



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

## Annual Report 2008





# CONTENTS

<b>Introduction by Secretary General</b>	<b>2</b>	<b>Pillar 4: Workplace Partnership &amp; Employment Rights</b>	<b>31</b>
<b>Organisation Chart</b>	<b>4</b>	Social Partnership and Industrial Relations	31
<b>Summary of Key Activities and Achievements in 2008</b>	<b>5</b>	Employment Rights	32
		Employment Rights Compliance	34
		Occupational Health and Safety	34
		Redundancy and Insolvency Payments	35
		Cross-Departmental Issues	36
<b>Pillar 1: Investing in Knowledge and its Application</b>	<b>8</b>	<b>Pillar 5: Better Business Regulation and the Consumer</b>	<b>37</b>
Science & Technology	8	Better Regulation	37
Intellectual Property	13	Competition Policy	37
North/South	13	Consumer Policy	38
		Personal Injuries Assessment Board (PIAB)	40
<b>Pillar 2: Enterprise Development Policies in a Competitive High-Value Economy</b>	<b>14</b>	Companies	40
Competitiveness and Productivity	14	Company Law (Financial Services) Unit	40
Enterprise Policy	15	EU Legislation on Company Law	41
Tax	16	Friendly Societies and Industrial & Provident Societies (Co-Operatives)	42
Sustainability and Environmental Challenges	16	<b>Pillar 6: Delivery of Our Strategic Goals</b>	<b>43</b>
Enterprise Growth	18	Quality Customer Service	43
Foreign Direct Investment	19	Management Support	43
Entrepreneurship	20	Financial Management	44
Balanced Regional Development	21	Human Resources Management (HRM) and Training	45
International Trade	21	Information & Communications Technology	46
North/South	25	Departmental Working Environment	47
Cross-Departmental Issues	25	Openness, Transparency & Accountability	47
		Change & Modernisation	48
<b>Pillar 3: Skills Supply, Enhancement and Participation in the Workforce</b>	<b>26</b>	Decentralisation	49
Skills Enhancement	26	Data Strategy	49
Skills Supply	27		
Participation	28	<b>Appendices</b>	<b>50</b>
Review of FÁS Programmes and Expenditure	29		
Cross Cutting Issues	29		
North/South	30		

# INTRODUCTION

## BY SECRETARY GENERAL

This Annual Report for 2008 sets out the Department's achievements in the first year of implementing the new Statement of Strategy 2008-2010.

I am pleased to report that during 2008 substantial progress was made by the Department and its Agencies in delivering on the goals, strategies and objectives set out in the 2008-2010 Statement of Strategy.

In terms of supporting enterprise, substantial improvements were made to the R&D Tax Credit Scheme to support R&D investment in Ireland, while Enterprise Ireland provided support for 71 innovative high potential start-up (HPSUs) companies. In addition, the Department provided over €20m to the County and City Enterprise Board network for the development of micro-enterprises throughout the country.

On the foreign direct investment front, IDA Ireland announced 130 new investments, up 14% on the previous year, creating circa 8,800 new jobs and securing investment of circa €2 billion.

Significant funding, over €1 billion in total, was provided to FÁS to support training activities for the unemployed seeking to reskill/upskill; and for those in employment, including apprentices, to allow them to participate in employment-related upskilling.

Key developments under the Department's legislative programme during the year included the enactment of the Chemicals Bill 2008 and the publication of the Employment Law Compliance Bill 2008. Significant progress was also made on the drafting of the Companies Consolidation and Reform Bill, while work commenced on legislation to merge the National Consumer Agency and the Competition Authority, with the aim of ensuring improved co-ordination in competition and consumer protection policy areas.

From an employment rights point of view, at the start of 2008, the National Employment Rights Authority (NERA) launched a successful public awareness and media campaign. During the course of the year, NERA achieved substantial increases in the number of workplace inspections undertaken, as a result of increased resourcing of the NERA Inspectorate.

In light of the continuing pressure on the public finances, savings and increased value for money were achieved. In the second half of the year, the Department achieved savings of over €69 million on its original 2008 budget allocation of €1.9 billion. These savings were realised through setting revised expenditure targets and closely monitoring financial performance across the Department and its agencies. As regards value for money (VFM), an independent *VFM Report on Science Foundation Ireland (SFI)* Programmes concluded that SFI's funding has produced research outputs which can be measured among the highest in quality terms in the ICT and Biotechnology fields internationally. Savings were also achieved by the Personal Injuries Assessment Board (PIAB), who were responsible for processing more than 24,000 personal injury claims, with awards made totalling €217m. The estimated direct savings, when compared to the previous litigation system, are almost €50m.

As regards internal management, a new Human Resources (HR) Strategy 2008-2010 for the Department was completed in 2008. Another significant development was our participation in the first phase of the Organisational Review Programme (ORP) that was launched by the Taoiseach in 2007. The ORP Team found that the Department was well placed to deliver in the future on the goals set out in its Statement of Strategy. Nonetheless, the Department prepared an Action Plan, for implementation in 2009, to address those specific areas where further improvement could be achieved.

Finally, the Department also continued its development of eGovernment facilities to improve services to our customers. During 2008, the Patents Office online system was extended to allow customers to pay registration and grant fees online.

The achievements outlined above and also those in the main text of this Annual Report all reflect the commitment of staff in the Department, its Offices and Agencies to respond effectively to the challenges posed by our demanding agenda. Once again I would like to express my gratitude to the staff in the Department and Agencies for their dedication and professionalism.

Looking ahead, the operating environment in 2009 presents further challenges, not least driving improvements in competitiveness and future economic progress, and maintaining the direction of our strategic goals and policies at a time when the resources available to the Department will be significantly constrained. I am confident that, with the continuing commitment and cooperation of my colleagues, we will meet these challenges.

**Sean Gorman**

*Secretary General*

# ORGANISATION CHART

## Department Structure as at December 2008



## Divisions





# SUMMARY OF KEY ACTIVITIES AND ACHIEVEMENTS IN 2008

2008 was a particularly challenging year for the Irish economy. The deterioration in international economic conditions, coupled with domestic pressures, in particular the contracting construction sector, resulted in a significant contraction in economic activity. National accounts data show a decline of 2.3% in GDP in 2008, with a decline of 3.1% in GNP<sup>1</sup>. Employment decreased significantly in 2008 with the numbers employed falling by 86,900 (-4.1%) in 2008. The unemployment rate also increased from 4.5% to 7.7% in the year<sup>2</sup>.

This Annual Report sets out progress in 2008 under each of six key Pillars of the Department's endeavours. The key activities and achievements in each area are summarised below.

## Investing in Knowledge and its Application

This is a key strategy for securing Ireland's future economic growth. The significant levels of investment, €8.2bn, envisaged in the Strategy for Science, Technology and Innovation (SSTI) 2006-2013, are intended to provide the cornerstone for improving our competitiveness by enhancing our capacity to create and use knowledge. Our Annual Report highlights some of the positive results from this investment. In particular, business expenditure on Research & Development (R&D) in 2008 increased by an estimated 5.4% to €1.687b over 2007, despite difficult economic circumstances; while the level of R&D investment by IDA Ireland has almost trebled since 2004, to a total of €420m.

The commitment to supporting R&D investment by enterprises was evidenced by a number of new or improved incentives. Substantial improvements were made in the R&D Tax Credit Scheme; the 2008 Budget increased the rate of the tax credit from 20% to 25% and there are now options to achieve significant savings in the cost of carrying out R&D, either offset against tax on company profits or in the form of a cash payment from the Revenue Commissioners. Furthermore, a revised and simplified Research and Development Grant Scheme, which will make €500m available to companies

across all sectors over the remaining period of the Strategy for Science, Technology and Innovation, was launched in January 2008. The new scheme will see Enterprise Ireland and IDA Ireland streamlining their various R&D funding supports to make it as straightforward as possible for companies to get funding for their R&D projects. Enterprise Ireland committed in the region of €50m, while the IDA provided €36.75m, in support of this R&D initiative in 2008.

This financial investment was supplemented by an Enterprise Ireland initiative setting up a panel of R&D Advocates – experienced individuals who have managed R&D functions in the past and can explain the potential rewards from such investment – to provide direct personal contact and advice to individual companies. Enterprise Ireland also continued the Innovation Voucher Scheme, with companies using the vouchers to access academic expertise in a wide range of sectors, particularly in the areas of eCommerce, Digital Mechanisms and Communications Technologies. The aim of this scheme is to build links between Ireland's public knowledge providers and small businesses to assist with the development of business opportunities and solutions, and create a cultural shift in the small business community's approach to innovation. Vouchers worth €5,000 were issued to 588 small businesses in 2008. The extension of this scheme as an all-island initiative was also announced in 2008 and will help to drive innovation on both sides of the border, to the benefit of all.

## Enterprise Development Policies in a Competitive High-Value Economy

The key focus is on maintaining competitiveness and enterprise capacity throughout the economy. Our Strategy Statement acknowledged that Ireland was no longer a low-cost economy and, accordingly, many of our objectives were geared towards sophisticated, knowledge-intensive manufacturing. Nevertheless, it remains crucial to increase productivity and export potential, as the economic well-being of a small open economy like Ireland depends on our ability to be competitive in a highly-globalised, free-trading, world.

<sup>1</sup> Source: Department of Finance Monthly Economic Bulletin, April 2009

<sup>2</sup> Central Statistics Office Quarterly National Household Survey Quarter 4 2008

Sustainability issues remained to the fore and we envisage that developments in the green economy have the potential to create quality jobs in a sustainable and high growth sector. With a view to developing this potential on the island of Ireland, Forfás, at the request of the Department and in conjunction with InterTradeIreland, published a study in October 2008 *“Environmental Goods and Services Sector on the Island of Ireland, Enterprise Opportunities and Policy Implications”*. Arising from this report, further work is being undertaken in 2009 to ensure that the potential in this important economic area is exploited.

In 2008, Ireland’s export trade was, at €154bn, only 1% less than the previous year. This impressive performance by Irish exporters in the light of the global recession was facilitated by a continued focus on maximising opportunities for the sale of Irish goods and services. The Department played a pivotal role in leading trade missions to existing and emerging markets, and our Agencies’ overseas network of offices continued to provide intensive assistance to companies seeking to establish or expand export markets.

The Department, through its Agencies, provides a range of financial and professional supports to enterprises. Responding to the deteriorating environment, Enterprise Ireland redeployed resources to work intensively with companies to help them retain existing customers and to identify new markets, with a particular emphasis on key areas within the Eurozone. The agency also established specialised units to support client companies in dealing with financial restructuring and to help companies drive down costs and focus on lean processes. In addition, over €20m was provided to the CEB network for the development of micro-enterprises throughout the country. Adjusting our enterprise support programmes to reflect the new global economic realities was an important imperative in 2008 to which we remain committed in 2009.

Practical supports have been developed to facilitate links between industry and academia. For example, 52 Innovation Partnerships, involving collaborative R&D projects between college research groups and industry were supported in 2008. In addition, 10 Technology Transfer Offices supporting the transfer of intellectual property to industry from research facilitated the creation of 7 spin-out companies, the disclosure of 382 discoveries and inventions, the filing of 281 patent applications and the transfer of 61 technology licences, options and assignments to companies. The establishment of the industry-led Competence Centre Scheme resulted in the creation of 7 competence centres nationally, involving 65 companies. These centres will be resourced by highly qualified researchers associated with research institutions who are empowered to undertake market-focussed strategic R&D for the benefit of industry.

Foreign direct investment remained a key contributor to employment and output. Throughout 2008, IDA Ireland continued to strengthen its efforts to attract Foreign Direct Investment by shifting resources from to their front line operations thus improving its effectiveness in an increasingly competitive market place. A measure of their success is reflected by the fact that IDA-supported companies paid an estimated €3bn in Corporate Tax in 2007, accounting for over 50% of the total corporate tax-receipts. They also spent €15.84bn in direct expenditure within the economy.

## Skills Supply, Enhancement and Participation in the Workforce

The international economic downturn had a significant impact on employment levels throughout the year and a number of initiatives in this pillar of our strategy were introduced to assist those becoming unemployed, promote the development of human capital and ensure enterprises have the right skills available to them to grow and develop.

A total of approximately €1.076bn was allocated towards FÁS training and employment activities in 2008. The resources were invested, in particular, towards providing additional skills training for unemployed people who had lost their jobs as a result of the sharp economic downturn. This resulted in over 40,000 employment seekers embarking on FÁS training programmes. Furthermore, 204,000 training days were delivered to 32,390 participants under the FÁS Competency Development Programme for people in employment. In addition, FÁS actively engaged with 60,260 people referred to them by the Department of Social and Family Affairs for the purpose of assisting their integration into the labour market. Of this total, 33,919 left the Live Register.

On a broader level, the Department also commenced work with FÁS and the Expert Group on Future Skills Needs to ensure current labour market interventions accurately reflected the latest changes in labour and skills availabilities, with appropriate adjustments made to migration policy also.

## Workplace Partnership and Employment Rights

The Department continued to work to ensure that good industrial relations and the Department’s active engagement with the social partnership process were maintained.

This Report notes that, throughout 2008, the Department supported the Social Partnership process through engagement in national level negotiations, participation in Social Partnership structures including monitoring and reporting arrangements, bilateral contacts with the employers and trade union partners, and the development of policy initiatives and legislative commitments arising under the Social Partnership Agreement, *Towards 2016*.



The benefit of labour market stability is well recognised and the Government committed under the Towards 2016 Agreement to a series of measures to greatly increase public confidence in the system of employment law compliance. The Employment Law Compliance Bill 2008 was published in March and is designed to give effect to those commitments. The main purpose of the Bill is to strengthen employment rights compliance and ensure a level playing field between employers such that no competitive advantage is gained through denial of workers' entitlements.

Three additional rights commissioners, plus support staff, were appointed during 2008 to deal with an increase in the number of referrals to the Rights Commissioner Service of the Labour Relations Commission. Specific interventions by the Department's dispute resolution bodies allied to the overall approach to industrial relations embedded in the partnership process helped reduce the number of days lost to industrial disputes during 2008 to 4,179, the lowest since records began in 1923.

## Better Business Regulation and the Consumer

This report details the range of activities undertaken during 2008 to protect consumers and minimise the administrative burdens on industry. A national target of 25% was set in March 2008 for the reduction of administrative burdens by 2012. The Department put in place a project to measure the "red tape" cost for business arising from Company Law, Employment Law and Health & Safety Law and identify ways in which these costs can be reduced, in order to make the interaction between business and government more efficient and support other measures to enhance competitiveness.

A particular concern during 2008 was the differential in the price of a range of goods between this jurisdiction and Northern Ireland and the UK. A Forfás analysis, carried out in 2008 revealed that the extent of the additional cost of doing business in the Republic would only justify a differential of 5-6% in prices between the south and the north. Retailers, suppliers and distributors differed in their arguments on the reasons for the higher differentials, which prompted An Tánaiste to request the Competition Authority to carry out a study of the retail import/distribution sector to determine how competition is working in the sector. This report was published in June 2009 and will assist in informing the debate on ensuring competition works for the benefit of the consumer throughout the Irish economy.

The Budget 2008 announcement of the proposed merger of the National Consumer Agency and the Competition Authority is designed to help to ensure improved co-ordination in competition and consumer protection policy areas, and achieve important synergies that should ultimately serve both the consumer and business better.

The Company Law sector received significant attention during 2008. In addition to ongoing work on the Companies Consolidation and Reform Bill, further progress was made in relation to a number of European Directives, on cross-border mergers of limited liability companies, on shareholders rights, on annual accounts of certain types of companies, and an EU Regulation that will make it easier for European Small- and Medium-Sized Enterprises (SMEs) to conduct cross-border business by providing them with a European legal form based on common company law principles and adapted to the specific needs of SMEs.

## Delivery of our Strategic Goals

The frameworks established under this pillar aim at enhancing our capacity to achieve all the Department's goals, objectives and strategic actions. A review of the Department's capability to deliver for its stakeholders was carried out during 2008 as part of the Government's Organisational Review Programme. The Department published in November 2008 an Action Plan setting out 38 specific strategic actions that it will implement to improve our capacity to deliver our goals and objectives.

In parallel, the Department continued to invest in human resources, training and ICT support and skills, both to support staff in maximising their potential and to further enhance their ability to deliver the Department's goals and objectives. A new HR Strategy for 2008-2010 was developed which provides a framework for the development of a number of new HR policies, such as identifying and using appropriate workforce planning techniques, the management of underperformance and providing greater supports for the devolution of day-to-day HR management to line managers.

The foregoing is a short summary of the key achievements of the Department of Enterprise, Trade and Employment in 2008. By its nature, it presents just a snapshot of some of the progress we made during the year in implementing our overall Statement of Strategy for the years 2008-2010. A further picture of the wide range of progress made during 2008 is set out in the detailed chapters of this Annual Report that follow.

# PILLAR 1: INVESTING IN KNOWLEDGE AND ITS APPLICATION

## GOAL

TO IMPROVE OUR COMPETITIVENESS BY SIGNIFICANTLY ENHANCING OUR CAPACITY TO GENERATE, PROTECT AND USE NEW KNOWLEDGE FOR ECONOMIC AND SOCIAL GAIN.

## Science & Technology

### Objective

To lead and co-ordinate the whole-of-Government approach to implementation of the Strategy for Science, Technology and Innovation 2006-2013 (SSTI).

### Report on Strategic Actions

The Coordination and Governance system, established under the Strategy for Science, Technology and Innovation (SSTI) continued to operate effectively in 2008. The Interdepartmental Committee (IDC) for Science, Technology and Innovation (STI), which met on seven occasions in 2008, has overall responsibility for driving and monitoring the implementation of the SSTI and reporting to the Cabinet Committee on STI. In 2008, the IDC agreed a set of metrics to track and correlate the inputs, impacts, outcomes of SSTI. In addition, 2008 saw the establishment of an Enterprise Feedback Group (EFG) comprised of members representing some of Ireland's leading companies to provide a strong enterprise perspective on the direction of SSTI.

Technology Ireland (TI) membership consists of senior representatives of the Department and its industrial development agencies, as well as representation from the Higher Education Authority. During 2008, TI initiated studies in relation to commercialisation outputs, and mapping the strengths of science and technology sectors within both industry and public research. Initiatives that the forum progressed during the year included the establishment of the industry-led Competence Centre scheme, the launch

of Enterprise Innovation Networks to assist industry in sharing innovation knowledge, promotion of the R&D Tax Credit, progress on the Framework 7 Programme, Technology Transfer and issues arising with retention of fixed term contract researchers.

During 2008, the Advisory Science Council published reports on the development of a careers framework for researchers and Ireland's international engagement in STI and, in conjunction with his ongoing role in providing scientific advice to the Government on a range of issues, the Chief Scientific Advisor played a leading role in 2008 in ensuring that Dublin's bid to host the European City of Science event in 2012 was successful.



An Taoiseach, Brian Cowen, T.D., An Tánaiste and Minister for Enterprise, Trade and Employment, Mary Coughlan, T.D., Dr. Jimmy Devins, T.D., Minister for Science, Technology and Innovation, Eamonn Ryan, T.D., Minister for Communications, Energy and Natural Resources, and Batt O'Keeffe, T.D., Minister for Education and Science, at the launch of the first Report of the Strategy for Science Technology & Innovation.

## Strategy for Science Technology & Innovation

The Strategy for Science Technology & Innovation (SSTI) is central to building a Smart Economy and to economic recovery. It will drive the commercialisation of our research investment and the generation of a strong reputation for higher education and research, and quality graduates at both undergraduate and postgraduate levels. The First Report on the implementation of the SSTI was published in 2008 and indicates that significant progress has been made towards realising the objectives of the SSTI. Some of the key highlights include:

- total Research and Development (R&D) spending in Ireland has almost trebled over the last decade from a very low base. Ireland's total expenditure on R&D had risen to an estimated 1.67% of GNP by 2008
- Higher Education R&D spending has grown to reach the OECD and EU-25 average, having a significant impact in terms of human capital development, feeding through to attraction of Foreign Direct Investment (FDI) and commercialisation
- the number of SFI-funded Principal Investigators and their teams has grown from 200 in 2005 to 322 at the end of 2008, with 30% of these being attracted from overseas
- our strengthened research environment was reflected by IDA Ireland securing 56 R&D investments with a total value of €420 million, a threefold increase on the 2004 figure of €140 million
- total Business Expenditure on R&D has increased from €1,329 millions in 2005, to €1,603 millions in 2007 and to €1,687 millions (estimated)<sup>3</sup> in 2008, a 5.4% increase despite difficult economic circumstances<sup>4</sup>, and
- commercialisation activity facilitated the creation of 7 spin-out companies, the disclosure of 382 discoveries and inventions, the filing of 281 patent applications and the transfer of 61 technology licences, options and assignments to companies.

## Discover Science and Engineering

During 2008, Discover Science and Engineering (DSE) continued to implement a range of programmes designed to achieve its objective of furthering public awareness of science and the attractiveness of science as a career. Specifically, the programme, which is managed by Forfás on behalf of DETE, is working to address the declining numbers of students choosing science subjects at second and third level.

DSE initiatives funded during 2008 included:

- Discover Primary Science, a programme that facilitates teacher training in general primary science, and provides teachers with useful online resources – which can also be used by parents and students – and classroom activity packs
- Science Week, a week-long programme of events across Ireland each November which aims to make science more interesting and accessible to children and adults alike
- Greenwave, which is a mass science experiment involving primary schools across Ireland. It examines and records how spring arrives in Ireland, and
- Discover Sensors, which supports the use of sensor technology in hands-on scientific investigations by Junior Science students.

A panel of international experts reviewed the DSE Programme during 2008 and confirmed that DSE represents very good value for money, is playing an important role in encouraging young people to study science and technology and also that it is operating efficiently and with flair and efficiency, and is recognised by its stakeholders to be a success and a significant innovator in its field.

### Objective

To foster excellence in research in Ireland and to develop and sustain Ireland as a location of choice for researchers and firms seeking to conduct world-class scientific research.

## Science Foundation Ireland

Science Foundation Ireland's focus is on research excellence to enhance Ireland's human capital in strategic areas of scientific endeavour relevant to the future competitiveness of industry and enterprise. Since its establishment in 2000, the remit of SFI has been in the areas of Information and Communications Technologies (ICT) and Biotechnology. In May of 2008, its remit was expanded to include the area of Sustainable Energy and Energy Efficient technologies.

<sup>3</sup> The 2008 figure relates to expected expenditure as estimated figures were returned by enterprises before the final figures were available

<sup>4</sup> CSO/Forfás Business Expenditure on Research and Development Survey was published on 2nd July 2009

SFI continued its work in 2008 on building long-term industrial competitiveness. Key achievements in this area include:

- In total, SFI-funded projects at the end of 2008 involved partnerships with over 300 distinct companies both indigenous and multinationals.
- SFI supported a total of 2,650 researchers engaged in high quality international peer-reviewed research on SFI teams – an increase of 241 on the end of 2007 position.
- The number of SFI-funded Principal Investigators and their teams has grown from 200 in 2005 to 322 at the end of 2008, with 30% of these being attracted from overseas.
- SFI-funded PhD student places have grown from 610 in 2005 to 1,344 at the end of 2008.
- Publications by SFI-funded researchers have grown from 1,252 in 2005 to 1,730 at the end of 2007. This has helped to move Ireland above the EU average publications per million population, thus enhancing Ireland's reputation as a location for knowledge creation.

In recent years, the SFI-funded research groups have become an ever more integral part of IDA Ireland's strategy of attracting more R&D based foreign direct investment to Ireland. For example, in 2008 alone 40% of the IDA's client portfolio of awards made had a significant R&D component, which is a direct consequence of the Government's significant investment in the science arena in recent years, primarily through SFI and the Higher Education Authority.

The Value For Money Report of SFI Programmes, completed by Indecon Economic Consultants in 2008, concluded that SFI's funding has produced research outputs which can be measured among the highest in quality terms in the ICT and Biotechnology fields internationally.

### **Extension of SFI Remit in 2008**

The Programme for Government included a commitment to amend the remit of SFI to include a third research pillar, namely in the area of sustainable energy and energy efficient technologies. During 2008, agreement was reached between the Minister for Enterprise, Trade and Employment, and the Minister for Communications, Energy and Natural Resources (DCENR) on the principles and funding to be targeted through SFI in fulfilment of the Programme for Government commitment to allow it to pursue energy-related research activities.

### **Strategic Research Clusters**

During 2008, SFI approved funding for 5 new Strategic Research Clusters (SRCs) to bring the total number of SRCs to 17. These 5 new SRCs were formally launched and became operational in early 2009 and involve direct involvement of 22 industrial partners. It is through these industry-embedded research groups, which are formally linked to over 150 multinational and small to medium high-tech enterprises in Ireland, that SFI is supporting the retention of employment of over 55,000 people in high-value jobs in Ireland.

