXXXXXXXXXX XXXXXXXXXXXX XXXXXXXXXXXX	XXXXXXXXXXXX

Mapping out further detail of implications for retailers in relation to Phases 2-5 of the Roadmap for Reopening Society and Business	Complete	Data on physical size of retail stores has been provided via D/Taoiseach which assisted in analysis of the phased reopening of retail in the Roadmap and to highlight any issues arising.	XXXXXXXXXXXXX XXXXXXXXXXXXX	XXXXXXXXXXXXX
Support the development of the third ' Economic Considerations for Reinstating Economic Activity' paper	Complete	REPEIU provided an update on the reopening of retail in Phase 2 of the Roadmap.	XXXXXXXXXXXXX XXXXXXXXXXXXX	XXXXXXXXXXXXX
Represent DBEI on the Enterprise Ireland assessment panel for the Covid-19 Online Retail Scheme.	Complete	Over 350 eligible applications were assessed in total. Final successful applicants will be announced following the EI Investment Committee meeting on Friday 26 June.	XXXXXXXXXXXXX XXXXXXXXXXXXX	XXXXXXXXXXXXX

**Supply Chain Issues**

Engage with D/TTAS on potential issues for enterprise arising from P&O ferries dispute at Liverpool	Complete	SCU initiated stakeholder engagement re P&O ferries issue (EI, IDA, Retail Group, DBEI team in Irish Embassy in London) and fed in to D/TTAS and D/Taoiseach cross-dept group	XXXXXXXXXXXXX XXXXXXXXXXXXX XXXXXXXXXXXXX	XXXXXXXXXXXXX
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Enterprise Engagement				
<i>Action</i>	<i>Status</i>	<i>Update</i>	<i>Contacts</i>	<i>A/Sec</i>
Letter sent to 230,000 companies via the CRO advising them of the range of business supports on offer to assist firms in their COVID19 response	Complete		XXXXXXXXXXXX XXXX	XXXXXXXXXX

Consumer Protection				
CCPC has prepared Q&A that covers the most frequently asked questions from <b>consumers</b> on travel, insurance and shopping online	Complete	In conjunction with and through DBEI, CCPC is working with DTTAS to prepare guidance in relation to package travel	XXXXXXXXXXXX	XXXXXXXXXX
DBEI and DTTAS have prepared guidance in relation to package travel	Complete	Revised guidance was published on the websites of both Departments on 27th May 2020	XXXXXXXXXX XXXXXXXXXXXX	
Guidance for business on PPE for consumer use during COVID-19.	Complete	The CCPC developed guidance for business on PPE for consumer use during COVID-19 Crisis in conjunction with the Department of Health, NSAI, HPRA and HSA which was published on 1 <sup>st</sup> May, 2020.	XXXXXXXXXX XXXXXXXXXXXX	
Guidance for business on barrier masks for consumer use during COVID-19	Complete	The CCPC developed guidance for business on barrier masks and the new NSAI Specification which was published on 18/05/2020. The CCPC published a press release for the business guidance on 2 <sup>nd</sup> June.	XXXXXXXXXX XXXXXXXXXXXX	

Regulatory Issues				
<i>Action</i>	<i>Status</i>	<i>Update</i>	<i>Contacts</i>	<i>A/Sec</i>
Re-activation of the SOLAS Safe Pass training for the construction sector to ensure supply of skilled workers for the sector	Complete	Discussions on going with Dept of Education and Skills, SOLAS, HSA and industry about the restarting of the SafePass and other Construction courses. SOLAS has now resumed SafePass and other construction courses with social distancing measures now in place. Removal of derogation will be considered as backlog of individuals looking to attend a course is reduced.	XXXXXXXXXXXXXX	XXXXXXXXXXXXXX
The IPOI has invoked provisions in the Patents Rules which allow business and patent and trade mark attorneys to avoid penalties and extension fees if they are unable to meet statutory deadlines during the period the Office is closed to the public. The IPOI is continuing to maintain all of its online and e-services, including e-filing of applications, electronic fee payments and enquiries by email during normal opening hours.	Complete	Following consultation with stakeholders, notice has been given that the period covered by the "excluded days" provision which commenced on 13 March, ended on 2nd June. Further extensions are not contemplated at this time. The IPOI's telephone enquiry service recommenced on 23 <sup>rd</sup> June 2020.	XXXXXXXXXXXXXX	XXXXXXXXXXXXXX