### **Centres for Science, Engineering and Technology (CSETs)**

In 2008, the new CLARITY Centre for Science, Engineering and Technology (CSETs) based at University College Dublin was launched and specialising in life-sciences. CLARITY brings the total number of CSETs located across all 7 Irish universities to nine. CSETs work in close proximity with 70 industrial partners including multi-national and indigenous companies. Three CSETs were approved for 2nd term funding in 2008: the Alimentary Pharmabiotic Centre at University College Cork, the Centre for Research for Adaptive Nanostructures and Nanodevices at Trinity College, Dublin and the Digital Enterprise Research Centre at NUI Galway. This second round of awards will forge relationships with a significant number of additional new industrial partners.

SFI outputs from these research projects will include both human capital and knowledge capital, including scientific publications, invention disclosures, patents, spin outs and established industry doing R&D in Ireland, and will encourage and embed Foreign Direct Investment in Ireland.

### **Researcher Mobility**

The Researcher Mobility "Hosting Agreement" scheme, which provides for the entry into the State of researchers from Third Countries under Council Directive 2005/71/EC, operated very successfully throughout 2008, with 430 Hosting Agreements issued to researchers, representing over 50 nationalities. A total of 16 Third Level institutes and 1 private enterprise have been accredited under the scheme up to the end of 2008. In addition, a Hosting Agreement Extranet was established to provide relevant key departments, such as Immigration authorities, Embassies and Consulates, with access to an electronic database, thus expediting immigration procedures for third country researchers.

**Objective**

To work through Enterprise Ireland to enhance the capacity of indigenous enterprise to develop innovative products and services for competitive advantage by building R&D capacity within companies, linkages with the third-level research base and commercialisation support.

**Support of Enterprise R&D and Commercialisation Activity**

In 2008, Enterprise Ireland invested €120.5m in R&D and Commercialisation activity, an increase of 16.2% over 2007, reflecting the increased drive to achieve economic benefit from the investment in research infrastructure that has taken place under the SSTI.

**R&D Fund**

The Minister for Enterprise, Trade and Employment launched the new Research and Development grant scheme in January 2008. Enterprise Ireland and IDA Ireland jointly streamlined their various R&D funding supports to make it as straight-forward as possible for companies to get funding for their R&D projects. Enterprise Ireland committed in the region of €50 million in support for company R&D activities in 2008 to facilitate more companies to undertake R&D activity – catering from novices up to R&D leaders. In 2008, Enterprise Ireland supported 110 companies to undertake 240 projects. In addition, IDA Ireland provided €36.75 million in support of R&D projects in 2008.

A key to encouraging companies, especially small companies, to start to undertake R&D or to increase their current R&D investment to over €100,000, is direct personal contact and advice. To this end, Enterprise Ireland set up a panel of R&D Advocates, experienced individuals who have managed R&D functions in the past and can explain the potential rewards from such investment. Advocates engaged with 545 client companies in the period 2006-2008; of these 111 clients engaged the Advocate for the 3-day subsidised consultancy and 72 went on to avail of further EI support, e.g. R&D, Growth or Productivity Improvement Fund, Supply Chain Management, Innovation Voucher.

**Commercialisation**

In 2008, 138 Commercialisation projects were supported by Enterprise Ireland with particular emphasis given to the final stages of support to ensure the transfer of commercial licences to companies. In the same period, outputs from Commercialisation Fund research have facilitated the creation of 29 advanced enterprise relevant technologies. To date, a portfolio of 400 pieces of technology have been created and are now available for companies to develop. A new Business Partners Programme has been established to facilitate entrepreneurs' access to this portfolio and develop new start-up companies.

**Applied Research Enhancement (ARE) Centres**

Minister Devin launched four new Applied Research Enhancement (ARE) Centres in 2008 specialising in a niche technology area in Institutes of Technology in Ireland. The centres provide applied research expertise for the benefit of regional companies to conduct R&D projects and develop new products and services. In 2008, 35 industrially relevant research projects were completed in 16 Centres based in 11 Institutes of Technology.

**Innovation Partnerships**

Innovation Partnerships involve collaborative R&D projects between college research groups and industry. In 2008, 52 Innovation Partnerships were supported in 16 academic institutions nationwide involving companies from 17 different sectors of the economy, such as Semiconductors, Medical Devices, Tourism, Pharmaceuticals, etc.

**Competence Centres**

The Competence Centre initiative was designed jointly between EI and IDA Ireland to create collaborative centres of excellence established and led by industry that are resourced by highly-qualified researchers associated with research institutions who are empowered to undertake market focussed strategic R&D for the benefit of industry.

The Tánaiste launched the Functional Foods Research Centre in 2008 to research how the natural properties of milk can be extracted and used to deliver health benefits for consumers. A total of 65 companies have become involved in establishing 7 competence centres nationally and initial research phase grants were approved in late 2008.



## Innovation Vouchers

The Innovation Voucher scheme provides vouchers worth €5,000 to small businesses whose proposals to work with public knowledge providers on specific innovation questions meet basic criteria. In 2008, applications were received from all 26 counties, with companies accessing academic expertise in a wide range of sectors, with the areas of eCommerce, Digital Mechanisms and Communications Technologies prominent. A total of 588 Innovation Vouchers worth €5,000 each were issued to Enterprises in 2008 and 206 Vouchers were redeemed by companies to develop:

- new business models
- new service delivery and customer interfaces
- new services development, and
- tailored training in innovation management.



*Dr Jimmy Devins, T.D., Minister for Science, Technology and Innovation with fellow European Ministers on the European Space Council in front of the Ariane 5 rocket at the space centre in French Guyana European space port.*

## Technology Transfer Offices

Technology Transfer Offices (TTOs) support the employment of technology transfer professionals in Third Level institutions to increase the level of intellectual property (IP) transferred to industry from research and to facilitate the development of high quality and effective systems and policies to ensure that the IP is identified, protected and transferred, where possible, into companies in Ireland.

In 2008, Enterprise Ireland supported 10 Technology Transfer Offices that facilitated the creation of 7 spin-out companies, the disclosure of 382 discoveries and inventions, the filing of 281 patent applications and the transfer of 61 technology licences, options and assignments to companies.

## Incubation Centres

The Campus Incubation Programme is a partnership approach between Enterprise Ireland and the higher education sector to promote campus entrepreneurship and to commercialise the research capability in Irish universities and institutes of technology. In 2008, the Tánaiste announced that employment in the 22 incubation centres and 6 bio-incubation centres reached 1,000 for the first time. There are now 240 companies based in campus incubators nationwide.

## R&D Tax Credit Scheme

Substantial improvements were made in the R&D Tax Credit Scheme during 2008. The 2008 Budget increased the rate of the tax credit from 20% to 25%. Companies can now achieve substantial savings in the cost of carrying out R&D, either offset against tax on company profits or in the form of a cash payment from the Revenue Commissioners. These latter provisions will be of particular assistance to pre-revenue start-up companies that are investing heavily in R&D. The R&D Tax Credit Scheme, when taken with other R&D supports, now present very attractive incentives to companies to engage in research and development.

### Objective

To promote and support the optimisation of Ireland's participation in EU and international research programmes.

## Ireland's Participation in European Framework Programme

Irish industry, third level institutions and research organisations drew down €90.5 million from the European Framework Programme 7 (FP7) to end-2008, to enable them to participate with other organisations in Europe and elsewhere in cutting edge research and to develop and intensify research and business networks. A National Support Network has been put in place to ensure that a coordinated and coherent approach is adopted across all of the Government Departments, State Agencies and other organisations involved towards achieving a national target of securing €600 million in funding for Ireland from FP7 over the duration of the programme 2007-2013.



## European Space Agency (ESA)

In 2008, Irish companies and research groups continued to develop their activities in space-related technology and product development. ESA contracts were placed with 20 Irish companies, 12 of which are Enterprise Ireland (EI) client companies. The value of contracts awarded by ESA in Ireland in 2008 is estimated at €8 million. (The approximate breakdown between industry and academia is 91% and 9%, respectively.)

## Intellectual Property

### Objective

To maintain an up-to-date suite of modern Intellectual Property legislation that protects Intellectual Property to the highest international standards, thereby fostering investment in Intellectual Property (IP) development and the employment generating potential that flows there-from.

## Intellectual Property Legislation and Services

The necessity to provide a strong protective regime for the rights of the creators of Intellectual Property (IP) is a crucial element in building a successful knowledge economy. Technology transfer and commercialisation flourish only where intellectual property rights, such as patents, trademarks and copyrights, and know-how are guaranteed and legally enforced. The Patents Office continued to service the IP community in 2008, processing 980 patent applications, clearing 5,881 Trademarks and 146 Industrial Designs. Ireland's legislative framework in Intellectual Property and in other relevant fields has helped companies here to create, protect and exploit their intellectual property assets more effectively.

## North/South

### Objective

To promote and support research collaborations for the competitive advantage of the island of Ireland, through linking the research system to centres of excellence and fostering partnerships through involvement in EU collaborative research programmes.

## Collaborative Engagements on R&D and Innovation

There was active engagement between the secretariats to the Inter-Departmental Committee (IDC) on Science and Technology and its Northern counterpart in 2008 to scope the development of collaborative North/South research projects. The North/South Innovation Fund was announced in January 2008 to support collaborative research on an all-island basis.

An all-island Innovation Voucher initiative was also announced in 2008. This development will provide Irish small companies with access to a further 10 knowledge providers based in the North, and will allow Northern Ireland based small businesses to use Invest NI innovation vouchers, valued at Stg£4,000, to access expertise in research institutions based in the South of Ireland. This scheme will help to drive innovation on both sides of the border to the benefit of all.

During 2008, Science Foundation Ireland (SFI) invited further applications under its North-South Research Partnership Supplement programme which encourages research collaborations between existing SFI funded researchers and researchers in Higher Education Institutions (HEIs) in Northern Ireland. SFI provided funding amounting to €176,000 under this programme in 2008.

In February 2009, Intertrade Ireland, the secretariat to the US-Ireland R&D Partnership, announced that a project on diabetic nephropathy will be the first project to be funded under the US-Ireland R&D Partnership initiative. The overall goal of the US-Ireland R&D Partnership is to increase the level of collaborative R&D among researchers in Ireland, Northern Ireland and the United States.

# PILLAR 2: ENTERPRISE DEVELOPMENT POLICIES IN A COMPETITIVE HIGH-VALUE ECONOMY

## GOAL

TO ENHANCE NATIONAL COMPETITIVENESS, INNOVATION AND ENTERPRISE CAPACITY ACROSS THE ECONOMY TO UNDERPIN SUSTAINABLE AND BALANCED ECONOMIC GROWTH, NEW EMPLOYMENT OPPORTUNITIES AND DYNAMIC EXPORT ACTIVITY IN BOTH PRODUCTS AND SERVICES AND TO FURTHER INITIATIVES IN THE AREA OF THE ALL-ISLAND ECONOMY.

## Competitiveness and Productivity

### Objective

To accelerate improvements in national competitiveness and productivity, so that our economy continues to be one of the best places in Europe in which to do business, by devising, promoting and/or advocating policies, across the range of Government's spheres of influence, which drive innovation and productivity improvements at national, sector and firm level, so that competitiveness benchmarks achieve, if not surpass, the standards of the most advanced economies with which we compete.

### Competitiveness Reports

During 2008, the National Competitiveness Council (NCC) published its Annual Competitiveness Report 2007, which acknowledged Ireland's continued strong economic performance at that time. The 2 volumes (the Benchmarking Report and the Competitiveness Challenge) were both presented to Government in advance of their publication. The Competitiveness Challenge called for policy action in three key areas (each containing a number of recommendations) designed to address the challenges in Ireland's international competitive performance, namely; Supporting Cost Competitiveness; Enhancing Productivity; and Building Innovative Enterprises.

The Challenge Report 2008 concentrates on four broad themes involving significant issues around restoring competitiveness, such as restoring fiscal sustainability, managing costs, achieving public sector reform and positioning Ireland for future recovery.

### Cross-Departmental Initiatives on Competitiveness

To progress the Council's recommendations, the Department continued its active participation in the Inter-Departmental Group on Housing, Infrastructure and Public Private Partnerships (PPPs). Many of the recommendations outlined in the NCC's Competitiveness Challenge 2007 and 2008 have been implemented in line with Government policy. Of particular note has been the implementation of recommendations in the context of the framework provided by:

- Enterprise Ireland's Growth Fund for Improving Management Capabilities
- Enterprise Ireland's Innovation Networks
- the Services Strategy Group Report
- the Innovation Policy Statement
- the establishment of the Procurement of Innovation Group, and
- publication of *Building Ireland's Smart Economy, A Framework for Economic Renewal*.

The Department progressed the competitiveness agenda on a cross-Government basis during 2008. Competitiveness as an overarching theme has been included in the terms of reference of the Cabinet Sub-Committee on Housing, Infrastructure and PPPs. The Department continued to highlight competitiveness issues which affect enterprise, both at this forum and also in direct bilateral contacts with relevant Departments and Agencies. This included continued awareness-raising in relation to the costs pressures on business, as well as lobbying other Departments to ensure that competitiveness concerns were taken into account in relation to policy proposals and ongoing implementation of existing policy.

The Department continued to oversee a consultation forum with the Commission for Energy Regulation (CER) and our Enterprise Development Agencies where enterprise concerns are considered in the context of the CER's energy price-setting role. The Department contributed to, and has a key role in the ongoing implementation of, the "Building Ireland's Smart Economy" strategy, which was launched by Government on 18th December 2008. This work is continuing into 2009.

### EU Competitiveness Council

A range of co-ordination work, networking, information gathering and issue-influencing was carried out with particular reference to the EU Competitiveness Council. In that regard, in collaboration with our Permanent Representation in Brussels, we continued to take an active part in EU negotiations to influence the outcomes of EU legislative and non-legislative measures. During the year, in the context of the EU Competitiveness Council, the Department focused on the following activities: Response to the global economic crisis; Intellectual Property issues; R&D Programmes; Reducing administrative burdens; Company Law and Small- and Medium-Sized Enterprise Policy.

### Lisbon Agenda National Reform Programme

A new National Reform Programme (NRP) was submitted to the EU Commission in early November 2008. The Report emphasises that Government policies will evolve in response to the economic challenges that lie ahead. The Commission published its Country Specific Recommendations for all Member States on 28 January 2009 in response to the NRPs. In Ireland's case, of Departmental relevance, the Commission calls for urgent action to rebalance growth and to rebuild competitiveness. The implementation of the energy and climate change package, agreed by the European Council, also will require close attention. The Commission recommended that Ireland should pursue the implementation of medium-term structural reforms by taking action to gradually restore fiscal sustainability and foster a swift adjustment to sustainable medium-term growth by productivity-enhancing measures.

### National Statement on Innovation Policy

The National Innovation Policy Statement, *Innovation in Ireland*, was jointly launched on 30th June 2008 by the Tánaiste, Mary Coughlan T.D., and Minister for Science, Technology and Innovation, Jimmy Devins, T.D. The Policy Statement identifies ten key policy areas that underpin the Government's approach to innovation in support of enterprise and the knowledge economy. The Policy Statement also charts the main components of our national innovation system. Our ambition is to put innovation at the core of our policies and strategies for the future, so that Ireland becomes a leader in innovation.

## Enterprise Policy

### Objective

To ensure that enterprise policy remains responsive to the changing economic environment.

### Enterprise Support

Enterprise Ireland refined its 2008-2010 strategy and refocused its efforts on strengthening and sustaining companies of strategic importance through a range of initiatives focused on the needs of their client base addressing short-term and medium to long-term issues.

In addressing these issues, Enterprise Ireland has developed a series of proposals, which deal with access to finance; winning new sales; encouraging competitiveness; continuous innovation and R&D; and development of entrepreneurship. Initiatives taken by Enterprise Ireland include:

- the acceleration of internal processes to ensure approved funding is accessed more speedily
- the establishment of a specialised unit to support client companies in dealing with financial restructuring
- the establishment of a specialised unit to help companies drive down costs and focus on lean processes, and
- the redeployment of resources to work intensively with companies to help them retain existing customers and to identify new markets with a particular emphasis on key areas within the Eurozone.

The medium-term focus of the revised strategy is to continue to drive a sound, sustainable, competitive, export-oriented indigenous sector by concentrating on technology and innovation; supporting the environment for entrepreneurial development; and continuing to assist clients to win new sales.

### Small Business

SMEs remain at the centre of enterprise policy. Actions to sustain a positive business environment, including the proper functioning of the banking system, allied with specific targeted supports for SMEs through the enterprise support agencies confirm the commitment to this important sector.

2008 saw continued progress on the implementation of the Small Business Forum Report's recommendations in the Finance Act 2008. For example:

- VAT Registration Turnover Thresholds were further increased – for the second successive year – from 1 May 2008 to €37,500 for services and to €75,000 for goods respectively.

- Small companies are now permitted to calculate their Preliminary Corporation Tax payments based on 100% of the prior-period tax liability if their tax liability for the prior period did not exceed a certain threshold. This threshold was further increased to €200,000 and is effective for preliminary tax payment dates arising after 5 December 2007.
- New companies that do not expect their tax liability for the first year of operation to exceed €150,000 are no longer obliged to pay preliminary tax in that first year. This threshold was further increased to €200,000. This was effective for preliminary tax payment dates arising after 5 December 2007.

During the second half of 2008, developments in the financial sector and wider economy broadened the concerns for SMEs in relation to gaining access to working capital. The Department held meetings with the representative bodies of the SME sector in relation to this and a number of other issues impacting on the sector, at that time.

A number of actions were taken by Government including the Bank Guarantee Scheme. In December 2008, the Department also established a Roundtable on Access to Bank Credit, which included representatives of the Irish Small and Medium-Sized Enterprises and the Small Firms Association, the Irish Banking Federation, the major banks, the main enterprise support agencies and the Department of Finance and the Department.

### Industrial Development Bill

The Industrial Development Bill 2008 was published and was enacted and signed by the President on the 19th May 2009. It updates various aspects of the Industrial Development legislation so as to facilitate the implementation of the industrial aspects of the National Development Plan 2007 to 2013.

### Services Strategy

The Services Strategy Group report, *Catching the Wave – A Services Strategy for Ireland*, was published in September 2008. The report explores how the returns to Ireland from services activities can best be maximised, and in so doing it identifies three strategic aims for future services policy in Ireland, namely:

1. realising the opportunities to further grow and diversify Irish services exports
2. encouraging internationalisation, where Irish service enterprises establish operations in overseas markets, and
3. recognising the important role of Irish service enterprises that trade locally on the domestic market, and ensuring that these are efficient and productive.

The range of recommendations covered a wide area that concerns the policies and activities of a number of Government Departments and Agencies. The Department is now analysing these recommendations and consulting with the other relevant Departments and bodies to secure their implementation.

### Report of the High Level Group on Manufacturing

The Group's final report was published in April 2008. It contains some 26 recommendations directed at key areas of innovation and productivity. The aim is to secure transformational change, reskilling and management development for the innovative firm, and to increase awareness and take up of existing supports. The social partners endorsed the report as part of the review of "Towards 2016", including the proposed establishment of a Manufacturing Forum to oversee the implementation of the report. The membership of the Forum is now being finalised.

## Tax

### Objective

To work collaboratively with other Departments and stakeholders to ensure that Ireland maintains robust fiscal and low corporate and personal tax policies to incentivise enterprise and promote employment.

### Tax Policy

The Department continued to pursue a pro-enterprise and pro-jobs tax policy, to ensure that Ireland remains an attractive location for investment for both indigenous enterprise and inward investment. In 2008, corporation tax incentives for start-up companies were introduced to encourage new business start-ups. Tax incentives were introduced to support the attraction of internationally mobile, highly skilled individuals required to enhance the development of our knowledge economy. Major improvements were also introduced to the R&D tax credit to encourage and support business R&D activity (see also page 12). Significant proposals are being examined on the introduction of tax deductions for intellectual property.

## Sustainability and Environmental Challenges

### Objective

To ensure that environment policy takes into account competitiveness challenges and that enterprise policy has a greater focus on "eco-innovation" and assists Irish businesses to exploit the increasing opportunities arising from the fast growing international environmental goods and services sector.

## Climate Change

On the 17th December 2008, the European Council and the European Parliament agreed a climate change and energy package based on proposals brought forward by the EU Commission in January 2008. In line with the Commission's proposals, agreement was reached on legally binding targets, by 2020, to cut greenhouse gas emissions by 20%, to establish a 20% share for renewable energy, and to improve energy efficiency by 20%. Under the Package, Ireland's target has been set at a 20% reduction of Greenhouse Gases below 2005 levels by 2020.

During 2008, the Department participated in very intensive cross-Departmental negotiations to agree a national position on the climate change proposals contained in the EU Climate and Energy Package. Through participation in the Senior Officials Group on Climate Change and Energy Security and associated groups involved in these negotiations, the Department contributed to the adoption of a national position which sought to ensure that the effort sharing and emissions trading targets set out in the Package were fair and would not impact negatively on Ireland's competitiveness in comparison to other Member States. In the negotiations at EU level, Ireland was broadly successful in achieving its objectives and the final Package contains a number of flexibilities to allow Ireland to meet its target in the most cost effective manner and takes account of the need to avoid carbon leakage in energy intensive sectors exposed to international competition.



*Dr. Jimmy Devins, T.D., Minister for Science, Technology and Innovation, Paul Maher, Director, MicroPro Computers, Dr Martin Lyes, Manager, Research & Innovation, Enterprise Ireland, admire the world's first eco-computer.*

## Energy-Using Products

In relation to promoting eco-design of energy using products, implementation of the "EuP" or "Eco-design" Directive is now under way. The overall objective of the Directive is to improve the environmental performance of energy-using products, thereby protecting the environment. The framework in the Directive is used to adopt Commission Regulations for individual products, each setting out eco-design requirements, usually upper limits on energy consumption, to be incorporated into the product at the design stage. The requirements apply to energy-using products, such as televisions, water heaters and light bulbs, produced in Ireland or elsewhere in the world, when put on the market in Ireland or elsewhere in the EU/EEA Market. Accordingly, industry in Ireland will have to ensure that its products for sale in the Internal Market comply with any relevant eco-design requirements set under the Directive.

The Department of Enterprise, Trade and Employment co-ordinates the national position on Eco-design proposals, involving close consultation with industry and an inter-Departmental Group involving the Department of Environment, Heritage and Local Government, the Department of Communications, Energy and Natural Resources and relevant agencies of the three Departments. The Department of Enterprise, Trade and Employment also represents Ireland on the Regulatory Committee which votes on proposed Commission Regulations. During 2008, five Regulations received a favourable opinion at Regulatory Committee and are expected to come into effect in the first half of 2009 following approval by the European Parliament and the European Council. These Regulations relate to products such as standby and off-mode controls, tertiary lighting and external power supplies, simple set-top boxes and domestic lighting. It is expected that Regulations will continue to be adopted for the foreseeable future. About thirty products are currently listed to become subject to a Regulation, and this list will expand further over time.

## Exploiting Opportunities in Eco-Innovation

In relation to the environmental goods and services sector, this Department worked with Forfás and InterTradeIreland to publish a study on Environmental Goods and Services Sector on the Island of Ireland, in October 2008. In *Building Ireland's Smart Economy, a Framework for Sustainable Economic Renewal*, the Government announced its intention to establish a High Level Action Group on Green Enterprise to build on the work carried out in this study. This Group is being established by the Tánaiste and will report with an Action Plan to ensure the potential of this important economic area is exploited and to assist Irish businesses to benefit from the increasing opportunities arising from the fast-growing international environmental goods and services sector.



## Implementation of National and EU Measures

In 2008, the Department continued to fund and work with Enterprise Ireland in implementing a range of initiatives designed to improve the environmental performance of Irish industry, e.g., the Green Tech Support Programme and the Environcentre website at: [www.envirocentre.ie](http://www.envirocentre.ie).

Together with the Department of Environment, Heritage & Local Government, the Department continued implementation of the Irish National Roadmap under the EU Environmental Technologies Action Plan (ETAP). ETAP is a joint initiative between the Environment and Research Directorates of the European Commission, which aims to improve the development and wider use of environmental technologies by harnessing the synergies between environmental protection and economic growth. The EU Commission will be reviewing this Action Plan in 2009.

The Department participated in a number of Interdepartmental groups in the renewable energy arena, which were established in 2008 by the Department of Communications, Energy and Natural Resources. The Department's participation in these various groups ensures our dual mandate of ensuring that the policies involved take into account competitiveness issues and that Irish business can exploit opportunities in the environmental goods and services sector is met.

The Department continued to participate in the Sustainable Transport and Travel Interdepartmental Group established by the Department of Transport during 2008. This exercise ultimately culminated in the publication of Government Policy on Smarter Travel in 2009. The work of this Group will continue in 2009.

## Enterprise Growth

### Objective

To support enterprises to realise their growth potential.

### Growth Promotion Initiatives

Enterprise Ireland's Growth Fund is geared specifically towards increasing productivity and export potential thus consolidating existing and capitalising on emerging growth. The agency's Going Global Fund also capitalises on emerging growth by focussing on locally traded companies that have successfully established businesses in Ireland and wish to explore opportunities to sell abroad. It prioritises internationally traded services by offering supports to ambitious locally traded services firms, providing the confidence to offer their quality services in global markets.

Enterprise Ireland's Leadership 4 Growth initiative has been designed to target CEOs of Irish construction companies who want to lead their company to global success. It also facilitates professional contacts in construction and related industries through its international offices network.

During 2008, Enterprise Ireland continued to work with clients to support innovative high potential start-up (HPSUs) companies and 71 new high export growth potential companies were established. These were in sectors as diverse as life sciences, medical devices, software, services and food.

Targets for the number of companies implementing productivity and competitiveness improvement projects were exceeded in 2008, with 84 companies implementing these projects, against a target of 60.

Enterprise Ireland continued to play a key role in driving an increase in the number of companies spending on research and development, with 49 companies engaged in 'significant' R&D (spending over €2m on R&D a year) and 707 clients engaged in 'meaningful' R&D (spending over €100,000 a year), by the end of 2008.

A critical element in expansion, consolidation and rapid growth is the availability of venture capital. Under the 2007-2013 NDP, Enterprise Ireland has committed €175m towards new Seed & Venture Capital Funds in partnership with the private sector. As a result, approximately €500m has now been raised for investment in high-tech Irish SMEs.

The Enterprise Ireland Strategy 2008-2010 aims to stimulate and increase the services revenues of existing client companies that will be critical in the medium to long-term positioning of Irish companies in global markets.

### Tech-Check Programme

The Small Business Forum had recommended that a programme of "ICT audits" should be introduced for the small business sector to promote awareness of the productivity benefits of better utilisation of ICTs by small businesses. Arising out of this recommendation the County Enterprise Boards (CEBs) developed the "Tech-Check Programme" in 2007. The Programme offered a highly subsidised technology check-up by independent experts to small business to help them to identify ways to boost their productivity and profitability through the better use of technology. The Tech-Check Programme continued to be funded by the Department of Enterprise, Trade and Employment in 2008 and delivered nationally by the CEBs. Over 800 applications were approved and funded to a total of €740,311 in 2008.



### Micro-Enterprise Central Coordination Unit

In late 2007, a Central Coordination Unit was established within Enterprise Ireland to provide a range of strategic, administrative, financial and technical supports to the County Enterprise Boards with the ultimate objective of enhancing the effectiveness and impact of the Boards on the development of micro-enterprises and of contributing to a greater level of consistency and best practice across the CEB network as a whole. The Unit, which is located in Shannon, became fully operational in 2008. The establishment of this Unit by the Department provides a greater cohesion between the activities of the County Enterprise Boards and Enterprise Ireland at micro-enterprise level as well as allowing the Department to better focus on strategic policy development in respect of the micro-enterprise sector.

### Development of Standards

The National Standards Authority of Ireland (NSAI) contributed to the ability of enterprises to develop products and services having a national and international dimension, through the effective provision of services of the highest quality in the areas of Standards, Legal Metrology, Agrément<sup>5</sup>, Certification and Scientific and Industrial Metrology.

The NSAI continued to develop Irish, European and International standards of relevance to industry, through the participation in standards committees at national, EU and international level. In 2008, the NSAI adopted 1,564 EU Standards into Irish standards. It also contributed to the development of European and International standards across a range of sectors through NSAI's consultative structure.

In particular, the Department and the NSAI contributed to the adoption of EU "Council Conclusions on Standardisation and Innovation" at the Competitiveness Council meeting on 1 September 2008, which will help increase the impact of Europe in global standardisation, facilitate the inclusion of new knowledge in standards and improve access to standardisation, in particular to SMEs. Standards are also being considered in new areas where little standardisation exists, such as the Services sector.

### Foreign Direct Investment

#### Objective

To continue to attract high quality Foreign Direct Investment (FDI) projects to Ireland and more firmly embed existing companies in the Irish economy



*The Tánaiste and Minister for Enterprise, Trade and Employment, Ms. Mary Coughlan, T.D., met with staff from Eli Lilly's Kinsale facility on secondment at the company's corporate headquarters in Indianapolis, Indiana, during her week-long foreign direct investment trade mission to the United States.*

### Foreign Direct Investment

Foreign direct investment (FDI) is a key component of Ireland's economic success and IDA Ireland will continue to develop new value propositions and work processes that will reflect Ireland's competitive advantages in an increasingly competitive market place.

IDA Ireland provides a range of financial incentives to support capital, employment, training and Research, Development and Innovation (RD&I) activity as well as advice, facilitation and property services to prospective and existing clients in an effort to grow the FDI space. In 2008, the IDA announced 130 new investments, up 14% on the previous year, creating circa 8,800 new jobs and securing investment of circa €2 billion.

In 2008, IDA-supported companies paid an estimated €3bn in Corporate Tax, accounting for over 50% of the total corporate tax take in 2008. They also spent €15.84bn in direct expenditure within the economy, comprised of €6.784bn on payroll, €6.56bn on Irish services and €2.496bn on materials from Irish sources.

The IDA has developed a strong base of circa 1,000 existing clients, employing 136,000 persons, which make a significant contribution to the wealth generation and development of the Irish Economy. IDA Ireland is working with its existing client base to deepen and further embed their investments in Ireland.

<sup>5</sup> The Irish Agrément Board (IAB) acts as a Consultative Committee to advise NSAI on construction products and processes suitable for Agrément assessment and certification for use in Ireland

Ireland is now seen by the global business environment as a prime location for RD&I functions. The IDA has played a key role in establishing this competitive advantage for Ireland and is heavily involved with all stakeholders in the RD&I domain.

The Agency will continue to target high value investments in keeping with the strategy outlined in the recent framework document for sustainable economic renewal, *Building Ireland's Smart Economy*. Also, in collaboration with its sister agencies, Enterprise Ireland and Science Foundation Ireland, the IDA will be marketing Ireland as the 'Innovation Island' and the location for businesses of the future.

To this end, the IDA focus is on the four essential ingredients which investors concentrate on, namely: the right people and skills, a supportive environment and infrastructure, locations of critical mass and a positive and forward looking attitude, as the basis for the continued development of the economy.

The IDA's main efforts are on securing investment from new and existing clients in the areas of High End Manufacturing, Global Services (including Financial Services) and Research, Development and Innovation. Within these areas, the key sectors that the IDA focuses on are Life Sciences (Pharmaceutical, Biopharmaceutical and Medical Technologies), Information Communications Technology (ICT), Engineering, Professional Services, Digital Media, Consumer Brands and International Services.

In pursuit of emerging areas, the IDA is now targeting three new sectors, namely: convergence (particularly convergence in technology between the life sciences and the IT sector), clean-tech (environment, environmental services and goods, the green agenda, etc), and innovation and services. The Agency is also strengthening its technical expertise in the area of International Financial Services and has a clear and strong focus on this sector.

## Entrepreneurship

### Objective

To promote the development of a strong entrepreneurial culture, such that Ireland is recognised for the innovative quality of its entrepreneurs and acknowledged by entrepreneurs as a world-class environment in which to start and grow a business.

## Entrepreneurial Supports

The focus on High Potential Start-Ups by Enterprise Ireland ensures that the potential of new export-oriented enterprises is developed and their rapid growth is maximised. In addition to these supports, the County and City Enterprise Boards (CEBs) also provide support for the micro-enterprise sector in the start-up and expansion phases, to promote and develop indigenous micro-enterprise potential and to stimulate economic activity and entrepreneurship at local level.

During 2008, the Department facilitated the delivery of a range of supports to the micro-enterprise sector through the provision of over €20m to the CEB network for the development of micro-enterprises throughout the Country. The total net jobs created in CEB-assisted companies for the period 1993 to end 2008 was 33,811 jobs.

In 2008, the CEBs provided direct financial assistance in the form of Capital Grants, Employment Grants and Feasibility Study Grants, and non-financial assistance in the form of business advice, business information and management capability training and development programmes, to the micro-enterprise sector. A total of 959 projects were approved for direct financial assistance from the CEBs, while a total of 886 projects received grant aid in 2008. In addition, almost 22,000 people participated on the various Management Training and Capability Development Programmes offered by the CEBs in 2008.

Furthermore, the CEBs continued to actively promote an entrepreneurial culture through their National Enterprise Awards scheme. They also targeted the promotion of female entrepreneurship through their Women in Business networks and their National Women's Enterprise Day. In addition, over 12,000 second-level students participated in the 2008 annual Student Enterprise Awards Scheme. This Scheme is very important in fostering a spirit of entrepreneurship amongst pupils.

A detailed review of the range of the financial supports available from the CEBs to that sector was initiated in 2008 in conjunction with the CEBs and the CEB Central Coordination Unit within Enterprise Ireland. The purpose of the review is to ensure that the supports available are in line with the needs and demands of the micro-enterprise sector. It is expected that changes to these supports will be brought into force in 2009.

## Balanced Regional Development

### *Objective*

To ensure that Ireland achieves balanced regional economic growth.

### **Regional Balance**

The priority for the IDA remains the winning of high quality investment for Ireland. However, to achieve this objective and deliver balanced regional development, a greater emphasis will be placed on selling specific priority regions for designated activities along the entire marketing/promotion chain and on anchoring a greater number of site visits in those regions.

The IDA is, in line with the National Spatial Strategy, focused on delivering investments to the Gateway and Hub locations nationally, and specifically those in the Border, Midlands and West region. This strategy involves matching investor requirements with the competencies, infrastructure and critical mass of the Gateway and Hub locations to secure the maximum number of investment for Ireland. The key sectors of focus are Life Sciences, Information and Communications Technologies, Cleantech and high value Services activities.

Taking account of the locational requirements of these sectors and the critical importance of centres of urban scale in attracting the high-value investments, in recent years the IDA has set a high level target to deliver in excess of 60% of investments outside the Greater Dublin Area. This target was achieved in 2008.

A number of other State Agencies contribute greatly towards balanced regional development through their programmes and their location. Enterprise Ireland (EI) is present in ten locations throughout the country and has established its Regional Headquarters at Westpark in Shannon. At present, 70% of Enterprise Ireland client employment is in locations outside Dublin and its Community Enterprise Centre (CEC) Scheme provides business space in a supportive environment for budding entrepreneurs and is a tangible and visible contribution to regional development.

There is also a County and City Enterprise Board (CEB) in each Local Authority area to provide assistance to businesses in local communities. As well as working closely with their relevant local authorities and other development agencies, the CEBs are active participants on the County Development Boards of their relevant Local Authority. This structure of cross-representation creates a platform for the delivery of enterprise supports at the local and regional level in an integrated and effective manner and, in these ways, the CEBs are making a significant contribution to ensuring balanced regional development.

## International Trade

### *Objective*

To review as necessary the current National Trade Policy Statement in the light of global and regional developments.

### **Trade Policy**

The Department will continue to develop Irish trade policy in the framework of the European Union and the Organisation for Economic Cooperation and Development (OECD). We participate in the OECD Investment Committee and an EU programme to assist certain countries in Central and Eastern Europe, namely, the Instrument for Pre-Accession Assistance (IPA – formerly PHARE).

Having particular regard to the central importance of establishing Ireland's regulatory and ethical reputation, this Department has adopted a pro-active approach in relation to investment policy, including through the aegis of the OECD.

The Department, in conjunction with other Departments and bodies, has initiated a comprehensive programme to ensure implementation of the 1997 OECD Convention on Combating Bribery of Foreign Officials. The Convention is aimed at reducing corruption in developing countries by encouraging sanctions against bribery in international business transactions carried out by companies based in the convention member countries. Its goal is to create a level playing field in today's international business environment. Ireland ratified the convention in September 2003. Countries that signed the convention are required to put in place legislation that criminalises the act of bribing a foreign public official and a comprehensive range of awareness-raising activities in relation to the public and private sectors.

The Bilateral Trade Unit in the Department also serves as the locus for the OECD's alternative dispute resolution mechanism – the National Contact Point (NCP) for OECD Guidelines on Multinational Enterprises. The NCP is currently mediating the Shell/Corrib Gas dispute.

**Objective**

To maximise the benefits to Ireland's interests of the EU and World Trade Organisation trade systems.

**Doha Development Agenda**

Negotiations in the World Trade Organisation on the Doha Development Agenda (DDA) continued throughout 2008. In July, the WTO convened a Ministerial meeting to review progress and agree a framework for an agreement, and the Tánaiste led an Interdepartmental delegation to represent Irish interests at that Ministerial meeting. Although no agreement was reached in 2008, talks have continued. The negotiations cover a range of subjects, in particular:

- trade in agricultural goods
- non-agricultural market access (industrialised goods)
- trade in services
- trade facilitation (simplified customs procedures), and
- trade and the environment.

Alongside the DDA talks, we continued to participate and represent Irish interests in the development of all other aspects of the EU's trade policy. In particular, the Department worked to ensure that Ireland's strategic trade interests were reflected in the EU's negotiations with third countries for Free Trade Agreements. All this was done in consultation with other relevant Departments, Agencies and interested parties.

**Objective**

To facilitate Irish exporters in achieving maximum export sales for their products.

**International Trade Missions**

The Department's Ministers led 14 separate trade missions abroad in the course of 2008. These were organised in conjunction with Enterprise Ireland and included participation in a trade mission with the Taoiseach to South Africa, seven trade missions to countries in Europe and also missions to other countries including Saudi Arabia, the United Arab Emirates, India, Brazil, Mexico, China and the USA.

These trade missions facilitated Irish companies in initiating or developing relationships with current and potential partners in the various targeted markets, strengthening relationships with key contacts in those markets and raising the profile of Ireland as a source of quality, innovative goods and services. The range of markets chosen reflects both the need to provide support in important established markets, and to assist

companies to further develop their export potential and to diversify by accessing emerging markets, particularly those in Eastern Europe and in Asia. In addition to these trade missions, Enterprise Ireland has an overseas network of 32 offices in traditional and emerging markets that provide intensive assistance to companies seeking to establish or expand exports.



James Murphy, Managing Director, Lifes2Good; John McGuinness, T.D., Minister for Trade and Commerce; Osvaldo Federico Junior, Import Medic, Brazil; Cristiano Federico, Import Medic, Brazil and Frank Ryan, Chief Executive Officer, Enterprise Ireland at a trade mission in Brazil.

**Joint Economic Commissions**

In 2008, the second session of the Republic of South Korea/Ireland Joint Economic Commission (JEC) and the tenth session of the China/Ireland JEC were held in Dublin. Progress was made on a range of trade-related issues. The Department has established JECs with four countries – Saudi Arabia, China, Russia and the Republic of South Korea. JECs are formal Bilateral Inter-Governmental fora set up to deal with trade development in all its aspects, mercantile and services. Their role is to further the development of economic and business cooperation, including scientific and technological cooperation and to provide a forum for discussing issues of mutual interest and concern to both Ireland and the other countries. In addition, the Department administers a Joint Economic Commission Fund, which promotes trade initiatives with these countries.

**Trade Data**

The latest Central Statistics Office data for the full year shows the value of total exports in 2008 as €154bn, which is a reduction of less than 1% on the figure for 2007. This virtually identical year-on-year performance was very impressive when

account is taken of both the global economic recession and the exchange rate difficulties between the Euro and both the US Dollar and Pound Sterling, as the US and UK are our two largest single export markets.

The Export Credit Insurance Scheme, which was administered by the Department in former years, was suspended in 1998. Some debt owing to the State remained outstanding and had previously been considered unrecoverable. However, the Department has actively undertaken recoupment initiatives in recent years with considerable success. A total of €6.3m has been recovered since 2004 with €19,000 recovered during 2008.

### **Objective**

To enhance Ireland's trading footprint in emerging markets.

### **Emerging Markets**

In addition to the outward Trade Missions, the Department facilitated a number of inward visits with foreign Ministers, delegations, Ambassadors and officials from high growth markets, including Saudi Arabia, China and India. These inward visits are a crucial factor in further developing bilateral economic relationships, thereby contributing to sustained and expanded levels of trade. These bilateral engagements also highlight key areas where exporters can seek market development opportunities through Free Trade Agreements that the EU is negotiating with important trading partners.

The second phase of the Asia Strategy, for the period 2005-2009, set targets and priorities to expand trade and economic links with the key Asian economies. Most of the key targets have already been met or exceeded by the end of 2008, one year ahead of the deadline. Trade with the priority countries has more than doubled to over €10bn; a total of 233 Irish companies have established a presence in the priority countries; there has been a significant increase in the sale of Irish education services, with a series of educational events organised throughout the region. In addition, there has been a noteworthy increase in food and drink exports to Asian countries. During 2008, Enterprise Ireland organised a wide range of trade events to promote exports to the region.

In response to changing patterns of global trade in recent years, in addition to Asia, considerable effort was made during the year to develop new markets in high-growth countries such as the key Gulf States, South America and Russia.

### **Objective**

To contribute to the creation of a fully functioning EU Internal Market, through, among other things, the development of a single market in services, the development of administrative cooperation mechanisms between EU Member States and the timely transposition of EU Directives.

### **Services Directive**

The Directive on services in the internal market (2006/123/EC)<sup>6</sup> is intended to create a genuine "single market" for commercial services and is a key provision of the Lisbon agenda. The Directive contains important provisions on administrative co-operation between Member States, provisions that are intended to generate trust and confidence between them, as well as giving consumers and service providers the confidence to engage in cross-border transactions. It also contains important provisions on consumer protection. Benefits to Ireland will arise from the opening of European markets to Irish service providers. Potential growth sectors include private education, intellectual property, international sales and marketing, supply chain management and professional and consultancy services.

Work on transposing the Directive, which must be finalised before 28 December 2009, began in 2007 and continued in 2008. The Department, along with all Government Departments, began a screening exercise in 2008 to ensure that our existing legislation/rules covering services that come within the scope of the Directive comply with the Directive. Any legislative changes that have to be made to bring existing legislation/rules into line with the Directive must be made before the transposition deadline. The Department also began work in 2008 on a Regulatory Impact Analysis of the Directive and on a Consultation Document regarding the method of transposing the Directive.

At EU level, the Commission-chaired Expert Group continued to meet in 2008 to discuss technical issues relating to the transposition of the Directive and to provide assistance to the Member States. The Department attended the 13 meetings of the Expert Group in Brussels, as well as hosting a bilateral meeting with the Commission in Dublin.



## Impact of Internal Market on Ireland

As part of its background work during the European Commission's review of the Internal (or Single) Market (published in November 2007<sup>7</sup>), the Department commissioned Forfás to undertake a study of the impact of the Single Market on Ireland, which was published in January 2008. The study<sup>8</sup>, which was the first comprehensive look at the impact of the Internal Market from an Irish perspective, identified the extent to which Ireland had benefited from it, analysed where barriers to further integration remained and identified what Ireland's priorities should be. It tested some of the assumptions about the Internal Market against the experiences of Irish businesses and consumers.

The study confirmed that the Internal Market had been important both for the growth and diversification of Irish trade and in terms of enhancing the attractiveness of Ireland for foreign direct investment. It identified further potential as regards countries with which our trade might be intensified. It also identified some practical blockages that companies face in trying to break into European markets, including issues relating to: late payments/debt collection; different advertising rules across the Member States; inconsistency in the interpretation of legislation; and the present system for charging VAT in cross-border transactions. The study concluded that the single market had delivered real benefits for consumers, in terms of the range and quality of the goods and services available, and had made it easier for Irish consumers to purchase goods from other Member States. It also concluded, however, that Irish consumers continued to pay higher prices than many of their EU counterparts for some essential goods and services. The Review will serve as a basis for Ireland's position in the ongoing development of the Internal Market.

## EU Administrative Cooperation Mechanisms

### SOLVIT

In 2008, the Department worked with other Government Departments and stakeholders, and with the European Commission and the other Member States, to ensure that the internal market rights of individual consumers and businesses are vindicated through the use of EU administrative cooperation mechanisms, such as SOLVIT and the Internal Market Information System.

SOLVIT targets cases of misapplication of EU Internal Market law by public authorities in the Member States. There is a SOLVIT Centre in each of the EU Member States and in each State of the European Economic Area. In 2008, the Irish SOLVIT Centre dealt with 97 cases, up from 76 cases in 2007. Of these, 13 were initiated by the Irish SOLVIT Centre and 84 by other SOLVIT Centres.

### Internal Market Information System

The Internal Market Unit of the Department is also the national coordinator for the roll-out of the Internal Market Information (IMI) System in Ireland. During 2008, a pilot project dealing with the administrative cooperation provisions of Directive 2005/36/EC on the recognition of professional qualifications was successfully completed. The pilot project dealt with four professions – pharmacists, doctors, physiotherapists and accountants. More professions have since been added to the professional qualifications area of IMI.

### TAIEX

The (Technical Assistance and Information Exchange) Office of the European Commission provides institution-building support in all areas of EU legislation with a view to supporting the alignment, application and enforcement of the legislation in the new Member States, the Candidate Countries, the Western Balkans, the Turkish Cypriot Community in the northern part of Cyprus and the countries associated with the EU through the European Neighbourhood Policy.

Experts from the public sector in the Member States provide TAIEX assistance, on request. TAIEX has a national contact point in each Member State; in Ireland, it is the Department of Enterprise, Trade and Employment. During 2008, 43 requests were received by Ireland from the Commission on behalf of a number of Member States, Candidate States and other countries associated with the EU covering a wide variety of areas, including education, environment, finance, health and road safety.

## Transposition of Directives

Ireland achieved a transposition deficit rating for Internal Market Directives of 1% in the Internal Market Scoreboard for July 2008 and 0.9% for December 2008. (A deficit rating of 1% means that 99% of Directives were transposed by the due date). The Department successfully transposed eleven Directives into domestic law during the year. Overall, there are currently eight Directives awaiting transposition in the period up to 2012.

<sup>7</sup> [http://ec.europa.eu/citizens\\_agenda/index\\_en.htm](http://ec.europa.eu/citizens_agenda/index_en.htm)

<sup>8</sup> *Review of the Single Market (Forfás, January 2008)*



**Objective**

To support international peace and security by controlling the export of strategic goods.

**Control of Exports**

The Control of Exports Act 2008 was enacted in February 2008. Among the main features of the Act is the introduction of licensing arrangements for controls on arms brokering and on technical assistance activities such as repair, maintenance and development and on the transfer of technology by electronic means. The Act also provides for substantially increased fines of up to €10 million and enhanced inspection and audit powers for authorised officers.

In the course of 2008, development work on the introduction of an on-line export licence application system (OELAS) was completed. The system went live in January 2009.

**National and International Dimension**

In order to ensure a robust and effective Irish export control system, the Department participated in meetings of EU Working Groups which shape EU export control policy and regulation. The Department also participated in meetings of international export control regimes, in particular the Wassenaar Arrangement.

In 2008, the Department engaged in a range of meetings with both industry representative groups and individual companies, providing information and assistance on Irish export control legislation.

**North/South****Objective**

To promote a favourable environment that optimises the benefits of the all-island economy for enterprises through North/South collaboration particularly in the areas of trade and business development.

**North/South Trade Study**

A number of areas were identified in the publication, *Comprehensive Study on the All-Island Economy*, where co-ordinated North South policy intervention would prove beneficial. Specifically, the study identified the development of the Knowledge Economy, Research and Development, and co-operation on trade and investment promotion. This Department will continue to implement those actions in the *Comprehensive Study on the All-Island Economy*, which fall within its remit.

**InterTradelreland**

The Department co-funds InterTradelreland, one of the six North/South Implementation Bodies established by the Good Friday Agreement. During 2008, the North South Ministerial Council, in its Trade and Business Development format, approved InterTradelreland's Corporate Plan 2008-2010. The Corporate Plan is based on the principle that there are mutual benefits to be gained though Ireland and Northern Ireland co-operating to optimise the island's economic resources.

InterTradelreland's strategic objectives over the lifetime of the plan are to generate business value through its North/South business programmes and to help improve the competitive environment on the island through co-operative policy research, reports and networks. The Department facilitated the ongoing work of InterTradelreland during 2008. During the year, a total of 590 companies participated in InterTradelreland business programmes and more than a further 2,000 benefited from its information and advisory services. Participating companies reported business value in excess of €65m, with more than 120 new jobs created.

InterTradelreland's business and economic research publications in 2008 include a *Quarterly Business Monitor*, *Freight Transport for the Island Economy 2020*, *Environmental Goods & Services Sector on the Island of Ireland*, *Design Services Sector on the Island of Ireland*, *Mapping Research and Technological Development Centres on the Island of Ireland*, and the *Simple Guide to Cross-Border Business*.