<p>Amendment to construction regulations required to allow the continued operation of essential emergency construction work during the COVID-19 emergency without diluting safety and health of workers as well as ensuring workers and employers still meet statutory responsibilities, that there are no technical breaches of occupational safety and health legislation and to address any issues arising with sector insurance policies which include a clause re complying with regulatory requirements.</p>	<p>Complete</p>	<p>DBEI has amended the Safety, Health and Welfare at Work (Construction) Regulations to ensure the ongoing validity of a SOLAS Safe Pass card which would become invalid during the period of the COVID-19 emergency. S. I signed by Minister Breen on 31 March 2020.</p>	<p>XXXXXXXXXXXX XXXXXXXXXXXX XXXXXXXXXXXX</p>	<p>XXXXXXXXXXXX</p>
<p>Extension of time periods for inspections of tanks and extension of validity of certificates under ADR Regulations (Carriage of Dangerous Goods by Road)</p>	<p>Complete</p>	<p>HSA and DBEI have progressed the signature by Ireland of a multilateral agreement under the Carriage of Dangerous Goods by Road Regulations. This provides for a time extension on the inspections of tanks that fall for inspection between 1 March 2020 and 1 August 2020 to remain valid until 30 August 2020 and allows extensions of certificates of approval for ADR vehicles for the same period.</p>	<p>XXXXXXXXXXXX XXXXXXXXXXXX XXXXXXXXXXXX</p>	<p>XXXXXXXXXXXX</p>
<p>Use of UK Gas Cylinders in Ireland</p>	<p>Complete</p>	<p>DBEI &amp; HSA have agreed to grant an exemption to allow BOC Gases Ireland Limited to fill and carry medical oxygen in pressure receptacles that were constructed before 1 July 2003 and were not in the Irish State prior to 1 July 2017. This national exemption is being granted in response to the unprecedented situation regarding COVID-19, leading to the requirement for larger than usual volumes of medical breathing oxygen to be supplied to Healthcare facilities.</p>	<p>XXXXXXXXXXXX XXXXXXXXXXXX XXXXXXXXXXXX</p>	<p></p>

Commence section 4 of the Industrial Development (Amendment) Act 2019 which allows for the release of additional funding to Microfinance Ireland to allow it to help microenterprises to meet liquidity needs arising from the COVID-19 situation.	Complete	S.I. number 149 of 2020 Industrial Development (Amendment) Act 2019 (Section 4) (Commencement) ORDER 2020 was published in Iris Oifigiúil on 1st May 2020. The date of commencement of Section 4 is 28th April 2020.	XXXXXXXXXX XXXXXXXXXX	XXXXXXXXXXXX
Amendment to EU Regulation on European Companies (SE) to allow extension of time for holding general meetings from 6 months to 12 months, no later than 31/12/2020	Complete	The amendment was published in Official Journal with effect from 28/05/20. As a Regulation with Direct Effect no legislative amendments are envisaged, CRO have been notified of change	XXXXXXXXXXXX XXXXXXXXXX	
ODCE to issue statement giving an outline of the manner in which it expects to carry out its insolvency-related functions under the Companies Act taking into account the effects of the Covid-19 pandemic.	Complete	The Office of the Director of Corporate Enforcement issued a statement on 4 June 2020 dealing with the implications of the COVID-19 pandemic on its insolvency-related functions. The statement is useful for directors of companies that have become or are at risk of becoming insolvent as a result of the pandemic and may have concerns regarding the operation of certain company law provisions.	XXXXXXXXXXXX	

Trade & International Engagement				
<i>Action</i>	<i>Status</i>	<i>Update</i>	<i>Contacts</i>	<i>A/Sec</i>
Engage with Departments across the Government System to identify COVID-19 related measures that may <b>require notification to the World Trade Organisation</b> under their notification and transparency guidelines.	Complete	A deadline for receipt of submissions regarding COVID-19 related responses that may require WTO notification was set for Friday 01st May. Various Government Departments (Finance, Defence, DCCA, Health, Revenue, DAFM) made submissions and on examination, it was concluded that the measures identified in relation to COVID-19 would not confer a trade advantage and therefore, no additional notification to the WTO (via the EU) was required. The criteria for notification was whether the measure conferred a trade advantage to the recipient(s) of the measure(s), that would not be available to others in the exporting market.	XXXXXXXXXX XXXXXXXXXX	XXXXXXXXXXXX
Actively monitor <b>EU Safeguard Committee correspondence</b> regarding Commission co-ordination of MS responses to COVID-19, including the adoption of new Exportation Authorisation Regulation in relation to Personal Protective Equipment. Circulate draft proposals to the Trade Licencing Unit for review and consideration. Formulate Ireland's policy position and voting intention on the measures.	Complete	There have been two Safeguard Regulations adopted in response to the COVID-19 health emergency. The first Regulation lapsed on 25 April after its six week duration. The second Regulation, which limited the restricted items to face masks, visors and spectacles was adopted on the 22 <sup>nd</sup> April and came into force on the 25 <sup>th</sup> . The 2 <sup>nd</sup> iteration of the PPE Regulation expired on 25 <sup>th</sup> May. The Commission has not proposed to adopt a replacement Regulation as the Commission is satisfied that authorisation requests are no longer required. However, the Commission has reassured Member States that it will continue to monitor the situation in case prompt action is required at a later date.	XXXXXXXXXXXX XXXXXXXXXXXX XXXXXXXXXXXX	XXXXXXXXXXXX