**North-West Gateway Initiative**

The Department and its agencies continued with their contribution to the ongoing work of the North-West Gateway Initiative, a joint cross-border strategy which involves a broad range of actions, including skills and enterprise development, to maximise the potential of the North-West region.

**Cross-Departmental Issues****Objective**

To work in a co-ordinated cross-Departmental, cross-Government and cross-Agency manner to meet our Competitiveness and Enterprise objectives as outlined in this Statement of Strategy.

The Department consistently works on a cross-Departmental, cross-Government and cross-Agency basis, both formally and informally, as is indicated throughout this Chapter.

# PILLAR 3: SKILLS SUPPLY, ENHANCEMENT AND PARTICIPATION IN THE WORKFORCE

## GOAL

TO PURSUE LABOUR MARKET POLICIES WHICH SUPPORT ENTERPRISE DEVELOPMENT AND PROMOTE THE DEVELOPMENT OF HUMAN CAPITAL BY IMPROVING THE SKILL LEVELS OF THE WORKFORCE, THEREBY FACILITATING INCREASED PARTICIPATION IN AND ACCESS TO EMPLOYMENT.

## Skills Enhancement

### Objective

To improve the skill levels of the workforce by striving to meet the Forfás Expert Group for Future Skills Needs' "National Skills Strategy" Report objectives.

### Training and Labour Market Priorities

The Department contributes to identifying and developing responses to training and labour market priorities, notably through its input to the formulation of the FÁS Statement of Strategy 2006-2009. In response to the sharp economic downturn and the resulting rise in unemployment, the training, upskilling and reskilling of the country's workforce in highly relevant labour market sectors has become a key focus.

A total of approximately €1.076 billion was allocated towards FÁS training and employment activities in 2008. This represented a funding increase of approximately 2.8% when compared with 2007. The resources were invested, in particular, towards providing additional skills training for unemployed people who had lost their jobs as a direct result of the sharp economic downturn. Investment also continued into upskilling those in employment through the delivery of company-specific training needs to workers at all levels to ensure that the Irish workforce is well placed to take advantage in the marketplace when the economic upturn arrives. Resources were also invested in the provision of training programmes designed to assist the long-term unemployed, socially excluded, and

women in gaining access to the labour market and to improve their prospects of obtaining or returning to employment. Over 40,000 people seeking employment embarked on FÁS training programmes during 2008, including more than 18,000 apprentices who completed a phase of off-the-job training.

### Training for People in Employment

The Department continued to provide learning opportunities to people in the workforce. In 2008, the Department provided over €191 million in training activities for those in employment, including apprentices, to allow them to participate in employment-related upskilling.

In 2008, FÁS spent over €36 million on training for people in employment. This allocation allowed for some 204,000 training days to be delivered to 32,390 participants under the FÁS Competency Development Programme. In addition, FÁS facilitated the provision of training in literacy and numeracy to almost 1,000 trainees under the Workplace Basic Education Fund, funded by the Department.

Two new FÁS Strategic Alliance Initiatives were rolled out – the first was in the area of training low skilled/low qualified workers, while the second will focus on small and medium sized enterprise (SME) management development training.

The Skillnets Training Networks Programme (TNP) received €26m from the National Training Fund. This allocation, augmented by matching funds from participating private sector companies, allowed the TNP to support record levels of training for the employed with 256,858 training days being delivered to 57,863 participants across 123 networks. In addition, the final phase of the Skillnets ACCEL programme to accelerate in-company skills development was completed in 2008 with over 29,300 trainees and 131,500 training days delivered over the 3-year duration of the programme.

## Apprenticeship Training

The budget for the FÁS Apprenticeship programme was €126,842 in 2008. Over 1,280,000 training days were provided to apprentices in the course of the year. The downturn in construction led to an increase in the number of redundant apprentices. The Department, in conjunction with FÁS, developed a range of measures, to be rolled out in 2009, to assist apprentices who had been made redundant in progressing their apprenticeship. Due to a change in the scheduling rules for off-the-job training phases during 2008, over 600 redundant apprentices were permitted to progress their apprenticeships. In addition, the Employer Based Redundant Apprentice Rotation Scheme, which was launched on 31st December 2008, will provide places to assist up to 500 apprentices to progress their apprenticeships during 2009. For 2009, a total of over 3,600 places have been put in place to assist redundant apprentices in progressing their apprenticeships. The Department and FÁS continue to work with all relevant stakeholders to facilitate as many redundant apprentices as possible in progressing towards their final apprenticeship qualification.

## Support for Literacy and Numeracy Initiatives

The TV series 'Written Off', which is promoted by the National Adult Literacy Agency, was supported by the Department by way of a grant of €378,000 and broadcast on RTÉ 1 in May 2008. The objective of this ongoing project was to promote awareness of the services that are available to develop literacy and numeracy skills and to encourage recourse to these by people who are educationally and vocationally disadvantaged.

## Cross-Departmental Skills Enhancement Issues

The Upskilling Co-ordination Group, established in 2007, continued to develop joint co-operation and information exchanges between the relevant Government Departments and Agencies. Its key purpose is to develop a more strategic approach to training and related policy development and to ensure that duplication in the provision of services is addressed.

The Department continued to work co-operatively with the Department of Education and Science, and other relevant organisations, to ensure that developments and directions agreed at international level inform domestic training and education policies and practices. The Department also continued to co-operate with the National Qualifications Authority of Ireland to further develop and promote the National Framework of Qualifications.

## Skills Supply

### Objective

To ensure that enterprises have the right skills available to them to grow and develop.

## Migration Policy

In 2008, the Department commenced work with FÁS and the Expert Group on Future Skills Needs to ensure our existing categories of labour and skills shortages continue to reflect current labour market requirements. As a result of this review, a number of categories in the construction industry were removed from the list of occupations eligible for an employment permit. Further work on the review will continue in 2009.

In December 2008, the Tánaiste announced that the Government had decided to continue to require that nationals of Romania and Bulgaria apply for work permits in order to participate in the Irish labour market, but that preference would be given to them over nationals of non-European Economic Area countries. The considerable challenges now posed as a result of the downturn in the global economic environment, and the direct impact on the labour market were factors influencing the decision.



Eamon Healy, Centenary Thurles Co-Op Society, Chairman ICOS Skillnet Steering Committee; Niamh O'Mahony, Dairygold Co-Op Society; Jana Sirotkova, ICOS Skillnet Project Manager; An Tánaiste and Minister for Enterprise, Trade and Employment, Mary Coughlan T.D.; Jim Kelly, Connacht Gold Co-Op Society and Michael Murphy, Wexford Farmers Co-Op Society at the ICOS Skillnet Launch in ICOS, The Plunkett House, Merrion Square, Dublin.

The Department set customer service goals for processing all completed Employment Permit applications during 2008, with fifteen working days set as the minimum target. The Department consistently delivered in line with the fifteen-day target during 2008. A dedicated call centre team provided information on all aspects of the employment permits process. In addition, applicants can check the progress of their applications through all stages of the process.

## Participation

### Objective

To increase participation in employment by all those of working age and to promote increased participation by women and older workers, including those who wish to continue in employment past 65, as well as by groups such as the long-term unemployed, lone parents, people with disabilities and Travellers.

### FÁS Employment Services

During 2008, FÁS continued to operate the National Employment Action Plan Preventive Strategy, which provides a systematic engagement of Employment Services staff with the unemployed. The focus is on early intervention with persons referred to FÁS by the Department of Social and Family Affairs for the purpose of assisting their integration into the labour market and to provide, where appropriate, the necessary skills to improve their employability.

Up to the end of 2008, 60,260 persons were referred to FÁS, representing an increase of nearly 9,000 compared to the total number referred in 2007. Of this total, 33,919 left the Live Register. FÁS continues to engage with the remainder.

FÁS provides a series of services for those seeking employment. In 2008, over €446 million was committed in respect of the provision of employment programmes. These include the Job Initiative Programme which provides full-time employment for people who are over 35 and unemployed for 5 years or more, the Community Employment Programme which helps the long-term unemployed to re-enter the workforce by breaking their experience of unemployment through a return to work routine, and the Supported Employment Programme – an active labour market initiative to assist jobseekers with a disability to find employment in the open labour market. Nearly 32,000 people completed an employment programme in 2008. This figure is roughly the same as 2007 and represents the aims of the Department in maintaining essential community services and at the same time helping to progress programme participants toward the open labour market. In addition to these programmes, FÁS provides a placement and career guidance service and has self-service access to a wide range of job vacancies, including opportunities in other EU Member States and the European Economic Area.

A High Level Group, comprising representatives from the Department, the Department of Social and Family Affairs, the Department of the Taoiseach and FÁS, which was set up in 2007 to progress the activation of other client groups, in particular, Lone Parents and Disabled People, continued to meet during 2008. The Social Partnership Group on Labour Market issues continued to meet throughout 2008. Finally, the Department continued to provide representation on the National Traveller Monitoring and Advisory Committee throughout 2008.

### FÁS Wage Subsidy Scheme

The operation of the FÁS-funded Wage Subsidy Scheme continued in 2008 to provide on-going incentives for employers and persons with disabilities to take up employment in the open labour market. The scheme was introduced in September 2005 on a three-year pilot basis. A review of the operation of the scheme was completed in May 2008 by external consultants on behalf of the Department. Following the review, the Tánaiste approved the placing of the FÁS Wage Subsidy Scheme on a permanent footing from 1 October 2008, subject to a number of reforms being made to improve the effectiveness of its operation.

### Employment Strategy for People with Disabilities

The Consultative Forum on an Employment Strategy for People with Disabilities provides a channel for key stakeholders to discuss broad strategic issues that directly or indirectly impact on vocational training and employment for people with disabilities. Discussions between the Department and the Consultative Forum continued in this regard in 2008. A draft outline for the implementation of a Comprehensive Employment Strategy for people with disabilities was developed by the Department and was discussed with the Consultative Forum in September 2008. The outline received a positive response from the Forum.

The Consultative Forum identified as a key objective the need to conduct a systematic review of current job retention and return to work practice following a disability acquired in the workplace. The Department commissioned this research in November 2007. The study, entitled *Research Report on Acquired Disability and Employment*, was completed in November 2008 and its main findings were presented to the Consultative Forum in December 2008.

### Disability Awareness

Funding for disability support and awareness-raising to assist the integration of people with a disability into the workforce continued to be provided in 2008 by the Department, through the FÁS budget.

## Review of FÁS Programmes and Expenditure

### Objective

To work together with other Divisions within the Department and with other Departments and agencies to achieve our objectives.

The Department holds regular meetings with FÁS to review progress and ensure that, where necessary, adjustments to strategy and funding are made in line with changing priorities. Expenditure and activity are monitored on an ongoing basis with in-depth reviews of specific schemes carried out where necessary.

During 2007, work began on a Value for Money review of the FÁS Competency Development Programme, a mechanism designed to raise the skill levels of targeted employees in specific sectors. The review continued throughout 2008.

The review of the operation of the FÁS-funded Supported Employment Programme, which was commissioned by FÁS in November 2007, was completed in May 2008. Following consultations between the Department, FÁS and the Supported Employment Directors Forum, a number of actions were adopted by FÁS in line with the review recommendations to enhance the effectiveness of the programme. The implementation of the FÁS Action Plan has commenced and will continue in 2009.

In 2008, the Department announced that a Review would take place into all labour market programmes funded by it, including those delivered by FÁS. The FÁS Review will examine all existing programmes in the context of their efficiency and effectiveness and future labour market policy challenges, including the National Skills Strategy. It is expected that the Review will be completed during 2009.

FÁS is required to comply with the Code of Practice for the Governance of State Bodies, a review of which took place in June 2008. In September 2008, the Tánaiste and Minister for Enterprise, Trade and Employment requested that the Comptroller and Auditor General (C&AG) carry out an external investigation into the effectiveness of the financial management and control systems within FÁS. The C&AG has published an initial report and further investigations will continue during 2009.

On 4 December 2008, the Tánaiste and Minister for Enterprise, Trade and Employment approved the appointment of Mr Eddie Sullivan as Director General of FÁS on an interim basis in succession to Mr Rody Molloy. The other current FÁS Board Members took office on 1st January 2006 for a five-year term.

## Cross Cutting Issues

### Objective

To effectively participate in EU labour market policy discussions.

### European Employment Strategy

The initial three-year cycle under the revised Lisbon Strategy concluded in 2007. There was broad consensus among Member States that the Employment Guidelines for the second cycle of the Lisbon Strategy (2008-2010) should not be changed and that the focus should be kept on implementation. The labour market priorities for the period 2008-2010 are as follows:

- sustaining a high level of employment and low unemployment
- ensuring an adequate supply of skilled labour to meet the needs of the economy, and
- enhancing educational/qualification levels at all stages of the lifecycle to ensure the availability of a high skilled, adaptable workforce.

While these priorities remain mainly unchanged, the economic environment in which we operate has deteriorated and this presents us with new challenges in the context of rising unemployment. In order to meet these challenges there will be a greater policy emphasis on activation and training for the unemployed, while at the same time ensuring that there will be an adequate supply of skilled labour to meet the needs of the economy.

Under the Lisbon Agenda, a number of EU employment targets for 2010 are in place: an overall employment rate of 70%; a female employment rate of 60% and an employment rate of 50% for older workers aged 55-64. Ireland has made steady progress in relation to these targets. At Quarter 4 2008, the overall employment rate stood at 65.8%, the female employment rate was 59%, with the employment rate for older workers at 52.8%.

### Labour Market Data

Labour Market data is continuously analysed and updated on the basis of the various CSO statistical publications, such as the Quarterly National Household Survey and the Live Register, and reports of bodies such as the ESRI and FÁS. Employment/labour market indicators are also monitored on a regular basis. Details of the present labour market situation are outlined in Appendix 6 of this Report.



## European Social Fund (ESF)

Having been agreed and adopted by the European Commission at the end of 2007, the Human Capital Investment Operational Programme (HCI OP) 2007-2013 became fully operational in 2008 with an overall budget of €1.36 billion (including €375 million in ESF funding).

The two policy priority themes of Upskilling the Workforce and Activation and Participation of Groups outside the Labour Force began to be fully implemented, via 15 broad areas of activity, with a view to contributing to increasing skill levels and enhancing the productivity of the workforce. It will also help to address labour market gaps for specific groups that are experiencing barriers to participation and employment, including those created by gender inequality and wider inequalities. Approximately €80 million in ESF support was received by Ireland during 2008, €24 million of which was in respect of activities run by or on behalf of the Department and its Agencies.

A new computerised financial management system was introduced in 2008, which will facilitate more effectively the timely management and drawdown of ESF funding under the HCI OP 2007-2013. The required financial control procedures, involving checks on both individual claims and the control systems of the relevant Agencies and organisations involved, were applied and timely ESF drawdown claims were made and processed in accordance with National and EU requirements.

In 2008, the Department also completed both the EQUAL Community Initiative Programme and the Employment and Human Resource Development Programme (EHRD OP) 2000-2006, initiating the formal closure process in both cases.

## North/South

### *Objective*

To promote active North/South cooperation and coordination on labour market issues.

### All-Island Skills Conference

In what was a significant first step towards the development of a co-operative cross-border approach to skills demand and delivery on the island of Ireland, the inaugural All-Island Skills Conference was held in October 2008. The conference was the first collaborative event organised by the Expert Group on Future Skills Needs (EGFSN) and the Northern Ireland Skills Expert Group (NISEG).

At the conference, an All-Island Statement of Skills Demand was launched, which provides an up-to-date picture of skills demand on an all-island basis. It will inform the work of both expert groups to ensure that the evidence is available to underpin policies that will deliver the necessary workforce skills across the island.



## PILLAR 4: WORKPLACE PARTNERSHIP & EMPLOYMENT RIGHTS

### GOAL

TO FOSTER GOOD INDUSTRIAL RELATIONS AND THE PARTNERSHIP MODEL, SUPPORTED BY AN APPROPRIATE EMPLOYMENT RIGHTS LEGISLATIVE AND INSTITUTIONAL FRAMEWORK.

### Social Partnership and Industrial Relations

#### Objectives

To continue to be active participants in the Social Partnership process.

To promote social dialogue at national and enterprise levels.

#### Towards 2016 – Review and Transitional Agreement

Throughout 2008, the Department supported the Social Partnership process through engagement in national level negotiations, participation in Social Partnership structures including monitoring and reporting arrangements, bilateral contacts with the employers and trade union pillars, and development of policy initiatives and legislative commitments arising under Towards 2016.

On 17 September 2008, the Government and Social Partners reached a draft Transitional Agreement on a successor to the first module of Towards 2016. The Agreement reached between the parties covered a range of workplace issues under the aegis of the Department, including:

- renewed Government commitment to enacting the Employment Law Compliance Bill
- setting up a process to develop a national framework on the employment and rights of temporary agency workers; while prohibiting their use in the case of official strikes or lock outs

- in the area of collective bargaining (in non-unionised companies), the establishment of a review process to be chaired by the Department of the Taoiseach which would consider the legal and other steps necessary to enable the mechanisms that had been established under previous agreements to operate as they had been intended
- establishment of a review process to be chaired by the Department of the Taoiseach to protect employees against victimisation (and to provide a means of redress) when engaged in the exercise of their rights to trade union membership or activity on behalf of a trade union (or non-membership) and to prevent incentivisation of employees not to engage in trade union activities
- amendment of the Competition Act to exclude certain categories of self-employed workers (e.g., freelance journalists, voice-over actors) from the provisions of the Competition Act 2002
- introduction of legislation to provide for the continued effective operation of the Joint Labour Committee and Registered Employment Agreement systems
- introduction of legislation to transpose into Irish law the optional pension provision under the Transfer of Undertakings Directive on the same basis as other terms and conditions of employment as at the date of transfer, and
- initiatives in the area of Workplace Learning and Upskilling.

#### Modernisation of Joint Labour Committee System

The Working Group established by the Labour Court to draw up measures to give effect to the commitment in Towards 2016 to modernise the Joint Labour Committee (JLC) system concluded its work in 2008 and prepared a Report on the progress made on the various issues. Among the issues addressed in this exercise were the amalgamation or abolition of some JLCs, introduction of a standardised approach to the text and layout of Employment Regulation Orders, and alignment of dates for some wage adjustments. Implementation of the Report's recommendations was progressed during 2008.

### National Framework Committee for Work-Life Balance

During 2008, the National Framework Committee for Work-Life Balance continued its remit as set out in Towards 2016 and the Programme for Government where it is charged with supporting and facilitating the development of family friendly policies aimed at assisting in the reconciliation of work and family life at the level of the enterprise. Work-Life Balance Day, an annual initiative first developed by the Committee in 2001, was held on 28th February. Uptake of the Panel of Consultants scheme, whereby an experienced consultant can be made available to work with SMEs, increased in 2008 with 40 organisations from different sectors and different locations receiving assistance from the Panel to introduce or enhance existing work-life balance policies.

### Workplace Innovation Fund

Support to the Social Partners continued in 2008 through the Workplace Innovation Fund, which carried out projects on issues such as information and consultation, flexicurity, HR best practice and financial participation. The Fund also supported companies to build a stronger commitment to workplace innovation. At the end of 2008, a total of 33 companies had been approved for grants of just over €2m for projects involving the promotion of innovation at company level.

#### Objective

To promote and support a stable industrial relations climate including effective dispute resolution.

### Labour Relations Commission

Significant financial resources are allocated annually to the dispute resolution and prevention bodies. During 2008, a grant of €5.9 million was paid to the Labour Relations Commission to cover its operating costs for the year. The cost of operating the Labour Court and the Employment Appeals Tribunal was met directly out of the Department's allocation. A total of 3 additional Rights Commissioners, plus support staff, were appointed during 2008 to deal with the increase in the number of referrals to the Rights Commissioner Service.

The number of days lost to industrial disputes during 2008 was 4,179, the lowest since records began in 1923. 2008 was the fifth year since 2002 that had produced a new record low for workdays lost to industrial disputes.

### Industrial Relations Legislation

In 2008, the Industrial Relations Section was responsible for transposing article 16 of Directive 2005/56/EC on cross-border mergers of limited liability. The Directive was transposed through S.I. No. 157 of 2008, the European Communities (Cross-Border Mergers) Regulations 2008. Article 16 deals with the arrangements for employee involvement in a company participating in a cross-border merger. Work also commenced on drafting the Industrial Relations (Amendment) Bill to provide for the continued effective operation of the Joint Labour Committee and Registered Employment Agreement systems as agreed under the Towards 2016 Transitional Agreement.

### Employment Rights

#### Objective

To ensure that the Department is in a position to maintain consistency of outcomes and a capacity to deliver on commitments made in partnership negotiations and to take the lead role insofar as social partnership negotiations concerning Employment Rights legislation and compliance.

### Transfer of Undertakings Directive – Optional Pensions Provision

In the Towards 2016 Transitional Agreement, the Government agreed to introduce legislation, in the context of a transfer of an undertaking, to put pension arrangements on the same basis as other terms and conditions of employment, as at the date of transfer. Furthermore, any change thereafter for economic, technical or operational reasons would not be prohibited. These provisions would also allow employers and employees to agree alternative arrangements in the context of a transfer of undertaking. Work on clarifying certain legal issues was continuing at end-2008, with the aim of finalising specific legislative proposals in 2009.

#### Objective

To deliver on specific commitments regarding Employment Law.

### Employment Law Compliance Bill 2008

The Government committed under the Social Partnership Agreement, Towards 2016, to a series of measures to greatly increase public confidence in the system of employment law compliance. The Employment Law Compliance Bill 2008, published in March 2008, is designed to give effect to those commitments, upon enactment.

The main purpose of the Bill is to strengthen employment rights compliance and ensure a level playing field between employers such that no competitive advantage is gained through denial of workers' entitlements. The Bill also provides for the appointment, on a statutory basis, of the Director of the National Employment Rights Authority (NERA) and strengthens enforcement through enhanced penalties and protection against victimisation for exercising employment rights.

Extensive consultations with the Social Partners and stakeholders, as well as further detailed examination of the Bill with the Parliamentary Counsel and the Office of the Attorney General, continued throughout 2008 with a view to enactment of the Bill in 2009.

### **Employment Agency Regulation Bill 2008**

In March 2008, the Government approved Heads of a Bill for an Employment Agency Regulation Act, which would replace the existing Employment Agency Act 1971. Discussions with various stakeholders on the review of the existing legislation had been undertaken prior to the Towards 2016 Social Partnership Agreement, where the Government committed itself to a Bill to regulate the agency sector. This took place against the background of a re-launch of the stalled EU Directive on Temporary Agency Workers. Work on preparing the draft Bill was well advanced by end-year.

### **Employment Law Consolidation Bill**

The proposed Employment Law Consolidation Bill is intended to simplify and codify employment law spanning more than 60 years, pursuant to section 16.3 of Part 2 of "Towards 16". While progressing this Bill awaits completion and enactment of the priority Employment Law Compliance Bill 2008, general preparation for the drafting is proceeding. As a necessary first step, the text of all current employment legislation as amended to date has been compiled for ease of reference by interested parties, and is available on the Department's website at [www.entemp.ie](http://www.entemp.ie). This material will be kept up-to-date as required.

### **EU Directive on Temporary Agency Work**

In June 2008, after a lengthy negotiation process, EU Ministers for Labour reached agreement on a Directive which provides the basis on which temporary agency workers, unless the Social Partners agree otherwise, will be entitled, from day one, to equal treatment compared to directly recruited workers in terms of pay and basic entitlements (e.g., holidays, working time, rest periods). By empowering the Social Partners in this way, the outcome met the Irish Government's concerns that Ireland

would not be placed at a competitive disadvantage because of more flexible arrangements that may exist in other EU Member States. The proposed Council position was subsequently agreed by the European Parliament, and the Temporary Agency Work Directive 2008/104/EC, was adopted on 19 November 2008, and published in the Official Journal on 5 December 2008<sup>9</sup>. In accordance with Article 11 of the Directive, Member States have three years in which to transpose the Directive into national legislation, i.e., by 5 December 2011.

### **Proposed Amending Directive on the Organisation of Working Time**

In parallel with the agreement reached on a Directive on Temporary Agency Work, EU Ministers for Labour Affairs also agreed, by qualified majority, in June 2008, a Common Position on a proposed Amending Directive on the Organisation of Working Time. The amending Directive aims to bring clarity to rules regarding, inter-alia, 'on-call' time arising from recent European Court of Justice rulings, the better reconciliation of work/life balance and new checks and balances on any decision by a Member State who wishes to avail of the use of the 'opt-out' by individual workers from the 48 hour average weekly working time limit.

The European Parliament, at its Plenary in December 2008, proposed a range of amendments to the position agreed at Council including that the 'opt-out' be phased out three years after the date of adoption of the proposed amending Directive. The Council of Ministers at the Employment, Social Policy, Health & Consumer Affairs (ESPHCA) Council, in December 2008, could not agree to the European Parliament's proposed amendments, and the dossier is now subject to Conciliation.