**Corporate Activities**

<p>Ensuring data protection is maintained particularly in relation to sensitive personal data that may be shared in the context of COVID19 incidents</p>	<p>Complete</p>	<p>Guidance Note for managers and staff across the Department on the treatment of sensitive personal data has been prepared and published on BoB.</p>	<p>XXXXXXXXXXXXXXXXX XXXXXXXXXXXXXXXXX</p>	<p>XXXXXXXXXXXXXXXXX</p>
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## Appendix 2: COVID-19 Business Supports Tracker

Most up to date data as of 26/06/20 unless otherwise stated

Name of Support	Provider	Amount of Support Offered	Total amount allocated to COVID-19 Scheme	Inquiries Received	Applications Submitted	No. of Approvals Made	Value of Approvals Made
<b>Restart Grant<sup>9</sup></b>	Local Authorities	Grants from €2k up to €10k	€250m fund to help companies reopen premises	N/A	29,182	9,754	€38.19m
<b>COVID-19 Working Capital Scheme</b>	SBCI	From 25k up to €1.5m	€200 million in lending has been made available		3,220 <sup>10</sup> eligibility applications received of which 2,898 applications approved to date	559 loans approved	Loans approved to the value of €68.2m <sup>11</sup>
<b>COVID-19 loan</b>	MFI	Loans of up to €50k	An additional €14.79 million has been made	3,334	921	581	€15.65m

<sup>9</sup> Figures for the Restart Grant are based on most up to date data as of 19/06/20

**10** The total count of eligibility applications is subject to revision following a weekly data cleansing process to remove the inclusion of any duplicate applications from the count.

**11** Fluctuation in the total number/amount of loans recorded under the Covid-19 Working Capital Scheme is due to adjustment to address differing data tabulation/collation methods used by the participating finance providers. These figures are drawn from live reports, and as such may from time to time be adjusted as the dataset is cleansed/updated.

Name of Support	Provider	Amount of Support Offered	Total amount allocated to COVID-19 Scheme	Inquiries Received	Applications Submitted	No. of Approvals Made	Value of Approvals Made
			available to MFI since March				
<b>The Businesses Continuity Voucher<sup>12</sup></b>	LEOs		Up to €20m	N/A	14,871	10,642	€23.06m
<b>Trading Online Voucher Scheme</b>	LEOs	Up to €2,500	€5.6M	N/A	6,073	3,218	€7.62m
<b>Online Retail Scheme €2m</b>	Enterprise Ireland	Up to €40k grant aid	€2m	N/A	Scheme opened 29 <sup>th</sup> April and will close for applications on the 27 <sup>th</sup> of May. All applications will be reviewed post call close.	N/A	N/A
<b>COVID-19 Business Financial</b>	Enterprise Ireland	€5, 000 grant aid		650 inquiries received into the EI Business	618	545	€2.69m

<sup>12</sup> The Businesses Continuity Voucher Scheme closed for applications on the 15<sup>th</sup> May.