### **EU Green Paper on Labour Law**

The outcome of the Green Paper public consultation conducted by the European Commission on Labour Law was reflected in the Commission's Communication of October 2007<sup>10</sup>. The Commission indicated that the reactions to the public consultation suggest that the national reform process under the EU's Strategy for Growth and Jobs and the integrated approach to developing and implementing flexicurity-based principles<sup>11</sup> are the best way forward. As such, the outcome from the public consultation provided a platform, during 2008, for discussion of issues raised.

<sup>9</sup> OJ L 327, 5.12.2008, p.9

<sup>10</sup> Outcome of the Public Consultation on the Commission's Green Paper "Modernising labour law to meet the challenges of the 21st Century"

<sup>11</sup> Issues for consideration include how labour law can assist in promoting flexibility & security and adapt to the changing world of work



*Billy Kelleher, T.D., Minister for Labour Affairs, Ger Deering, Director, National Employment Rights Authority (NERA) and Micheál Martin, T.D., (then) Minister for Enterprise, Trade and Employment at the launch of the NERA public awareness and media campaign.*

## Employment Rights Compliance

### Objectives

To familiarise employees and employers regarding employee entitlements and employer obligations under Irish employment legislation with particular emphasis on the most vulnerable employees across all sectors of the economy.

To promote and enhance employment rights compliance, by means of enforcement as necessary, so as to protect employment rights in the workplace.

### National Employment Rights Authority

NERA launched a major public awareness and media campaign in January 2008. NERA's website, [www.employmentrights.ie](http://www.employmentrights.ie), was launched to coincide with the public awareness campaign and, from its launch to the end of 2008, the website had almost 2 million hits. NERA is committed to ensuring its services are offered with maximum accessibility as well as publishing parts of its website in a number of different languages. Information is also available in Braille and audio formats. With effect from January 2008, and in an effort to build on its public awareness campaign, NERA published a bulletin, NERA Quarterly, providing information on NERA's ongoing activity in relation to its information, inspection and prosecution services.

In addition, during the year, NERA engaged in a range of consultations with stakeholders and initiated a structured dialogue with the parties to the Social Partnership Agreement – ICTU, IBEC and the CIF – on the development of a comprehensive and responsive system of employment rights compliance and enforcement. A draft Memorandum of Understanding (MOU) was developed with ICTU in 2008.

In terms of employment law enforcement in 2008, NERA conducted almost 28,000 workplace inspections as against just under 14,500 in 2007. This increased level of inspection activity was reflective of the greater level of Inspectorate resources available to NERA. As regards the level of breaches detected in 2008, which totalled 4,629 as reported in NERA's 2008 annual review, this represented a virtual doubling of the level detected in 2007. The amount recovered by NERA on behalf of employees for outstanding entitlements amounted to €3.1m in 2008. Where breaches are detected, NERA's primary objective is to seek compliance with the relevant legislation and the rectification of any breaches identified, including redress for the individual(s) concerned and payment of any arrears due to employees.

In terms of resources, the commitment in Towards 2016 was to have the Labour Inspectorate increase to 90 by the end of 2007 and to increase staffing resources in NERA in general. A major recruitment process, which commenced in 2007, was continued into early 2008. By the end of 2008, the organisation was fully operational with its headquarters in Carlow and regional office locations in Dublin, Cork, Sligo and Shannon. As at 31 December 2008, NERA employed 131 persons.

## Occupational Health and Safety

### Objectives

To advise on all relevant occupational health and safety policy issues and to advocate adherence to Government policy on occupational health and safety.

To monitor, support and evaluate the activity of the HSA and liaise with it on resource issues.

### Health and Safety Authority

In 2008, the Department and the Minister for Labour Affairs continued to advocate the development of appropriate occupational health and safety policies and to facilitate the development of a culture of safety in all workplaces by supplementing the work of the Health and Safety Authority (HSA) and by participating in a number of important health and safety events. The Department also worked closely with the Authority in the development of new worker safety regulations.

The HSA is funded by the Exchequer and the Department is represented on the Board of the Authority and is also a participant in the HSA's Strategic Review Sub-Committee. This representation enabled the Department to support the work of the HSA during 2008 and to assist it in discharging its remit in enforcing occupational health and safety law in Ireland.

### EU and International Fora

In 2008, the Department was represented at meetings of the European Agency for Safety and Health at Work, the Board of European Chemicals Agency and at the EU Advisory Committee on Safety and Health at Work in Luxembourg.

#### Objective

To advocate for safer workplaces, reduce the rate of occupational illnesses and accidents and continue to make workplace health and safety law simple and easy to use.

### Health and Safety Authority Activities

The objective of the strategy of the Health and Safety Authority is to develop a culture of safety in all workplaces. Worker safety advocacy is an important element in achieving this objective and in 2008 the Department, through the Authority, supported a National Conference on Workplace Bullying, an All-Island Agriculture Safety Conference and a National Conference of Safety Representatives from all sectors of industry.

In 2008, the Department funded Health and Safety Authority-approved programmes designed to improve workplace safety, including the Safety Representative Facilitation Project sponsored by ICTU and the Construction Industry Federation, the Kilkenny Education Centre "School's Farm Safety Slogan", and the production of a Guide to Health and Safety Law for TEEU safety representatives and members.

### Health And Safety Legislation

In 2008, the Department worked closely with the HSA in the development of new regulations for safety in the quarries sector. The Safety, Health and Welfare at Work (Quarries) Regulations (S.I. No. 28 of 2008), revised and updated, as well as making more simple to use, legislation in this area dating back to 1965.

Amendments were made in 2008, in consultation with the HSA, to workplace safety legislation for the construction sector, resulting in more time being made available to the industry to have statutorily required training completed and also to ease the regulatory burden in regard to certain safety requirements at road works.

#### Objective

To introduce a Chemicals Regulation and Enforcement Act aimed at ensuring maximum compliance with "REACH" (Registration, Evaluation, Authorisation and Restriction of Chemicals) requirements.

### Chemicals Act 2008

The Chemicals Act 2008, enacted in July 2008, is aimed at providing a clear regulatory framework for business in order to achieve high levels of compliance with certain EU Chemicals Regulations, the best known of which is "REACH" (Registration, Evaluation, Authorisation and Restriction of Chemicals). It is also aimed at ensuring co-operation between the various national authorities responsible for enforcement, in order to minimise enforcement costs to both business and national authorities.

### Redundancy and Insolvency Payments

#### Objective

To ensure that employees receive their statutory redundancy and insolvency entitlements.

### Redundancy and Insolvency Payment Schemes

The hugely increased levels of Redundancy and Insolvency Payment claims lodged, particularly towards the latter end of 2008, placed enormous pressure on the existing staff resources such that, by year end, it was not possible to meet the original processing target times for claims. Payments under the Redundancy Payments Scheme totalled €183.2 million in respect of 40,607 claims in 2008. The equivalent number of claims processed in 2007 was just over 25,000 leading to payments of €183.3 million. By the end of 2008, the increase in both the volume and complexity of claims had increased the average processing time for redundancy claims to 16 weeks in the case of on-line claims and 20-22 weeks in respect of manual claims.



With regard to the Insolvency Payments Scheme, claims processed in 2008 totalled 9,704, involving 287 employers and 4,506 employees with expenditure of €10.1m. For comparison, there were 6,609 claims in 2007, with expenditure of €5.7m. In the case of the Insolvency Payments Scheme, the surge in volume of claims in the latter part of the year brought the overall average waiting time in 2008 to 10 weeks.

By the end of 2008, it was clear that additional staff and other resources would be required to manage the Department's commitments under these schemes going forward. Significant additional resources have since been deployed from other areas of the Department to the Redundancy/Insolvency areas.

### Review of the Insolvency Payments Scheme

In the context of a review of the Insolvency Payments Scheme, a Business Process Review of Insolvency Payments Section was completed in March 2008. Recommendations, which involved administrative changes, were implemented in May 2008 and technical changes to the IT system are being completed in stages. Remaining IT adjustments will be implemented in the context of an upgrade to the system planned for the 3rd quarter of 2009.

### On-Line Redundancy Payments System

Although usage of the on-line Redundancy Payments System has increased to levels which vary between 55-65%, the target level of 70-80% has not yet been achieved. Consideration will be given in 2009 to further measures to migrate customers to the on-line channel.

### Social Insurance Fund

During 2008, the Redundancy Recoveries Unit recovered an amount totalling €993,937 to the Social Insurance Fund and this work will continue into 2009. Additionally, a Write-Off Committee was set up in April 2008 with the objective of examining and considering for write-off, debts arising under the Schemes where it is clear that the monies outstanding are irrecoverable. Four meetings of the Write-Off Committee were held in 2008 and an amount of €8.5m in irrecoverable debt was written off.

## Cross-Departmental Issues

### Objective

To co-ordinate cross-Departmental and cross-Agency efforts, as appropriate, to meet employment rights and health & safety objectives.

### Employment Rights and Industrial Relations

The Department, and the Agencies and Offices under its remit, contributed to the management and development of cross-cutting policy issues in a range of ways, such as through Social Partnership structures and reporting mechanisms, input to policy and legislative proposals sponsored by other Departments, meetings and formal coordination with Government and other stakeholders on employment rights, industrial relations and EU matters arising. Other specific cross-cutting measures taken include:

### Health and Safety Authority

The Health and Safety Authority (HSA) commenced a review of areas of overlapping responsibility and interaction during 2008. This involved assessing the points of intersection of the Authority's remit and work with other key public bodies, including Government Departments and Agencies. This work will help to inform future policy decisions, structural considerations and the implementation and development of effective working arrangements.

### National Employment Rights Authority

*Joint Investigations:* In 2008, a total of 7 briefing meetings were conducted for inspectors from Revenue Commissioners, Department of Social and Family Affairs and the National Employment Rights Authority (NERA), who are/will be engaged in joint investigation activity, to formalise Joint Investigation activity at regional level and to ensure that inspectors from the 3 bodies are familiar with the activities, requirements and personnel of the 3 Inspectorates. NERA benefited during 2008 from the information sharing provisions under the Social Welfare and Pensions Act 2007 in undertaking its inspection activity. In addition, in the course of 2008, a total of 12 joint investigations took place with Revenue and/or Department of Social and Family Affairs.

*North-South Cooperation:* In 2008, NERA met with the Department of Employment and Learning of Northern Ireland (DELNI) with a view to establishing North/South linkages in the areas of employment rights. Full briefing was provided to an interdisciplinary group of Northern Ireland stakeholders on progress with the establishment of NERA.

# PILLAR 5: BETTER BUSINESS REGULATION AND THE CONSUMER

## GOAL

TO ENSURE THAT THE BUSINESS REGULATORY SYSTEM FACILITATES COMPETITION IN THE MARKETPLACE WITH HIGH STANDARDS OF CONSUMER PROTECTION AND CORPORATE GOVERNANCE.

A project to measure administrative burdens in Company Law, Employment Law and Health & Safety Law was also put in place. This will measure the “red tape” cost for business arising from the three major areas of regulation under the responsibility of the Department, and will identify ways in which these costs can be reduced, making the interaction between business and government more efficient.

## Better Regulation

### Objective

To reduce the administrative burden on the business sector in the Department’s range of policy responsibilities and to promote best practice in minimising the administrative burdens on business across Government Departments and Agencies.

### High Level Group on Business Regulation

The High Level Group on Business Regulation tackled a number of key “red tape” issues during 2008, seeking ways to reduce business costs. These included simplifying procedures relating to annual returns to the Companies Registration Office and the Revenue Commissioners, and progressing work on the use of electronic returns and electronic signatures. The Group published its first report in August, and this is available on the Department’s website<sup>12</sup>.

Having set a national target of 25% for the reduction of administrative burdens in March 2008, the Department initiated the cross-government process to measure and reduce these burdens between now and the target date, 2012. In conjunction with Forfás, training in the measurement methodology was provided to all Departments. The cross-Government group was also provided with a framework within which to vet and prioritise their legislation for measurement.

## Competition Policy

### Objective

To promote strong competitive markets across all sectors of the economy.

### Review of Competition Act 2002

During 2008, submissions from a variety of interested parties, received on foot of a 2007 public consultation process on the operation and implementation of the Competition Act 2002, were considered with a view to preparing draft legislation. It is expected that new legislation will be published during the course of 2009.

### Media Merger Advisory Group

As part of the review process of the Competition Act, early in 2008, a review was initiated of the legislative provisions applying to media mergers. This review was aimed at examining the criteria and arrangements for considering and assessing how mergers in the media industry might affect the diversity of views and the concentration of ownership within and across media businesses.

The Media Merger Advisory Group, established to assist in this review, reported in June 2008. The Group examined the Minister’s role in the consideration of the statutory relevant criteria for assessing media mergers. The Group identified difficulties in the present system, including concerns in relation to the role of the Competition Authority, the lack of clarity in the relevant criteria as currently defined and the absence of

<sup>12</sup> <http://www.entemp.ie/publications/commerce/2008/HLGReport.pdf>

clear statutory mechanisms to enable the Minister protect the public interest in media plurality. The Group, in its Report, has suggested a reduced role for the Competition Authority in the assessment of the plurality aspects of media mergers, redefined the relevant criteria and also suggested a statutory test to be applied by the Minister in the discharge of his/her function of applying the relevant criteria. The Group has also recommended that concrete indicators of diversity of content and spread of ownership be developed.

The Group's recommendations are being considered in the context of the wider review of competition law and in the context of possible future legislative changes.

### EU White Paper on Damages Actions for Breach of Article 81 & 82

The Department responded to an invitation from the EU Commission to make submissions on its White Paper on Damages Actions for breach of the EC anti-trust rules. The White Paper contained a number of proposals designed to tackle obstacles to private enforcement of competition law and the difficulties involved in bringing damages claims.



*An Tánaiste and Minister for Enterprise, Trade and Employment, Mary Coughlan, T.D., and Meglena Kuneva, EU Consumer Commissioner, discussing issues relating to consumer affairs.*

## Consumer Policy

### Objective

To promote and protect consumer interests in line with best international practice.

### Cross-border Price Differentials

A particular issue of concern which arose in the course of 2008 was the differential in the price of a range of goods between this jurisdiction and Northern Ireland and the UK. These concerns stem from the widespread belief, particularly amongst consumers, that the benefits of the Euro's appreciation in value against Sterling were not being passed on by way of lower prices in the shops. This perception was substantiated through a number of Cross-border surveys undertaken by the National Consumer Agency. One such survey carried out in the middle of 2008 found that in some instances customers in the Republic were being charged up to 31% more than customers in Northern Ireland in respect of certain grocery products.

Arising from these concerns and the impact that the north-south price differentials were having on employment, business activity and consumer confidence, an engagement was initiated with the retail sector to ascertain the reasons why the benefits of the Euro's appreciation were not being passed on to consumers. Different and opposing reasons were proffered by the different elements of the retail chain on this issue. Prominent among these reasons was that the cost of doing business in Ireland was significantly higher than the cost of operating in the UK. Accordingly, Forfás was requested to carry out an analysis of the relative cost of doing business in a number of locations in the Republic, Northern Ireland and the UK. Forfás' analysis, which was published late in 2008, found that while the cost of doing business was indeed higher in this jurisdiction, the extent of this additional cost would only justify a differential of 5-6% in prices between the south and the north.

Aside from operating cost considerations, there was considerable disagreement among the different elements of the retail chain as to reasons for the north-south price differentials. On the one hand, retailers strongly contended that the costs of sourcing goods in Ireland is significantly greater than the costs of sourcing such goods in Northern Ireland and the UK, and that the current structure of the wholesale and distribution cost base in Ireland is preventing the benefits of the Euro's appreciation in value from being passed on to consumers. Suppliers and distributors, on the other hand, contended that there is a significant imbalance in the relationship between retailers and suppliers which is giving rise to suppliers being squeezed by the increasingly difficult demands being made by retailers. In an attempt to bring greater transparency to

this area, the Competition Authority was requested to carry out a study of the retail import/distribution sector as to how competition is working in the sector and whether any practices or methods of competition are affecting the supply of goods and services in that sector.

### **Merger of the National Consumer Agency and the Competition Authority**

The Minister for Finance, in his Budget statement in October 2008, announced the merger of the National Consumer Agency and the Competition Authority. The merging of the National Consumer Agency and the Competition Authority, who both share the common goal of enhancing consumer welfare, will help to ensure improved co-ordination in competition and consumer protection policy areas, and will achieve important synergies that should ultimately serve both the consumer and business better.

Since the budget announcement, the Department has been working in conjunction with both bodies to bring about a smooth transition to a unified single body to oversee the area of competition and consumer protection. As both the National Consumer Agency and the Competition Authority were established under statute, it will be necessary to give effect to the decision to merge the bodies by way of primary legislation. It is expected that the necessary legislation will be published during the course of 2009.

### **Sales Law Review Group**

In November 2008, the Tánaiste and Minister for Enterprise, Trade and Employment, Mary Coughlan, T.D., established an expert group to review the legislation governing the sale of goods and supply of services. The Review Group is made up of leading academics, legal practitioners, and representatives from consumer and business organisations. The current body of legislation in this area is a mix of pre- and post-Independence primary legislation as well as secondary legislation deriving from EU Directives. This legislation provides the statutory framework for the regulation of business-to-consumer and business-to-business contracts and is a cornerstone of both Irish consumer and commercial law. The Review Group will:

- review the general sales law provisions of the Sale of Goods Acts 1893 and 1980, and make recommendations for a scheme of legislation capable of providing a statutory sales law framework appropriate to modern-day conditions and needs
- examine the provisions of the proposed EU Directive on Consumer Rights and assess its implications for Irish consumer rights and law
- have a central role to play in the formulation of the Irish response to the Directive
- consider and make recommendations on other matters related to Irish sales law and common law, and the statutory framework of that law, including dispute resolution mechanisms in Ireland, and
- prepare an analysis and evaluation of the proposed Consumer Rights Directive in the first quarter of 2009.

The Review Group is expected to complete its work by mid-2010.

### **Legal Metrology Service**

The Legal Metrology Service at the National Standards Authority of Ireland continued to increase its inspectorate focus by implementation of Section 12 of the Metrology Act 1996 through the outsourcing of some lower priority verification work. The concentration of resources on inspections should ensure high levels of compliance with metrology law and so increase consumer confidence in the accuracy of trade measurement and package quantities.

### **Review of Product Safety Regime**

The Department negotiated the adoption of the 'Goods Package' in early 2008. The package, consisting of two Council Regulations and a Council Decision, has as its objective the smoothening of the internal market for goods. The 'Goods Package'

- strengthens and modernises the conditions for placing a wide range of industrial products on the EU market
- introduces better rules on market surveillance to protect both consumers and professionals from unsafe products, including imports from third countries
- enhances the credibility and clarifies the meaning of CE marking<sup>13</sup>, and
- introduces clearer rules for conformity assessment bodies, including the increased use of accreditation – a reinforced system to ensure that these bodies provide the high quality services that manufacturers, consumers and public authorities need.

Work on the implementation of the package will continue in 2009.

<sup>13</sup> CE marking is an attestation of conformity of a product with all applicable requirements of the relevant Community harmonisation legislation providing for its affixing.

## Personal Injuries Assessment Board (PIAB)

### Objective

To monitor and aid the Personal Injuries Assessment Board (PIAB)<sup>14</sup> in fulfilling its mission.

### InjuriesBoard.ie

InjuriesBoard.ie, formerly the Personal Injuries Assessment Board (PIAB), which was established in April 2004, handled in excess of 24,000 personal injury claims in 2008 and made almost 9,000 assessments. The total value of awards made in 2008 was €217m. Estimated direct savings in 2008, when compared to the previous litigation system, were almost €50m. The average timeframe for completing the process, from the date of respondents consenting to PIAB assessing the claim, was 7 months, which compares very favourably with the average of 36 months that it used to take to process such claims through the Courts: all cases were assessed within the statutory timeframe of nine months.

The Board continued to operate on a self-funding basis and derives its main source of income from fees, of €1,050 and €50, which it charges to respondents and claimants respectively.

During 2008, the Department continued to support the Board in its mission to ensure that it can continue to deliver these benefits to consumers and society.

## Companies

### Objective

To secure the enactment by 2010 of a Companies Consolidation and Reform Act.

### Companies Consolidation and Reform Bill

The General Scheme of the Companies Consolidation and Reform Bill has been published. Approval has been given by Government for the drafting of a Companies Consolidation and Reform Bill.

Drafting of the Bill by the Office of the Parliamentary Counsel began formally on 1 December 2007. To accelerate the drafting process, two legal researchers were recruited by the Department in late 2008 and commenced work in January 2009. In addition, the Attorney General's Office has assigned two Parliamentary Counsels within their Office to work on the project.

It is not possible to give a precise date for completion due to the size of the Bill (approximately 1260 sections); the earliest likely date of publication at this point is 2010. It is envisaged that drafting of Pillar A (this deals exclusively with private companies limited by shares) will be complete by the end of June 2009. With regard to Pillar B (this deals with other corporate forms, such as public limited companies (PLCs)), this will be completed by the end of December 2009.

## Company Law (Financial Services) Unit

### Objective

To contribute to the development of a flexible legislative framework for the corporate vehicles used by the financial services industry.

### Undertakings for the Collective Investment of Transferable Securities

At the end of July 2008, following an extensive stakeholder consultation process, the European Commission published its proposals to update the regime governing Undertakings for the Collective Investment of Transferable Securities (UCITS). This draft Directive, known as UCITS IV, will also consolidate the existing 9 EU Directives dealing with UCITS into a single EU Directive.

Negotiations on the UCITS IV package commenced at Council Working Group level in September 2008. A majority consensus on a compromise text was reached in December 2008 and the European Parliament voted in favour of the package in January 2009. It is now expected that the draft Directive will be adopted as an "A" point at ECOFIN (the meeting of EU Economic and Finance Ministers) and that the Directive, together with other technical implementing rules currently being negotiated by the EU Financial Regulators, will have to be transposed into national law by July 2011.

### Consolidation of Irish Funds Legislation

During 2008, the Department continued its consultations with the funds industry and with the Department of Finance about how best to consolidate the elements of Irish Funds Legislation which to date have been sponsored by the Department of Enterprise, Trade and Employment. This Department has proposed that responsibility for all such funds legislation should come under the remit of the Department of Finance as part of its responsibilities for financial services legislation generally. Engagement with the Department of Finance is continuing.



## EU Legislation on Company Law

### Objective

To ensure Ireland's full engagement with the ongoing EU company law agenda.

### EU Company Law

Directive 2005/56/EC of the European Parliament and of the Council of 26 October 2005 on cross-border mergers of limited liability companies was transposed with effect from 27 May 2008 (S.I. No. 157 of 2008). This will facilitate cross-border mergers of commercial companies under favourable conditions in terms of costs and legal certainty.

Directive 2007/63/EC of the European Parliament and of the Council of 13 November 2007, amending Council Directives 78/855/EEC and 82/891/EEC as regards the requirements of an independent expert's report on the occasion of merger or division of public limited liability companies, was transposed with effect from 31 December 2008 (S.I. No. 572 of 2008).

Work progressed during 2008 on implementing Directive 2006/43/EC of the European Parliament and of the Council of 17 May 2006 on statutory audits of annual accounts and consolidated accounts. This Directive amends Council Directives 78/660/EEC and 83/349/EEC and repeals Council Directive 84/253/EEC. It provides for the reinforcement and harmonisation of the statutory audit function throughout the EU and sets out principles for public supervision in all Member States. The Department aims to transpose the Directive during 2009.

Work progressed during 2008 on implementing Directive 2006/46/EC of the European Parliament and of the Council of 14 June 2006 on annual accounts of certain types of companies, on consolidated accounts, on the annual and consolidated accounts of banks and other financial institutions and on the annual accounts and consolidated accounts of insurance undertakings. This Directive amends Council Directives 78/660/EEC, 83/349/EEC, 86/635/EEC and 91/674/EEC. The Directive seeks to further enhance confidence in the financial statements and annual reports published by EU companies by requiring them to provide more reliable and complete information to shareholders and other stakeholders. The Department aims to transpose the Directive during 2009.

Commission Recommendation (2008/362/EC) on external quality assurance for statutory auditors and audit firms auditing public interest entities was issued on 6 May 2008 and provides guidance for implementing independent quality assurance systems for those auditors and audit firms engaged in the audits of public interest entities. An initial consultation was carried out by the Department in July 2008, and was followed by an extensive written consultation with relevant parties in March 2009.

### Directive on Shareholders Rights – 2007/36/EC

This Directive was adopted on 11 July 2007 and is due for transposition in the Member States on 3 August 2009. The Directive introduces minimum standards to ensure that shareholders of listed companies, whose shares are traded on a regulated market, have timely access to the relevant information ahead of the General Meeting and simple means to vote at a distance. It also introduces minimum standards for the right to ask questions, put items on the General Meeting agenda and table resolutions as well as measures to facilitate the appointment of proxies.

As part of the process for implementing the Directive into Irish law, the Department consulted with a broad range of stakeholders on an ongoing basis during 2008.

### European Private Company (SPE)

The European Commission published a proposal for a European Private Company, to be known by its Latin name, Societas Privata Europaea (SPE), on 27 June 2008. The primary purpose of the proposal, which takes the form of an EU Regulation, is to make it easier for European SMEs to conduct cross-border business by providing them with a European legal form based on common company law principles and adapted to the specific needs of SMEs. It is claimed that the possibility of operating in various Member States according to the same corporate rules should significantly reduce compliance costs, which arise both from the creation and operation of companies in other Member States, thereby enhancing the mobility and competitiveness of European companies.

Negotiations on the draft proposal, which commenced under the French Presidency in July 2008, are ongoing at Council Working Group level.

## Friendly Societies and Industrial & Provident Societies (Co-operatives)

### **Objective**

To review the regulatory frameworks for friendly societies and industrial and provident societies and make whatever changes are necessary or desirable in the lifetime of this Statement of Strategy.

### **Review of the Friendly Societies Regulatory Framework**

Progress was made on the review of the regulatory framework for Industrial and Provident Societies (Co-operatives). This included the preparation of a consultation paper entitled, *Co-operative Societies: Consultation Paper on the Industrial and Provident Societies Acts 1893-2005*<sup>15</sup>, which was published in April 2009. The Co-operative business model was worth in excess of €12.6 billion in 2007.

The review of the friendly societies regulatory framework commenced and progressed during 2008. This included work on supervisory arrangements for friendly societies that provide financial services for their members.

<sup>15</sup> <http://www.entemp.ie/commerce/cooplw/consultationpaper.htm>

# PILLAR 6: DELIVERY OF OUR STRATEGIC GOALS

## GOAL

TO PROVIDE HIGH-LEVEL PROFESSIONAL SUPPORT, SERVICE AND ADVICE IN FACILITATING THE IMPLEMENTATION OF THE DEPARTMENT'S BUSINESS GOALS, ON A VALUE FOR MONEY BASIS, WHILE CONTINUING TO BE AT THE FOREFRONT OF THE MODERNISATION AGENDA ACROSS THE CIVIL AND PUBLIC SERVICE.

## Quality Customer Service

### *Objective*

To deliver the highest quality service to our customers.

### Customer Service

All service standards established in our Customer Service Charter were monitored and achieved in 2008. Work on the Department's new Customer Service Action Plan for 2009/2011 and revised Customer Service Charter commenced and is ongoing.

In 2008, the Quality Customer Service Unit completed its 2007 QCS audit of every Business Unit of the Department. In addition, an Internal Customer Charter was prepared and distributed to staff in the first quarter of 2008.

### eGovernment

The Department is committed to the ongoing development of our website as an important conduit of information to all our customers, including those with disabilities. The website received a total of 1,476,193 visits in 2008.

The Department is continuing to develop eGovernment facilities to improve services to our customers. During 2008, the Patents Office online system was extended to allow customers to pay registration and grant fees online.

## Management Support

### *Objective*

To provide high quality support to the workings/ deliberations of the Department's Management Board.

### Statement of Strategy 2008-2010

In line with our obligations under the Public Service Management Act 1997, the Department prepared a new Statement of Strategy to cover the period from 2008 to 2010. The new Strategy was titled "Competitiveness through Innovation" to highlight the key role of competitiveness and innovation to the Mission of the Department. Our Strategy was structured around 6 key pillars aimed at driving Ireland's competitiveness and productivity by "creating the conditions where enterprise, entrepreneurship and innovation can flourish and quality employment opportunities are grown and maintained." A copy of the Strategy, which was laid before the Oireachtas on 1st May 2008.

### Business Planning

As in previous years, the Department prepared detailed Business Plans at individual Business Unit level at the start of the year. These detailed Business Plans matched business objectives of each Division to the high-level goals included in our new Strategy. The Plans, which were approved by the Department's Management Board, assist in assessing progress in achieving the goals and objectives set out in the Department's Statement of Strategy.

## Financial Management

### Objective

To ensure transparency in the use of public funds allocated to the Department and its Agencies.

### Annual Output Statement 2008

The Department published its Annual Output Statement for 2008, detailing the key Programme Areas on which its budget would be spent, along with high level goals and performance targets for each of the Programme Areas. The Statement also outlined the extent to which performance targets for 2007 were met.

The Tánaiste presented the Annual Output Statement to the Select Committee on Enterprise, Trade and Employment on 10 June 2008, as part of the Committee's consideration of the Department's 2008 Estimate. The Statement is available on the Publications section of the Department's website at: [www.entemp.ie](http://www.entemp.ie).

### Objective

To ensure that Departmental expenditure is incurred, monitored and recorded in accordance with established public financial procedures and seek improvements in Value for Money in the administration of the Department's affairs.

### Value for Money

Expenditure across the Department and its agencies was closely monitored in 2008 and was reported on regularly to the Department's Management Board and to the Tánaiste. In accordance with the Government's objective of reducing public expenditure in response to the changing economic circumstances in 2008, the Department achieved savings of over €69 million on its original 2008 allocation of €1.9 billion in the second half of the year. These savings were realised through setting revised expenditure targets and closely monitoring financial performance across the Department and its agencies.

### Governance of Agencies

The Liaison Units in the Department continued to monitor activity by each of the Agencies under the remit of the Department to ensure that best practice in the areas of strategic and financial management was maintained. Agencies are required to comply with the Code of Practice for the Governance of State Bodies, a review of which took place in June 2008. Also, on foot of proposals for rationalising the operations of Government Agencies, the Tánaiste

announced a merger between the National Consumer Agency and the Competition Authority, which will be effected as soon as the appropriate legislation is enacted.

### Value for Money and Policy Reviews

In March 2008, under the VFM and Policy Review Programme for 2006-2008, the Department agreed with the Department of Finance the terms of reference for a VFM of the FÁS Competency Development Programme. This Review will be presented to the Oireachtas when finalised. The Department is required to conduct two further VFM reviews under the 2009-2011 Programme and details of the agreed reviews will be featured in future annual reports.

A consultancy report commissioned by the Department in 2007 as part of the Department's review of the Dangerous Substances Acts and Regulations as they apply to petroleum products was finalised by the consultants in July 2008. Public consultation on the recommendations of the consultants' Report and on any proposed new regulatory regime, will feature in 2009, as the review progresses. This Report is published on the Department's website – [www.entemp.ie](http://www.entemp.ie).

### Objective

To pursue value for money through efficient purchasing practices.

The Department continues to pursue value for money in its purchasing practices through compliance with National and European public procurement legislation and best practice guidelines issued by both the Department of Finance and the European Union. Purchasing activities are also in line with recommendations arising from the Department's Corporate Procurement Plan and the Department's guidelines outlined in the Department's publication entitled, *Buying Innovation – 10 Step Guide to SMART Procurement and SME Access to Public Contracts*.

### Objective

To ensure that appropriate actions are taken by management throughout the organisation to identify and manage effectively the risks to which the organisation may be exposed.

### Risk Management

A key strategic process completed at the start of each year involves managing the risks associated with the range of activities carried out by the Department. In tandem with the 2008 Business Planning cycle, each Business Unit in the

Department identified the risks associated with the range of activities to be undertaken by them throughout the year. These risks were assessed and appropriate actions aimed at managing those risks effectively were put in place. The Management Board reviewed the high level risks for each Division ensuring that appropriate actions were in place to eliminate, or at least minimise, the possibility of any of the risks actually occurring and to limit the attendant impact from unavoidable risks.

### **Objective**

To provide a risk-based internal audit service, which gives assurance to management on the systems of control.

### **Internal Control Systems**

The Department's Internal Audit Unit continues to provide an assurance to the Accounting Officer on the adequacy of the internal control systems of the Department and those Offices directly within the remit of the Department. In this regard, a programme of activity is drawn up each year, and is reviewed and monitored by the Departmental Audit Committee.

During 2008, a number of audits were carried out in respect of the Department's internal control systems. The programme of work completed in 2008 enabled the Internal Audit Unit to provide assurance to the Accounting Officer regarding signature of the Statement on Internal Financial Control, which accompanies the annual Appropriation Account.

Internal Audit Unit works to fulfil the Department's responsibilities to the European Commission in relation to EU Structural Funds audit (primarily relating to the ESF). This necessitates the conduct of audits within the Department and the co-ordination and assessment of related auditing activity undertaken across other Departments and organisations in receipt of Structural Funds from the Department. The Unit liaises with Structural Funds sections in the Department and with the EU Commission in relation to matters arising from this audit activity and in relation to various aspects of EU financial control requirements.

During 2008, work continued on "Closure" of the 2000-2006 ESF Structural Funds and structures were put in place to meet audit requirements for the 2007-2013 ESF Structural Funds.

The ESF Financial Control Unit, in accordance with Articles 10.1(b) and 10.2 of EU Commission Regulation (EC) No. 438/2001, conducted a number of audits to fulfil regulatory requirements.

## **Human Resources Management (HRM) and Training**

### **Objective**

To ensure that the Department has the necessary human resources equipped with the skill sets needed to deliver our business goals; who are effectively managed and developed through the operation of the PMDS (Performance Management & Development System) and the greater devolution of day-to-day HR matters to line managers; and who are provided with an environment in which equality of opportunity is respected and fostered.

### **Human Resources Strategy 2008-2010**

The Human Resources (HR) Strategy 2008-2010 was approved in late 2008. The new strategy builds on the measures introduced in the first HR strategy; seeks to further advance the development of Human Resources Management as a strategic resource for the Department; and provides a framework for the development of a number of new HR policies. These include identifying and using appropriate workforce planning techniques, enhanced capture of corporate knowledge, introduction of a mentoring programme, development of policies on attendance management, mobility, the management of underperformance; and providing greater supports for the devolution of day-to-day HR management to line managers. These policies will be delivered over the lifetime of the Strategy.

Following publication of the Organisational Review Programme (ORP) for the Department in late 2008, an Action Plan was drawn up, specifying measures to address the issues identified, including those which relate to HR, Training and Development. See page 48 for more details on the ORP.

A pilot Mentoring Programme was designed and put in place in 2008. The Programme is intended to assist the career development of the participants and enhance transfer of corporate knowledge within the Department.

### **Equal Opportunities**

At the end of 2008, women held 29% of PO (and equivalent) level posts and 33% of AP (and equivalent) posts<sup>16</sup> in the Department.

### **Training and Development**

The Department's first Training and Development Strategy came to a conclusion in 2008 and work has commenced on a follow-up strategy. The aim of the first strategy was to ensure



that all staff have the opportunity to develop the competencies required to meet their business objectives over the lifetime of the strategy and beyond, thereby contributing to the achievement of the Department's business goals and to further personal and career development. Having invested significantly in staff, the successor strategy will seek to maximise the benefit from this investment, utilising the skills acquired by staff in formal training and seeking out new ways to facilitate sharing of internal knowledge and expertise, thus also creating a greater sense of team spirit.

The formal training needs of staff are identified through the Performance Management Development System (PMDS) and are linked to the knowledge, skills and behaviours required for the current role, the overall business aims of the Department, but also with a focus on skills development for future roles and continuous improvement of our service to our customers and stakeholders. The amount of money spent on training in 2008 was €1.118m, covering 4,750 training days.

Investment in our senior managers was a priority in 2008 and the Leadership Programme for Assistant Principal and Principal Officer grades launched by the Department in 2007 continued throughout 2008, with approximately 170 staff taking part in modules covering leadership, high level communications and strategy development and implementation. Evaluation of the programme overall is now underway.

The Department's Refund of Fees Scheme continued in 2008, with 44 staff embarking on third level studies in their own time with financial assistance from the Department on successful completion of their studies.

## Information & Communications Technology

### Objective

To provide appropriate Information & Communications Technologies (ICT) that enable our clients to access the information and services necessary to do their jobs utilising a secure ICT infrastructure that delivers data at appropriate levels of confidentiality, integrity and availability.

### Information & Communications Technology Infrastructure

In line with its commitment to modernise its Information & Communications Technology (ICT) systems and make them more accessible, in 2008 the Department upgraded and enhanced a number of systems, including the Oracle eBusiness suite (of which Oracle Financials is a component), the Time

Management system, and the Patents Office online payments system and administration system. The Department's wide Area Network links were also upgraded.

The primary Performance Indicator for the ICT Unit is overall system availability measured against an annual target of 99% uptime. In 2008, the overall system availability figure was 99.76%.

Through mechanisms such as the ICT Helpdesk, issue escalation, the 'Request for Change Process' and the ICT Users Panel, the ICT Unit responded efficiently and effectively to its customer needs.

### ICT Customer Service

A Customer Satisfaction Survey is conducted annually to allow customers to provide feedback, which drives customer service improvements. Results from the 2008 survey show that 95% of the Department's staff are satisfied, or more than satisfied, with the service being provided by the ICT Unit across all service delivery areas. The target satisfaction rating is 90%. The ICT Helpdesk Service Level Agreement targets in respect of call resolution were achieved 99.34% of the time.

### Information Security

In 2008, a broad range of initiatives was implemented to increase information security awareness among staff, including workshops, newsletters, etc. Work also commenced on the redrafting of the Department's Information Security policies and procedures. A mechanism for encrypting all exchanges of personal data with third parties was introduced and encrypted USB memory drives have been made available to officers who are required to carry sensitive or personal information in electronic format.

### Objective

To ensure access to appropriate ICT skills and resources.

### ICT Internal Capacity

- The Department continued to build up its internal capacity to meet its ICT needs and to maximise the use of its investment in technology by its staff, although, where needed and appropriate, the Department availed of specialist external skills to assist in the support and development of the Department's ICT systems. During 2008, ICT Unit staff attended technology and application-specific courses, including project management training, to enhance their skills and the ICT Unit managed the delivery of 602 man-days of ICT training. The allocation of the Department's ICT resources, both human and financial, was subject to business case approval.

**Objective**

In order to ensure that technology serves the business needs of each area of the Department and its Offices, projects will be delivered by ICT Unit in partnership with business units through improved project governance arrangements including the adoption of Project Management as a management methodology.

**ICT Project Management**

All members of the ICT Unit completed and passed the PRINCE2 Project Management Foundation Examination, and this project management methodology is now being embedded into the day-to-day operations of the Unit.

**Objective**

To maximise Value for Money from existing and future technology investments.

**Value for Money and ICT**

ICT Procurement exercises during 2008 were undertaken in full compliance with national and EU procurement guidelines, with a view to obtaining the most economically advantageous market rate for the supply of goods and services. Work on a review of ICT licenses, which will investigate where/if greater Value for Money can be achieved in amalgamation and/or redistribution of licenses in the Department, began and will be concluded in 2009.

**Objective**

To incorporate best environmental practices into our ICT operations.

**ICT and Energy Conservation**

During 2008, the ICT Unit used Induction Training Courses, the ICT Newsletter, e-mail shots and the ICT Users Panel to draw staff attention to energy conservation in the use of ICT equipment. This is supported by active engagement with the Department's Energy Team to maximise the potential of technological developments to minimise energy use. Arising from this, software was purchased and installed on more than 1,000 PCs, which automatically powers off the device. In addition, an ICT energy usage model was developed, which will be updated annually to identify trends in ICT energy usage.

**Departmental Working Environment****Objectives**

To maintain a healthy and safe working environment for both our staff and visitors to the Department's offices.

To manage all our offices in an accessible, energy efficient manner.

**Departmental Working Environment (Health and Safety)**

In 2008, as part of its commitment to fulfilling its obligations under the Safety, Health and Welfare at Work Act, 2005 and its Regulations, the Department engaged the services of an outside 'Competent Person', to review the current health and safety policies and practices within the Department and its Offices in association with the Department's Health and Safety Unit.

A comprehensive report was produced on each building occupied by the Department and its Offices outlining a number of key recommendations on health and safety policy, practices and training. The Department's main Health and Safety Committee is working to implement these recommendations throughout the Department and its Offices.

Arising from its commitment to best practice in the health and safety area, the Department installed Automated External Defibrillators (AEDs) in a number of its buildings and Offices during 2008. There are currently 31 members of staff trained in the use of AEDs throughout the Department and its Offices.

The Health and Safety Unit of the Department provided specific health and safety training in Manual Handling, First Aid, AED/CPR and Floor Marshall/Fire Warden to the staff of the Department and its Offices during 2008.

**Openness, Transparency & Accountability****Objective**

To enhance the management effectiveness and transparency of our business, including the provision of high-quality information under Freedom of Information (FOI) and other instruments, and to provide effective ongoing communication throughout the Department.

During 2008, a total of 85 requests were made to the Department under the Freedom of Information Acts, all of which were processed within the statutory time limits.

A review was carried out of the systems and procedures operated within the Department, its Offices and Agencies to protect the confidentiality of personal data and to prevent its improper release. Following this, comprehensive new guidelines were issued to make clear to all staff their obligations and responsibilities under the Data Protection legislation.

## Change & Modernisation

### Objective

To promote and support the rolling programme of Change and Modernisation within the Department to drive the better delivery of services to our many stakeholders and to continue to advance all areas of the modernisation process in a spirit of partnership.

### Towards 2016 Performance Verification

In June 2008, the Department submitted its Fourth and Final Progress Report on implementation of the first Modernisation Action Plan under the Towards 2016 Partnership Agreement. The Report noted that, in total, 35 Priority Actions were achieved during the 27-month lifespan of the Agreement, with the completion of the remaining 1 Priority Action well advanced.

Completion of the detailed Progress Report demonstrated that:

- there continued to be widespread co-operation with flexibility and ongoing change across the Department
- the Department encountered no barriers to change, or instances where modernisation objectives were delayed, limited in scope or only partially implemented due to non-cooperation with flexibility and on-going change, and
- full maintenance of stable industrial relations and an absence of industrial action within the Department was achieved.

By the end of 2008, and in line with the terms of the Agreement, the Final Progress Reports in respect of all 9 of the Department's Agencies and the 35 County and City Enterprise Boards covered by the Agreement were completed. As provided for under the Agreement, the level of compliance by each of these Agencies and Boards with the modernisation agenda was assessed within the Department and all were approved.

Pending agreement on a successor pay Agreement under Towards 2016, the Department and its Agencies are progressing their longer-term modernisation actions, outside the formalities of the Towards 2016 structures. Furthermore, other measures arising from the Organisational Review Programme, the OECD Review on Ireland and the Building Ireland's Smart Economy framework will continue to drive the modernisation agenda into 2009 and these will be reported on in further Annual Reports.

### Partnership Committee

The Partnership Committee was particularly active throughout 2008. The committee, which is made up of staff, union and management representatives, met on five occasions during the year and their work focussed on responding to feedback raised

by staff during a series of Focus Groups aimed at improving the Department's internal processes and procedures under the areas of communication, sense of team, performance management and reward systems. Tasks undertaken by the committee and its subgroups in that period include:

- active participation in the preparation and ongoing review of progress reports on the Department's Action Plan under Towards 2016
- formulating an action plan to address issues raised by staff in relation to internal processes and procedures
- ongoing monitoring of issues which may affect the Health, Safety and Welfare of staff in the Department
- monitoring the decentralisation of some of the Department's offices to Carlow, and
- providing an open forum where staff can raise issues which are of concern to them and facilitating the resolution of these issues in a spirit of participation and co-operation.

### Objective

To continually monitor the capacity of the Department to meet the changing demands in serving our wide customer base.

### Organisational Review Programme

During 2008, the Department participated in the first phase of an Organisational Review Programme (ORP) that was launched by the Taoiseach the previous year. The aim of the Programme is to examine the capability of the Civil and Public Services to deliver their strategies and policies for stakeholders in a modern, dynamic, society. Essentially, the ORP is a rolling programme of capability "health checks" on Departments and Offices of State.

An Taoiseach, Mr Brian Cowen, T.D., published the ORP Report on 26 November 2008. The Report addressed three main themes, viz; Strategy Implementation, Managing Delivery and Evaluation. In their report on this Department, the ORP Team found that the Department is well placed to deliver in the future on the goals set out in its *Statement of Strategy* and that our main asset is our staff, who the Team found displayed strong commitment and a general 'can do' attitude. The Department was found to display particular strengths in its active engagement with stakeholders and in the area of training and development of its staff. The ORP Team added, however, that for the future, the Department would be better placed to respond to existing and emerging challenges if the Department:

- strengthens its knowledge base to deepen its capacity for comprehensive understanding across all policy areas
- takes clear ownership of policy positions and agendas and projects Ministerial and Government policy in these areas in line with its role as a key central Department
- further develops its policy analysis, evaluation and development capacity, especially in relation to proposals from its Offices and Agencies, and
- reviews and implements a strong and consistent policy in regard to the governance of its Offices and Agencies with a view to ensuring greater accountability and performance management and an enhanced performance dialogue with all these bodies.

In response to the Report's findings, an ORP Action Plan, addressing 7 thematic areas, was devised by the Department setting out a number of specific strategic actions which the Department will implement from 2009 onwards. The Action Plan comprises of a total of 38 individual Action Points and they are now factored into the annual Business Plans of our individual business units, with the inclusion of key performance indicators, as appropriate. An Implementation Group will oversee implementation of the Plan in 2009 and, in due course, implementation will be reported on to various Oireachtas Committees and in future Annual Reports. Full details of the ORP Report and the Department's responding Action Plan are available on the Department's website ([www.entemp.ie](http://www.entemp.ie)) or on the ORP website ([www.orp.ie](http://www.orp.ie)).

### OECD Review

The Reports of the OECD Review of the Irish Public Service and the Task Force that was subsequently established by An Taoiseach, Brian Cowen, T.D., to prepare an implementation plan for the OECD recommendations were both published in 2008. The aim of the OECD Report was to review the whole of the Public Service and look at how it compares with other OECD countries, and make recommendations for the future direction of the Public Service. In that regard, the OECD examined four key themes, namely:

- the capacity of the public service
- performance & budgeting
- governance, and
- service delivery.

In addition to wide-ranging consultation and meetings with the public service, the OECD also used case studies in five sectoral areas – education, health, local government, agencies and An Garda Síochána – to examine in greater detail how the public service was performing. The Task Force was subsequently set

up to develop a plan to respond to the OECD's findings and recommendation. In response to both Reports, the Department will work with our colleagues at central level (Departments of An Taoiseach and Finance) in seeking to deliver on the recommendations in 2009 and beyond.

## Decentralisation

### Objective

To relocate Departmental staff and functions to Carlow within the timeframe set by Government in a manner which minimises disruption to business continuity and quality customer service and places people at the heart of the process.

### Departmental Decentralisation

Following the Government decision on the relocation of 250 posts within the Department to Carlow, the Department of Enterprise, Trade and Employment continued to make progress in 2008 in implementing its decentralisation programme. The Department continues to work closely with the Office of Public Works to procure permanent offices for the Department in Carlow.

At the end of 2008, the Department had approximately 100 staff in place in a purpose built advance office situated on O'Brien Road, Carlow. As well as staff already decentralised to Carlow, a further 94 civil servants had committed to decentralise to Carlow with this Department.

## Data Strategy

### Objective

To finalise and monitor implementation of the Department's Data Strategy to underpin the statistical evidence supporting policy decisions.

### Data Strategy and Unique Business Identifier

Work on the Data Strategy resumed late in the year with a revised draft strategy prepared for consideration. Work on this Strategy has continued into 2009, as has work on examining the feasibility of developing a unique business identifier and associated central business register. These initiatives are aimed at making the collection of business-level data, essential to properly informing policy options across Government, more efficient and stakeholder-friendly.





## APPENDICES

**Appendix 1:** Estimate (or Budget of the Department for 2008 including provisional outturn for 2007)

**Appendix 2:** Report on Compliance with the Provisions of the Prompt Payment of Accounts Act

**Appendix 3:** Report on Regulatory Impact Analysis (RIAs) carried out by the Department in 2008

**Appendix 4:** Legislation Enacted in 2008

**Appendix 5:** Statutory Instruments made during 2008

**Appendix 6:** Labour Market Data

**Appendix 7:** Offices and Bodies of the Department

# APPENDIX 1: ESTIMATE (OR BUDGET OF THE DEPARTMENT FOR 2008 INCLUDING PROVISIONAL OUTTURN FOR 2007)

## ENTERPRISE, TRADE AND EMPLOYMENT

I. Estimate of the amount required in the year ending 31 December 2008 for the salaries and expenses of the Office of the Minister for Enterprise, Trade and Employment, including certain services administered by that Office, for the payment of certain subsidies, grants and a grant-in-aid, and for the payment of certain grants under cash-limited schemes.