Name of Support	Provider	Amount of Support Offered	Total amount allocated to COVID-19 Scheme	Inquiries Received	Applications Submitted	No. of Approvals Made	Value of Approvals Made
<b>Planning Grant</b>			This is not currently capped	Response Unit regarding the Business Financial Planning Grant			
<b>LEAN Business Continuity Offer</b>	Enterprise Ireland	€2,500 grant aid	This is not currently capped	Not possible to measure as inquiries are coming from various different sources.	275	234	€585,000

Name of Support	Provider	Amount of Support Offered	Total amount allocated to COVID-19 Scheme	Inquiries Received	Applications Submitted	No. of Approvals Made	Value of Approvals Made
<b>Sustaining Enterprise Fund</b> <sup>13</sup>	Enterprise Ireland and IDA	Up to €800k repayable advance	€180m	- Based on discussion with interested parties, Enterprise Ireland has sent 130 application packs out to companies	36 applications received	6 (IC approvals today 26 <sup>th</sup> June: 5 approvals with a value of €2,200,000)	€2.92m
<b>Sustaining Enterprise Fund – Small Enterprise</b>	Enterprise Ireland	Up to €50,000 per undertaking in the form of repayable advances.	From within Sustaining Enterprise Fund of €180m	NA	9 applications	5	€225,000

<sup>13</sup> Enterprise Ireland has engaged with 4,500 companies in relation to COVID-19. For many, the first step is to obtain the Business Financial Planning Grant which assists companies to understand their immediate financial position, secure the finance required to survive and provide a framework to sustain the business. EI have to date received 618 applications for the Business Financial Planning Grant and are already actively working with 130 companies to put together applications for support under the Sustaining Enterprise Fund. Over the coming weeks and months, EI expects that many applications for Financial Planning Grants will transpire into Sustaining Enterprise Fund applications. EI actively engage and work with all applicants on a one to one basis to ensure they get the right support at the right time.



Name of Support	Provider	Amount of Support Offered	Total amount allocated to COVID-19 Scheme	Inquiries Received	Applications Submitted	No. of Approvals Made	Value of Approvals Made
<b>Sustaining Enterprise Fund – HPSU</b>	Enterprise Ireland	€50,000 per undertaking in the form of equity or convertible debt instruments	This is not currently capped	NA	25 applications received	19	€950,000
<b>E-merge</b>	Intertrade Ireland	€2500/€2800	€2.1m	N/A	280	139	€389,200
<b>Emergency Business Solutions</b>	Intertrade Ireland	€2000/€2250	€1.8m	N/A	225	145	€326,250
<b>Business Continuity Support</b>	IDA Ireland	€2,500 grant aid to a max of €29,700	€2m	35	32	32	€80,000
<b>Credit Guarantee Scheme</b>	SBCI	Guarantees up to a maximum of €150m yearly		N/A	N/A	867 since inception in 2012	€152.56m since inception in 2012
<b>COVID-19 Credit Guarantee Scheme</b>	SBCI		Guarantees of €2bn to financial	N/A	N/A	N/A	N/A





## Enterprise Ireland Supports

- **Online Retail Scheme €2m:** The objective of the Scheme is to support companies in the indigenous retail sector with a pre-existing online presence to respond to both the domestic and international consumer demand for a competitive online offer.
- **COVID-19 Business Financial Planning Grant:** Grant to provide a strategic intervention to clients to work with third party consultants to prepare a detailed financial plan with forecasts and assumptions.
- **LEAN Business Continuity Offer:** The Lean Business Continuity Voucher will support enterprises to access up to €2,500 in training or advisory services support related to the continued operation of their business during the current pandemic.
- **Sustaining Enterprise Fund:** Available to EI and IDA clients. The purpose of the fund is to sustain companies who have been impacted by a 15% or greater reduction in actual or projected turnover or profit, and/or have a significant increase in costs as a result of the COVID-19 outbreak.
- **Sustaining Enterprise Fund – Small Enterprise:** The purpose of the fund is to sustain eligible manufacturing and internationally traded services companies to provide support to companies: who have been impacted by a 15% or more reduction in actual or projected turnover or profit; and require access to liquidity to sustain business continuity.
- **Sustaining Enterprise Fund – HPSU:** Scheme is aimed at EI's HPSU companies who, due to the negative economic impact and uncertainty arising from COVID-19, are facing challenges in growing sales revenues as originally projected, require funding to execute a revised business plan and are facing challenges to securing this funding.

## Intertrade Ireland Supports

- **E-merge:** Administered by Intertrade Ireland. Consultancy support & advice to help businesses develop online sales & ecommerce solutions.
- **Emergency Business Solutions:** Administered by Intertrade Ireland. Fully funded consultancy support & advice to address key business challenges in areas such as emergency cashflow, loan applications and HR/People

## IDA Ireland Support

- **Business Continuity Support:** Open to all IDA clients, the purpose of this support is to provide consultancy and training support to client companies of IDA to manage their operations and recover their business during this pandemic. Initial support of €2,500 can be approved up to a maximum support of €29,700.