(a) by way of current year provision

**One thousand, four hundred and ninety-two million,  
nine hundred and seventeen thousand euro  
(€1,492,917,000)**

(b) by way of the application for capital supply services of unspent appropriations, the surrender of which may be deferred under Section 91 of the Finance Act 2004.

**Twenty-three million, four hundred and twenty-eight thousand euro  
(€23,428,000)**

II. Subheads under which this Vote will be accounted for by the Office of the Minister for Enterprise, Trade and Employment.

		2007 Provisional Outturn			2008 Estimate			Change 2008 over 2007 %
		Current €000	Capital €000	Total €000	Current €000	Capital €000	Total €000	
<b>ADMINISTRATION</b>								
A.1	SALARIES, WAGES AND ALLOWANCES...	33,149	–	<b>33,149</b>	36,364	–	<b>36,364</b>	10%
A.2	TRAVEL AND SUBSISTENCE...	1,297	–	<b>1,297</b>	1,689	–	<b>1,689</b>	30%
A.3	INCIDENTAL EXPENSES...	1,278	–	<b>1,278</b>	1,581	–	<b>1,581</b>	24%
A.4	POSTAL AND TELECOMMUNICATIONS SERVICES...	884	–	<b>884</b>	927	–	<b>927</b>	5%
A.5	OFFICE MACHINERY AND OTHER OFFICE SUPPLIES AND RELATED SERVICES...	4,750	–	<b>4,750</b>	5,267	–	<b>5,267</b>	11%
A.6	OFFICE PREMISES EXPENSES...	1,690	–	<b>1,690</b>	1,580	–	<b>1,580</b>	-7%
A.7	CONSULTANCY SERVICES...	189	–	<b>189</b>	439	–	<b>439</b>	132%
A.8	ADVERTISING AND PUBLICITY...	374	–	<b>374</b>	515	–	<b>515</b>	38%
A.9	OFFICE OF THE DIRECTOR OF CORPORATE ENFORCEMENT...	4,385	–	<b>4,385</b>	4,957	–	<b>4,957</b>	13%
A.10	LABOUR COURT...	2,704	–	<b>2,704</b>	3,193	–	<b>3,193</b>	18%
A.11	NATIONAL EMPLOYMENT RIGHTS AUTHORITY...	6,957	–	<b>6,957</b>	10,817	–	<b>10,817</b>	55%
A.12	VALUE FOR MONEY AND POLICY REVIEWS...	129	–	<b>129</b>	224	–	<b>224</b>	74%
	Subtotal:*	57,786	–	<b>57,786</b>	67,553	–	<b>67,553</b>	17%

		2007 Provisional Outturn			2008 Estimate			Change 2008 over 2007 %
		Current €000	Capital €000	Total €000	Current €000	Capital €000	Total €000	
<b>ENTERPRISE, AGENCIES, SCIENCE AND TECHNOLOGY</b>								
B.1	FORFÁS – GRANT FOR ADMINISTRATION AND GENERAL EXPENSES...	32,657	–	<b>32,657</b>	37,835	–	<b>37,835</b>	16%
B.2	INTERTRADE IRELAND...	2,646	6,832	<b>9,478</b>	2,968	7,714	<b>10,682</b>	13%
C.1	IDA IRELAND – GRANT FOR ADMINISTRATION AND GENERAL EXPENSES...	42,223	–	<b>42,223</b>	45,230	–	<b>45,230</b>	7%
C.2	IDA IRELAND – GRANTS TO INDUSTRY...	–	79,000	<b>79,000</b>	–	95,120	<b>95,120</b>	20%
C.3	IDA IRELAND – GRANT FOR BUILDING OPERATIONS...	–	3,400	<b>3,400</b>	–	3,400	<b>3,400</b>	–
D.1	ENTERPRISE IRELAND – GRANT FOR ADMINISTRATION AND GENERAL EXPENSES...	99,858	–	<b>99,858</b>	101,661	–	<b>101,661</b>	2%
D.2	ENTERPRISE IRELAND – GRANT TO INDUSTRY...	7,037	37,400	<b>44,437</b>	7,970	48,800	<b>56,770</b>	28%
D.3	ENTERPRISE IRELAND – GRANT FOR CAPITAL EXPENDITURE...	–	3,400	<b>3,400</b>	–	3,400	<b>3,400</b>	–
E.1	SHANNON FREE AIRPORT DEVELOPMENT COMPANY LIMITED – GRANT FOR ADMINISTRATION AND GENERAL EXPENSES...	–	–	–	102	–	<b>102</b>	–
E.2	SHANNON FREE AIRPORT DEVELOPMENT COMPANY LIMITED – GRANTS TO INDUSTRY...	–	892	<b>892</b>	–	3,000	<b>3,000</b>	236%
F.	SCIENCE, TECHNOLOGY AND INNOVATION PROGRAMMES...	24,920	258,028	<b>282,948</b>	27,680	298,878	<b>326,558</b>	15%
G.	COUNTY ENTERPRISE DEVELOPMENT...	14,091	16,578	<b>30,669</b>	13,963	18,022	<b>31,985</b>	4%
H.	MONITORING AND EVALUATION OF EU PROGRAMMES...	18	–	<b>18</b>	130	–	<b>130</b>	–
I.	NATIONAL STANDARDS AUTHORITY OF IRELAND – GRANT FOR ADMINISTRATION AND GENERAL EXPENSES...	6,977	291	<b>7,268</b>	8,237	550	<b>8,787</b>	21%
	Subtotal:	230,427	405,821	<b>636,248</b>	245,776	478,884	<b>724,660</b>	14%
* Includes carryforward of savings of €2,580,000 from 2007 under the terms of the Administrative Budget Agreement.								
<b>LABOUR FORCE DEVELOPMENT</b>								
K.1	FÁS ADMINISTRATION AND GENERAL EXPENSES (a)...	147,595	–	<b>147,595</b>	152,254	–	<b>152,254</b>	3%
K.2	FÁS TRAINING AND INTEGRATION SUPPORTS...	93,592	–	<b>93,592</b>	99,985	–	<b>99,985</b>	7%
K.3	FÁS EMPLOYMENT PROGRAMMES...	415,228	–	<b>415,228</b>	439,550	–	<b>439,550</b>	6%
K.4	FÁS CAPITAL...	–	32,945	<b>32,945</b>	–	16,000	<b>16,000</b>	-51%
L.	GRANT TO IRISH NATIONAL ORGANISATION FOR THE UNEMPLOYED (b)...	51	–	<b>51</b>	52	–	<b>52</b>	2%
M.1	TECHNICAL SUPPORT FOR COMMUNITY INITIATIVES...	598	–	<b>598</b>	500	–	<b>500</b>	-16%
M.2	MATCHING FUNDING FOR COMMUNITY INITIATIVES...	33	–	<b>33</b>	102	–	<b>102</b>	209%
M.3	OPERATIONAL PROGRAMME FOR HUMAN RESOURCES DEVELOPMENT – TECHNICAL ASSISTANCE...	436	–	<b>436</b>	846	–	<b>846</b>	94%
M.4	LEONARDO PROGRAMME...	128	–	<b>128</b>	140	–	<b>140</b>	9%
M.5	EQUAL COMMUNITY INITIATIVE DEVELOPMENT PARTNERSHIPS...	5,628	–	<b>5,628</b>	2,500	–	<b>2,500</b>	-56%
	Subtotal:	663,289	32,945	<b>696,234</b>	695,929	16,000	<b>711,929</b>	2%

		2007 Provisional Outturn			2008 Estimate			Change 2008 over 2007 %
		Current €000	Capital €000	Total €000	Current €000	Capital €000	Total €000	
<b>EMPLOYMENT RIGHTS AND INDUSTRIAL RELATIONS</b>								
N.	LABOUR RELATIONS COMMISSION – GRANT FOR ADMINISTRATION AND GENERAL EXPENSES...	4,971	–	<b>4,971</b>	6,600	–	<b>6,600</b>	33%
O.1	GRANTS FOR TRADE UNION EDUCATION AND ADVISORY SERVICES (b)...	1,876	–	<b>1,876</b>	1,510	–	<b>1,510</b>	-20%
O.2	WORK PLACE INNOVATION FUND PROMOTION OF PARTNERSHIP...	156	–	<b>156</b>	2,750	–	<b>2,750</b>	–
P.	TRADE UNION AMALGAMATIONS...	43	–	<b>43</b>	150	–	<b>150</b>	249%
	Subtotal:	7,046	–	<b>7,046</b>	11,010	–	<b>11,010</b>	56%
<b>COMMERCE, CONSUMERS AND COMPETITION</b>								
Q.	GRANT TO THE COMPETITION AUTHORITY...	6,102	–	<b>6,102</b>	6,776	–	<b>6,776</b>	11%
R.1	NATIONAL CONSUMER AGENCY – GRANT FOR ADMINISTRATION AND GENERAL EXPENSES (c)...	7,088	–	<b>7,088</b>	10,000	–	<b>10,000</b>	41%
R.2	CONSUMER SUPPORT...	66	–	<b>66</b>	68	–	<b>68</b>	3%
S.1	COMPANIES REGISTRATION OFFICE AND REGISTRY OF FRIENDLY SOCIETIES – GRANT FOR ADMINISTRATION AND GENERAL EXPENSES...	9,545	–	<b>9,545</b>	10,091	–	<b>10,091</b>	6%
S.2	IRISH AUDITING AND ACCOUNTING SUPERVISORY AUTHORITY (GRANT-IN-AID)...	956	–	<b>956</b>	1,547	–	<b>1,547</b>	62%
	Subtotal:	23,757	–	<b>23,757</b>	28,482	–	<b>28,482</b>	20%
<p>(a) Some FÁS instructors costs and the costs of FÁS Skills Analysis Unit are funded by the National Training Fund.</p> <p>(b) Cash limited subhead.</p> <p>(c) On 1 May 2007, the Office of the Director of Consumer Affairs and the National Consumer Agency Interim Board, previously funded from this subhead, were amalgamated into the National Consumer Agency.</p>								
		2007 Provisional Outturn			2008 Estimate			Change 2008 over 2007 %
		Current €000	Capital €000	Total €000	Current €000	Capital €000	Total €000	
<b>HEALTH AND SAFETY</b>								
T.	HEALTH AND SAFETY AUTHORITY – GRANT FOR ADMINISTRATION AND GENERAL EXPENSES...	22,512	–	<b>22,512</b>	24,440	–	<b>24,440</b>	9%
	Subtotal:	22,512	–	<b>22,512</b>	24,440	–	<b>24,440</b>	9%

		2007 Provisional Outturn			2008 Estimate			Change 2008 over 2007 %
		Current €000	Capital €000	Total €000	Current €000	Capital €000	Total €000	
<b>OTHER SERVICES</b>								
U.	RESEARCH INCLUDING MANPOWER SURVEYS...	173	–	<b>173</b>	369	–	<b>369</b>	113%
V.	NATIONAL FRAMEWORK COMMITTEE FOR WORK/LIFE BALANCE POLICIES...	219	–	<b>219</b>	350	–	<b>350</b>	60%
W.	SUBSCRIPTIONS TO INTERNATIONAL ORGANISATIONS, ETC....	15,400	–	<b>15,400</b>	16,239	–	<b>16,239</b>	5%
X.1	COMMISSIONS, COMMITTEES AND SPECIAL INQUIRIES...	785	–	<b>785</b>	904	–	<b>904</b>	15%
X.2	MISCELLANEOUS PAYMENTS...	1,326	–	<b>1,326</b>	1,667	–	<b>1,667</b>	26%
X.3	SUPERANNUATION AND PENSIONS FOR MEMBERS OF THE LABOUR COURT, THE RESTRICTIVE PRACTICES COMMISSION AND THE COMPETITION AUTHORITY...	495	–	<b>495</b>	693	–	<b>693</b>	40%
X.4	EXPORT CREDIT INSURANCE – REFUND TO THE EXCHEQUER...	476	–	<b>476</b>	60	–	<b>60</b>	-87%
	Subtotal:	18,874	–	<b>18,874</b>	20,282	–	<b>20,282</b>	7%
	Gross Total:	1,023,691	438,766	<b>1,462,457</b>	1,093,472	494,884	<b>1,588,356</b>	9%
	Deduct:							
Y.	APPROPRIATIONS-IN-AID...	128,411	–	<b>128,411</b>	95,439	–	<b>95,439</b>	-26%
	Net Total:	895,280	438,766	<b>1,334,046</b>	998,033	494,884	<b>1,492,917</b>	12%
							Net Increase (€000)	158,871
	Exchequer pay and pensions included in above net total...			<b>321,046</b>			346,317	8%
	Associated Public Service employees and pensioners...			<b>6,196</b>			6,435	4%

Subheads under which it is intended to apply the amount of €23.428 million in unspent 2007 appropriations to capital supply services.

		2007 Provisional Outturn	2008 Estimate	Change 2008 over 2007 %
		€000	€000	
		Application of Deferred Surrender		
B.2	INTERTRADEIRELAND	–	<b>1,200</b>	–
D.3	ENTERPRISE IRELAND – GRANT FOR CAPITAL EXPENDITURE	–	<b>2,000</b>	–
F.	SCIENCE, TECHNOLOGY AND INNOVATION PROGRAMMES	8,992	<b>4,226</b>	-53%
G.	COUNTY ENTERPRISE DEVELOPMENT	4,450	<b>3,000</b>	-33%
I.	NATIONAL STANDARDS AUTHORITY OF IRELAND – GRANT FOR ADMINISTRATION AND GENERAL EXPENSES	880	<b>450</b>	-49%
K.4	FÁS CAPITAL	2,000	<b>12,552</b>	528%
		16,322	<b>23,428</b>	44%



### Estimate of Income and Expenditure of the National Training Fund

	2007 Provisional Outturn	2008 Estimate	Change 2008 over 2007 %
	Current €000	Current €000	
Insurance and Company Law:			
Income from contributions...	408,000	<b>436,000</b>	7%
Income from investments...	4,485	<b>4,600</b>	3%
ESF Receipts...	20,815	–	–
<b>Total Income:</b>	<b>433,300</b>	<b>440,600</b>	<b>2%</b>
Expenditure:			
FÁS – Training people in employment (a) (b)...	151,589	<b>172,821</b>	14%
FÁS – Training people for employment...	194,937	<b>198,816</b>	2%
FÁS – Skills Analysis Unit...	369	<b>383</b>	4%
FÁS – Workplace Education Fund...	3,046	<b>3,110</b>	2%
Training Networks Programme (Skillnets)...(b)	13,500	<b>26,472</b>	96%
IDA Ireland – Training Grants to Industry...	1,034	<b>2,500</b>	142%
Enterprise Ireland – Training Grants to Industry...	3,160	<b>3,000</b>	-5%
SFADCo. – Training Grants to Industry...	–	<b>255</b>	–
Continuing Professional Development Pilot (IEI)...	405	<b>450</b>	11%
Expert Group on Future Skills Needs (Forfás)...	522	<b>640</b>	23%
Technical Support Unit (In Company Training)...	562	<b>707</b>	26%
New ESF funded Training Schemes...	24,206	–	–
Other Training Supports...	1,259	<b>753</b>	-40%
<b>Total Expenditure:</b>	<b>394,589</b>	<b>409,907</b>	<b>4%</b>
Excess of Income over Expenditure...	38,711	<b>30,693</b>	–
Amount of Fund Surplus as at 31 December 2007 (Estimated)	123,000		
Amount of Fund Surplus as at 31 December 2007 (Latest projection)	161,825		
Amount of Fund Surplus as at 31 December 2008 (Projected)		<b>192,518</b>	

(a) Expenditure under the National Training Fund is allocated to organisations that operate schemes to raise the skills of those in employment or to provide training to those who wish to acquire skills for the purpose of taking up employment, or to provide information in relation to existing, or likely future, requirements for skills in the economy. The NTF allocation to FÁS supplements activities funded by Exchequer subheads K1-K3.

(b) The allocations for FÁS and Skillnets for 2008 incorporate elements of activity previously funded under ESF Funded Training Programmes.

## APPENDIX 2: REPORT ON COMPLIANCE WITH THE PROVISIONS OF THE PROMPT PAYMENT OF ACCOUNTS ACT

During 2008, 43 invoices incurred penalty interest of €2,405.33. The breakdown of this amount is as follows:

- 18 invoices where payment was up to 30 days overdue, resulting in interest of €654.42.
- 7 invoices where payment was between 31 and 60 days overdue, resulting in interest of €193.33.
- 18 invoices where payment was more than 60 days overdue, resulting in interest of €1,557.57

In accordance with S.I. No. 388, interest is only paid when the amount due is over €5.

The corresponding figure for 2007 was 81 late payments, attracting prompt payment interest of €5,019.46.

# APPENDIX 3: REPORT ON REGULATORY IMPACT ANALYSIS (RIAS) CARRIED OUT BY THE DEPARTMENT IN 2008

## 1. Screening Regulatory Impact Analysis of the Chemicals Act 2008

The screening Regulatory Impact Assessment in respect of the Chemicals Act 2008 was carried out and reported in the Department's Annual Report for 2007. The Regulatory Impact Analysis of the Chemicals Act is published on the Department's website – [www.entemp.ie](http://www.entemp.ie).

## 2. Screening Regulatory Impact Analysis Safety, Health and Welfare at Work (Quarries) Regulations 2008

The screening Regulatory Impact Analysis of the Safety, Health and Welfare at Work (Quarries) Regulations and associated Safety, Health and Welfare at Work Act 2005 Quarries (Repeals and Revocations) (Commencement) Order 2008 is published on the Department's website – [www.entemp.ie](http://www.entemp.ie).

## 3. Screening Regulatory Impact Analysis (RIA) on the Safety, Health and Welfare at Work (Construction) (Amendment No 2) Regulations 2008

The screening Regulatory Impact Analysis (RIA) on the Safety, Health and Welfare at Work (Construction) (Amendment No 2) Regulations 2008 is regarded as an Addendum to the screening Regulatory Impact Analysis (RIA) on the Safety, Health and Welfare at Work (Construction) Regulations 2006 (S.I. No. 504 of 2006). Both these screening RIAs are published on the Department's website – [www.entemp.ie](http://www.entemp.ie).

## 4. Screening Regulatory Impact Analysis for Industrial Relations (Amendment) Bill 2008

A Screening Regulatory Impact analysis was carried out in 2008 on the Industrial Relations (Amendment) Bill 2008. The objective of the proposed legislation is to amend the existing Industrial Relations Acts to provide for the continued effective operation of the Joint Labour Committee and Registered Employment Agreement systems. A Copy of the RIA is available from the Department's Industrial Relations Section.

## 5. Screening RIA on the Proposal for a Directive of the European Parliament and of the Council on Machinery for Pesticide Application, amending Directive 2006/42/EC on Machinery

Date Commenced	18 September 2008
Date Completed	24 November 2008

No substantive issues arose during the consultation process. Consequently a full RIA was not required. A copy of the screening RIA can be obtained from the Department's NSAI Liaison and Standards Unit.

## 6. Screening RIA on the Proposal for a Directive of the European Parliament and of the Council on the Safety of Toys

Date Commenced	20 February 2008
Date Completed	30 March 2008

The purpose of this Directive is to enhance the level of safety of toys while maintaining and improving the smooth functioning of the Internal Market. As the benefits to this Directive are essentially positive with no significant negative impacts a full RIA was not required. All key stakeholders were consulted during the screening RIA process.

A copy of the screening RIA can be obtained from the Department's NSAI Liaison and Standards Unit.

## APPENDIX 4: LEGISLATION ENACTED IN 2008

### **Control of Exports Act 2008 (No. 1 of 2008)**

The Control of Exports Act 2008 was enacted in February 2008. Among the main features of the Act is the introduction of licensing arrangements for controls on arms brokering and on technical assistance activities such as repair, maintenance and development and on the transfer of technology by electronic means. The Act also provides for substantially increased fines of up to €10 million and enhanced inspection and audit powers for authorised officers.

### **Chemicals Act 2008 (No. 13 of 2008)**

The Chemicals Act 2008, enacted in July 2008, is aimed at providing a clear regulatory framework for business in order to achieve high levels of compliance with certain EU Chemicals Regulations, the best known of which is "REACH" (Registration, Evaluation, Authorisation and Restriction of Chemicals). It is also aimed at ensuring co-operation between the various national authorities responsible for enforcement, in order to minimise enforcement costs to both business and national authorities.

The Chemicals Act is published on the Department's website – [www.entemp.ie](http://www.entemp.ie).

## APPENDIX 5: STATUTORY INSTRUMENTS MADE DURING 2008

### S.I. No. 28 of 2008

#### **Safety, Health and Welfare at Work (Quarries) Regulations 2008**

The purpose of these Regulations is to set out requirements with respect to safety, health and welfare in quarries and replace a range of provisions formerly applied in the Mines and Quarries Act, 1965 and in various Regulations made under that Act.

### S.I. No. 29 of 2008

#### **Safety, Health and Welfare at Work (Quarries) (Repeals and Revocations) (Commencement) Order 2008**

The purpose of this Order is to activate the repeal of the Mines and Quarries Act, 1965 (No. 7 of 1965) in so far as that Act relates to quarries (including Sections 23 to 29, 91 to 97 and 133(2) and (3)) and to revoke all Regulations, Orders and Rules made under that Act as they relate to quarries.

### S.I. No. 33 of 2008

#### **European Communities (Restrictive Measures) (Democratic Republic of Congo) (Amendment) Regulations 2008**

To amend the S.I. that gives effect to Council Regulation (EC) No. 889/2005 which provided for penalties for infringements of the Regulation. The amendment, which gives effect to Council Regulation (EC) No. 1377/2007, sets out the exceptions whereby authorisations can be granted for the provision of financing, financial and technical assistance relating to military activities in respect of the Democratic Republic of Congo.

### S.I. No. 83 of 2008

#### **European Communities (Restrictive Measures) (Democratic People's Republic of Korea) (Amendment) Regulations 2008**

To amend the S.I. that gives effect to Council Regulation (EC) No. 329/2007 which provided for penalties for infringements of the Regulation. The amendment, which gives effect to Commission Regulation (EC) No. 117/2008, amends the Council Regulation by replacing Annexes I and II. The Council Regulation introduced a ban on the export of goods and technology and the provision of technical assistance and finance concerning North Korea's nuclear-related, weapons of mass destruction-related and ballistic missile-related programmes. It also prohibited the export of luxury goods to, and the procurement of goods and technology from, North Korea.

### S.I. No. 126 of 2008

#### **Control of Exports Act 2008 (Commencement) Order 2008**

The purpose of this Order is to provide for the entry into force in full of the Control of Exports Act 2008, as provided for under Section 12 of the Act.

### S.I. No. 127 of 2008

#### **European Communities (Names and Labelling of Textile Products), (Amendment)**

Regulations 2008 transposed the provisions of EU Directive 2007/3/EC and amends the European Communities (Names and Labelling of Textile Products) Regulations 1998 (S.I. No. 245 of 1998) by adding a new textile called "elastolefin". This order came into effect on 30 April 2008.



### S.I. No. 128 of 2008

#### European Communities (Quantitative Analysis of Binary Textile Fibre Mixtures) (Amendment) Regulations 2008

Transposed the provisions of EU Directive 2007/4/EC and is a companion of the European Communities (Names and Labelling of Textile Products) (Amendment) Regulations 2008 (S.I. No. 127 of 2008) and adds the analytical method for testing the textile called “elastolefin”. This order came into effect on 30 April 2008.

### S.I. No. 130 of 2008

#### Safety, Health and Welfare at Work (Construction) (Amendment) Regulations 2008

The purpose of these Regulations is to amend the Safety, Health and Welfare at Work (Construction) Regulations 2006 (S.I. No. 504 of 2006) as regards the operational date for Regulations 19(1)(b), 25(1)(b), 29(1)(g), 74(e) and 97(b) and (c), which is changed from 6 May 2008 to 6 July 2009, in respect of the possession of a Construction Skills Registration Card under the Construction Skills Certification Scheme, as it applies to the following tasks:

- (i) Mobile tower scaffold (where the employee has not been trained in basic or advanced scaffolding),
- (ii) Signing, lighting and guarding on roads,
- (iii) Locating under-ground services, and
- (iv) Shotfiring.

### S.I. No. 132 of 2008

#### Industrial Relations Act 1990 (Code of Practice on Information and Consultation) (Declaration) Order 2008

The purpose of this Code of Practice is to assist employers, employees and their representatives to develop effective arrangements for communications and consultation in accordance with the provisions of the Employees (Provision of Information and Consultation) Act, 2006.

### S.I. No. 269 of 2008

#### European Communities (Export and Import of Certain Dangerous Chemicals) (Industrial Chemicals) (Enforcement) (Revocation) Regulations 2008

The purpose of these Regulations is to revoke the European Communities (Export and Import of Certain Dangerous Chemicals) (Industrial Chemicals) (Enforcement) Regulations 2002 (S.I. No. 395 of 2002), as the Chemicals Act 2008 now provides the necessary legal basis for enforcement.

### S.I. No. 270 of 2008

#### European Communities (Detergents) (Revocation) Regulations 2008

The purpose of these Regulations is to revoke the European Communities (Detergents) Regulations 2005 (S.I. No. 844 of 2005), as the Chemicals Act 2008 now provides the necessary legal basis for enforcement

### S.I. No. 271 of 2008

#### European Communities (Classification, Packaging and Labelling of Dangerous Preparations) (Amendment) Regulations 2008

The purpose of these Regulations is to make a small number of technical amendments to the European Communities (Classification, Packaging and Labelling of Dangerous Preparations) Regulations 2004 (S.I. No. 62 of 2004) as amended by the European Communities (Classification, Packaging and Labelling of Dangerous Preparations) (Amendment) Regulations 2007 (S.I. No. 76 of 2007). The matters covered by the revoked provisions are now provided for directly in the REACH Regulation (EC) No. 1907/2006.

### S.I. No. 272 of 2008

#### European Communities (Classification, Packaging, Labelling and Notification of Dangerous Substances)(Amendment) Regulations 2008

The purpose of these Regulations is to transpose Directive 2006/121/EC of the European Parliament and of the Council of 18 December 2006. In so doing, they amend the European Communities (Classification, Packaging, Labelling and Notification of Dangerous Substances) Regulations 2003 (S.I. No. 116 of 2003) as last amended by the European Communities (Classification, Packaging, Labelling and Notification of Dangerous Substances) (Amendment) Regulations 2006 (S.I. No. 25 of 2006).

### **S.I. No. 273 of 2008**

#### **Chemicals Act 2008 (Commencement) Order 2008**

This Order appointed 15 July 2008 as the day on which the Chemicals Act 2008 (No. 13 of 2008) came into operation.

### **S.I. No. 296 of 2008**

#### **Legal Metrology (Marks) Regulations 2008**

The purpose of these Regulations is to replace and update existing regulations relating to the official marks to be applied to measuring instruments prescribed for use for the purposes of trade.

### **S.I. No. 309 of 2008**

#### **European Communities (Measuring Instruments) Regulations 2008**

The purpose of these Regulations is to give effect to Council Directive 2006/96/EC and Commission Directive 2007/13/EC and to give further effect to Council Directive 71/316/EEC, relating to common provisions for both measuring instruments and methods of metrological control.

### **S.I. No. 316 of 2008**

#### **European Communities (Cooperation between National Authorities Responsible for the Enforcement of Consumer Protection Laws) (Amendment) Regulations 2008**

Amends S.I. No. 290 of 2006 on Cooperation between National Authorities responsible for the Enforcement of Consumer laws which implemented Regulation (EC) 2006/2004 of the European Parliament and of the Council of 27 October 2004 by designating competent authorities to carry out the functions of information exchange, cooperation and infringement proceedings in respect of specified EU consumer Directives/Regulations. The amended regulations provide for the designation of the National Consumer Agency as the competent authority for the Unfair Commercial Practices Directive (Directive 2005/29/EC) and the Irish Medicines Board for the Directive on the Community code relating to medicinal products for human use (Directive 2001/83/EC, as amended). The Order came into effect from the 1st August 2008.

### **S.I. No. 323 of 2008**

#### **Legal Metrology (General) Regulations 2008**

The purpose of these Regulations is to replace and update existing Regulations relating to national conformity assessment procedures and in-service inspection controls applied to measuring instruments prescribed for use for the purposes of trade.

### **S.I. No. 371 of 2008**

#### **European Communities (Dangerous Substances and Preparations) (Marketing and Use) (Amendment) Regulations 2008**

The purpose of these Regulations which came into operation on 3 April 2009 is to amend Schedule 1 to the European Communities (Dangerous Substances and Preparations) (Marketing and Use) Regulations, 2003 (S.I. No. 220 of 2003), as last amended by the European Communities (Dangerous Substances and Preparations) (Marketing and Use) (Amendment) Regulations 2007 (S.I. No. 746 of 2007) and also to transpose Directive 2007/51/EC of the European Parliament and of the Council of 25 September 2007 amending Council Directive 76/769/EEC relating to restrictions on the marketing of certain measuring devices containing mercury.

### **S.I. No. 406 of 2008**

#### **European Communities (Lifts) (Amendment) Regulations 2008**

The Regulations come into effect on 29 December 2009 and implement Article 24 of Directive 2006/42/EC of the European Parliament and of the Council of 17 May 2006 on machinery and amending Directive 95/16/EC of 29 June 1995.

These Regulations amend the European Communities (Lifts) Regulations 1998

### **S.I. No. 407 of 2008**

#### **European Communities (Machinery) Regulations 2008**

The Regulations come into effect on 29 December 2009 and implement Article 24 of Directive 2006/42/EC of the European Parliament and of the Council of 17 May 2006 on machinery and amending Directive 95/16/EC of 29 June 1995. In the case of portable cartridge operated fixing and other impact machinery that are in conformity with existing provisions in force at 17 May 2006 the Regulations come into effect on 29 June 2011.

Article 24 of this Directive is implemented separately through the European Communities (Lifts) (Amendment) Regulations 2008.

These Regulations provide for the continued harmonisation of the essential health and safety requirements on machinery across the European Union while also promoting the free movement of machinery within the single market.

### **S.I. No. 423 of 2008**

#### **Safety, Health and Welfare at Work (Construction) (Amendment) (No.2) Regulations 2008**

The purpose of these Regulations is to amend the Safety, Health and Welfare at Work (Construction) Regulations 2006 (S.I. No. 504 of 2006), as previously amended by the Safety, Health and Welfare at Work (Construction) (Amendment) Regulations 2008 (S.I. No. 130 of 2008), by substituting revised provisions for Regulation 97, relating to guarding, lighting and signage in connection with construction works on roads, footpaths and cycle tracks.

### **S.I. No. 481 of 2008**

#### **European Communities (Restrictive Measures) (Iran) (Amendment) Regulations 2008**

The effect of this Order is to amend the Statutory Instrument that provided for penalties for infringements of Council Regulation (EC) No. 423/2007 of 19 April 2007. The Council Regulation introduced on the export of goods and technology which could contribute to Iran's enrichment-related, reprocessing, or heavy water-related activities, or to the development of nuclear weapon delivery systems and investment related to, and the procurement of, such goods and technology from Iran. The amendments, which give effect to Commission Regulation (EC) No. 116/2008, replace Annexes I and III of the Council Regulation.

### **S.I. No. 530 of 2008**

#### **Industrial Development (Enterprise Ireland) Act 1998 (Section 50) Commencement Order 2008**

This Order provides for the commencement of Section 50 of the Industrial Development (Enterprise Ireland) Act 1998.

### **S. I. No. 566 of 2008**

#### **European Communities (Prepacked Products) Regulations, 2008**

Transposed Directive 2007/45/EC of the European Parliament and of the Council of 5 September 2007 laying down rules on nominal quantities for prepacked products, repealing Council Directives 75/106/EEC and 80/232/EEC, and amending Council Directive 76/211/EEC. The Directive deregulated mandatory range of sizes for certain products. From the 11th April 2009 the only mandated range of sizes within the community are in respect of certain wines and spirits.

### **S. I. No. 567 of 2008**

#### **Merchandise Marks Act 1970 (Prepacked Goods) (Marking and Quantities) (Revocation) Order, 2008**

Revoked all the domestic and relevant EU legislation relating to mandatory ranges of sizes for products. This was necessitated by the transposition of Directive 2007/45/EC above.

### **S.I. No. 578 of 2008**

#### **European Communities (Electro-Medical Equipment Used in Human or Veterinary Medicine) (Revocation) Regulations 2008**

The purpose of these Regulations is to give effect to Council Directive 2008/13/EC dated 11 March 2008 and revoke the European Communities (Electro-Medical Equipment used in Human or Veterinary Medicine) Regulations 1988 (S.I. No. 90 of 1988).

### **S.I. No. 593 of 2008**

#### **Dangerous Substances (Retail and Private Petroleum Stores) (Amendment) Regulations 2008**

The purpose of these Regulations is to extend until 31 December 2010 the possibility for certain petrol filling stations to operate under licence by providing for safety requirements in certain circumstances for those petrol filling stations, constructed before the 1979 Regulations commenced.

<sup>1</sup> Central Statistics Office, Quarterly National Accounts, Quarter 4 2008

<sup>2</sup> All labour market data Central Statistics Office Quarterly National Household Survey Quarter 4 2008 unless indicated

## APPENDIX 6: LABOUR MARKET DATA

### Economic Growth

The outlook for the economy has changed substantially. We are now experiencing negative economic growth, with Gross Domestic Product (GDP) decreasing by 7.5% and Gross National Product (GNP) by 6.7% in the fourth Quarter of 2008 when compared with the fourth Quarter of 2007<sup>1</sup>.

### Labour Force<sup>2</sup>

As of Quarter 4 2008, the labour force (employed + unemployed persons) stood at 2,222,700, representing an annual decrease of 17,200 (-0.8%). All of the annual decline is attributable to a decline in participation in the labour market of over 34,000. This is shown by the fall in the participation rate, from 63.9% in Q4 2007 to 62.8% in Q4 2008. In addition to changes in participation, demographic factors such as the increase in the number of people of working age in the population has fallen from a level of almost 63,000 in Q4 2007 to just under 17,000 in Q4 2008. In recent years demographic growth has primarily been driven by net inward migration and the significant slowdown in net inward migration is the primary cause of the fall in the demographic increase.

### Employment

Employment decreased significantly in 2008 with the numbers employed falling by 86,900, (-4.1%) in the year to Q4 2008. This decrease brought the total number in employment to 2,052,000. The overall employment rate (among persons aged 15-64) fell by -3.2% to 65.8%. Full-time employment accounted for 81% of overall employment with 1,660,500 persons now working on a full-time basis. Part-time employment continued to increase slightly by (+7,000) in 2008 with 391,500 persons working part-time. On an annual basis, the number of female and male workers in employment decreased by -2.0% and -5.7% respectively.

The numbers in employment decreased in most economic sectors apart from the sectors of education (+6,300), health (+3,500), other services (+3,100), transport, storage and communication (900), and public administration (600). The largest decline in employment was recorded in the construction sector where the numbers employed fell by 45,900 (-16.5%) over the year. The numbers employed also decreased across most occupational categories with the exception of managers and administrators (+13,600), professionals (+10,900) and associate professional and technical (+2,800) occupational groups. The largest decrease was in the craft and related (-38,600) occupation group.

### Employment by Nationality

Employment of non-Irish nationals accounted for just over 15% of total employment in Q4 2008. Non-Irish national employment decreased by -18,700 (-6%) in the year with 89.8% of the decrease (-16,800) attributable to persons from the accession States (EU15 to EU27). The numbers of non-Irish nationals in employment decreased in most economic sectors with the largest decreases recorded in Construction, Hotels and Restaurants, Wholesale and retail trade. The sectors with the highest proportion of non-Irish national employment were Hotels and Restaurants (34%), Other Production Industries (19%), Wholesale and retail trade (17%), Construction (16%) and Financial and other business services (16%).

### Unemployment

There were 170,600 persons unemployed (117,800 males and 52,900 females) in Quarter 4 of 2008. The unemployment rate increased by 3.2% to 7.7% in the year, with the rate for males increasing by 4.3% to 9.3%, while the rate for females increased by 1.6% to 5.5%. There were 40,500 persons long-term unemployed, with the long-term unemployment rate increasing slightly to 1.8%.

## Regional Comparisons

In the year to Q4 2008 employment fell by 36,100(-6.5%) in the Border Midlands and Western (BMW) region and by 50,800 (-3.2%) in the Southern and Eastern (S&E) region. There was an increase in the numbers unemployed in the S&E (+44,900) and BMW regions (+24,800). Employment declined in all sub-regions, with the Midland and Border regions showing the largest decrease of -8.5% and -6.4% respectively.

## Labour Market Outlook

The deterioration in international economic conditions has had a significant impact on the Irish labour market. The Department of Finance<sup>3</sup> forecasts an average GDP and GNP decline of 4% and 4.5% respectively over 2009 with unemployment forecast to continue to rise in 2009 and to average 9.2% for the year as a whole, with a year-end figure of around 10%. A modest decline in the size of the labour force is projected which will mitigate the rise in survey-based unemployment.

A lower level of residential investment was a key factor depressing activity last year – completion of new homes amounted to around 50,000, around one-third lower than in the previous year. The labour market implications of this adjustment have been substantial, and lower employment in construction was the main factor behind the annual decline in employment during 2008.

In terms of labour market developments in 2009, job losses will exceed gains with the result that employment levels will contract by around 4% (85,000). In terms of next year (2010), a further decline in net employment appears to be in prospect so that overall employment looks set to decline by over 120,000 over the two-year period. Notwithstanding this the level of employment in the economy will be close to two million, as a result of the substantial employment gains since the mid-1990's. It must be recognised however that there remains a considerable level of uncertainty attached to any attempt to forecast in light of the current economic circumstances.



Table 1: Labour Market Data 2003-2008

Total (000's)	2003	2004	2005	2006	2007	2008
<b>Labour force</b>	1,912.7	1,982.1	2,078.1	2,162.4	2,239.9	2,222.7
<b>Employed</b>	1,827.1	1,896.4	1,985.7	2,072.1	2,138.9	2,052.0
Full time	1,522.3	1,580.1	1,645.2	1,724.1	1,754.4	1,660.5
Part time	304.7	316.3	340.6	348.0	384.5	391.5
<b>Unemployed</b>	85.7	85.8	92.3	90.3	101.0	170.6
Long Term Unemployed	26.3	28.8	27.6	27.1	27.7	40.5
Males (000's)	2003	2004	2005	2006	2007	2008
<b>Labour force</b>	1,114.9	1,149.9	1,202.9	1,248.2	1,277.7	1,263.1
<b>Employed</b>	1,061.6	1,096.9	1,148.0	1,193.1	1,214.1	1,145.3
Full time	995.0	1,031.7	1,072.9	1,116.9	1,128.7	1,052.1
Part time	66.6	65.2	75.1	76.2	85.4	93.2
<b>Unemployed</b>	53.3	53.0	54.9	55.1	63.6	117.8
Long Term Unemployed	19.6	21.3	20.7	19.9	20.6	31.4
Females (000's)	2003	2004	2005	2006	2007	2008
<b>Labour force</b>	797.8	832.3	875.1	914.2	962.3	959.6
<b>Employed</b>	765.5	799.5	837.7	879.0	924.8	906.7
Full time	527.3	548.3	572.3	607.2	625.7	608.4
Part time	238.1	251.1	265.5	271.8	299.1	298.3
<b>Unemployed</b>	32.4	32.8	37.4	35.2	37.5	52.9
Long Term Unemployed	6.7	7.5	7.0	7.1	7.1	9.1
Rate (%)	2003	2004	2005	2006	2007	2008
<b>Employment</b>	65.6%	66.6%	67.8%	68.8%	69.0%	65.8%
<b>Female Employment</b>	55.7%	57.1%	58.3%	59.6%	60.8%	59.0%
<b>Older Workers Employment</b>	49.2%	50.0%	52.2%	53.0%	53.9%	52.8%
<b>Unemployment</b>	4.5%	4.3%	4.4%	4.2%	4.5%	7.7%
<b>Long-term unemployment</b>	1.4%	1.5%	1.3%	1.3%	1.2%	1.8%

**Table 2: Employment Growth (000's) by sector 2003-2008**

Economic Sector (NACE Rev.1)	2003	2004	2005	2006	2007	2008	% Change 2007-2008	% Change 2003-2008
Agriculture, forestry and fishing	123.0	112.4	114.9	114.7	118.7	116	-2.3%	-5.7%
Other production industries	297.7	302.6	290.9	294.9	290.7	278.3	-4.3%	-6.5%
Construction	199.4	227.3	254.3	284.6	279.0	233.1	-16.5%	+16.9%
Wholesale and retail trade	254.9	264.7	284.0	287.8	311.6	293.4	-5.8%	+15.1%
Hotels and restaurants	117.9	116.0	119.9	124.0	132.3	121.8	-7.9%	+3.3%
Transport, storage and communication	113.9	115.7	118.1	116.8	120.8	121.7	+0.7%	+6.8%
Financial and other business services	230.5	246.8	261.9	276.2	297.1	285.5	-3.9%	+23.9%
Public administration and defence	89.5	93.1	99.1	102.5	105.0	105.6	+0.6%	+18%
Education	118.2	118.3	127.3	138.1	139.1	145.4	+4.5%	+23%
Health	176.8	183.2	192.7	210.7	221.3	224.8	+1.6%	+27.1%
Other services	105.3	116.3	122.5	121.8	123.3	126.4	+2.5%	+20%
<b>Total persons</b>	<b>1,827.1</b>	<b>1,896.4</b>	<b>1,985.7</b>	<b>2,072.1</b>	<b>2,138.9</b>	<b>2,052.0</b>	<b>-4.1%</b>	<b>+12.3%</b>

**Table 3: Share of total employment by economic sector 2003-2008**

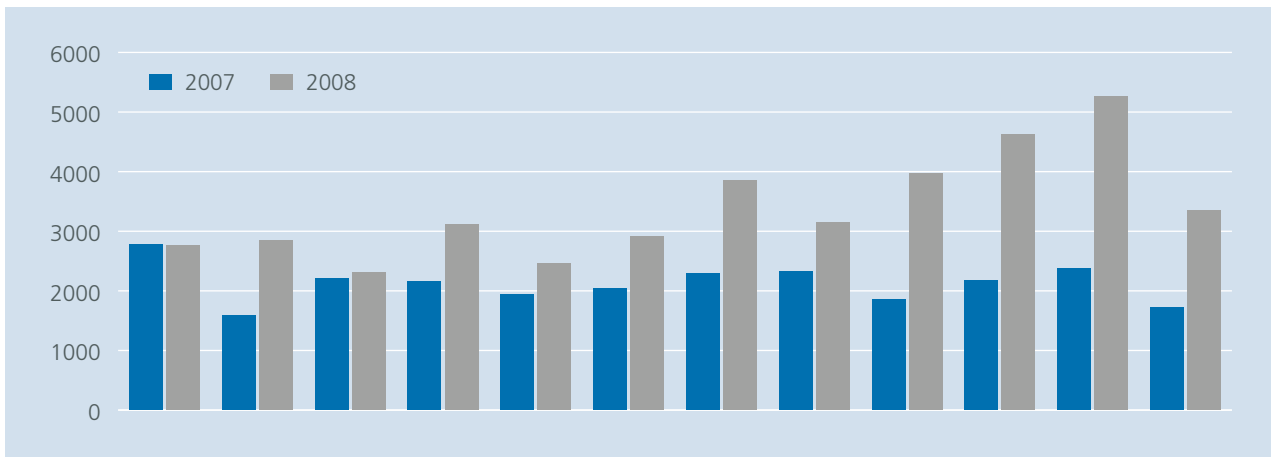
Economic Sector (NACE Rev.1)	2003	2008
Agriculture, forestry and fishing	6.7%	5.7%
Other production industries	16.3%	13.6%
Construction	10.9%	11.4%
Wholesale and retail trade	14%	14.3%
Hotels and restaurants	6.5%	5.9%
Transport, storage and communication	6.2%	5.9%
Financial and other business services	12.6%	13.9%
Public administration and defence	4.9%	5.1%
Education	6.5%	7.1%
Health	9.7%	11.0%
Other services	5.8%	6.2%

**Table 4: Days Lost to Industrial Disputes in 2008**

Quarter	Disputes which began	Disputes in progress			Total days lost in 2008
		Number of Disputes	Number of firms involved	Workers involved	
Quarter 1	4	4	4	173	1,477
Quarter 2	4	5	5	132	727
Quarter 3	2	3	3	34	578
Quarter 4	2	4	4	99	1,397
<b>Total</b>	<b>12</b>	<b>12</b>	<b>10</b>	<b>356</b>	<b>4,179</b>

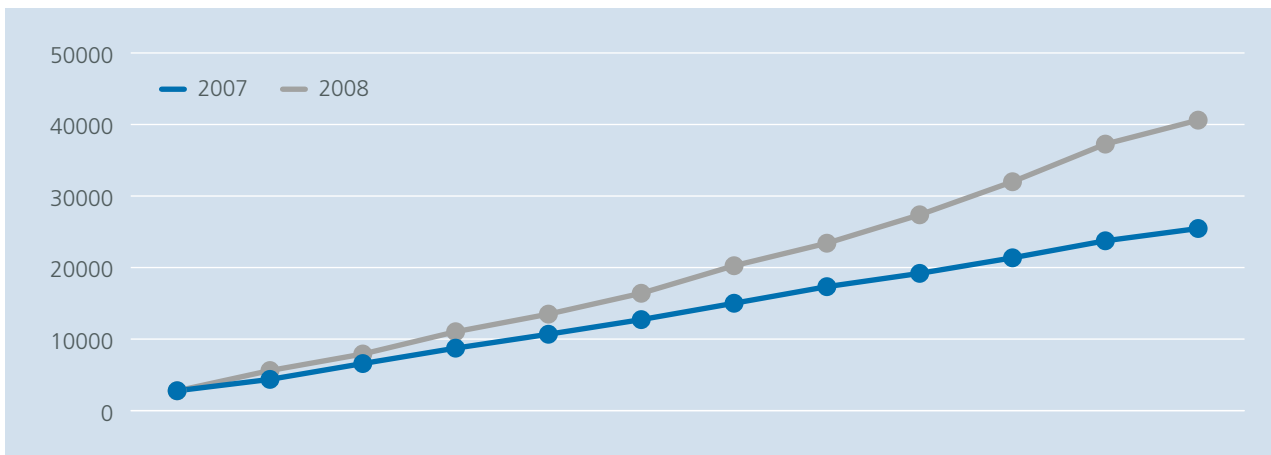
Source: CSO

### Actual Redundancies 2007 and 2008 by month



Months	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
<b>2007</b>	2,777	1,587	2,214	2,155	1,942	2,046	2,287	2,319	1,859	2,174	2,380	1,719	<b>25,459</b>
<b>2008</b>	2,764	2,838	2,311	3,114	2,462	2,914	3,852	3,147	3,971	4,623	5,261	3,350	<b>40,607</b>
<b>% Diff.</b>	-0.5%	78.8%	4.4%	44.5%	26.8%	42.4%	68.4%	35.7%	113.6%	112.6%	121.1%	94.9%	<b>59.5%</b>

### Cumulative Comparison 2007 vs. 2008



Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2777	4364	6578	8733	10675	12721	15008	17327	19186	21360	23740	25459
2764	5602	7913	11027	13489	16403	20255	23402	27373	31996	37257	40607
-0.5%	28.4%	20.3%	26.3%	26.4%	28.9%	35.0%	35.1%	42.7%	49.8%	56.9%	59.5%

## APPENDIX 7: OFFICES AND BODIES OF THE DEPARTMENT

### Companies Registration Office

Parnell House, 14 Parnell Square, Dublin 1

Telephone: 01-804 5200

Lo-call: 1890-220226

Fax: 01-804 5222

Website: [www.cro.ie](http://www.cro.ie)

Email: [info@cro.ie](mailto:info@cro.ie)

The Companies Registration Office is the central depository of public statutory information on Irish companies. Its main functions include the incorporation of companies; the registration of business names, of charges on companies, of other post-incorporation documents and of changes in business name particulars. The office has an extensive enforcement programme in respect of the filing of returns.

### Competition Authority

Parnell House, 14 Parnell Square, Dublin 1

Telephone: 01-804 5400

Lo-call: 1890 220 224

Fax: 01 804 5401

Website: [www.tca.ie](http://www.tca.ie)

E-mail: [info@tca.ie](mailto:info@tca.ie)

The function of the Competition Authority is to promote greater competition in all sectors of the economy by tackling anti-competitive practices and by increasing awareness of such practices. As of 1st January, 2003, the Authority assumed responsibility for examining and deciding upon mergers and acquisitions notified under the Competition Act, 2002.

### County And City Enterprise Boards

The 35 County and City Enterprise Boards (CEBs) were established to provide support for small businesses ('micro-enterprises') with 10 employees or less, at local level. CEBs provide direct grant-support to new and existing enterprises and promote entrepreneurship, capacity-building and women-in-business at local level, to micro enterprises in the commercial sphere. A list of the 35 CEBs is available at [www.enterpriseboards.ie](http://www.enterpriseboards.ie).

### Department of Enterprise, Trade and Employment

23 Kildare Street, Dublin 2

Telephone: 01-631 2121

Lo-call: 1890-220 222

Fax: 01-631 2827

Website: [www.entemp.ie](http://www.entemp.ie)

E-mail: [webmaster@entemp.ie](mailto:webmaster@entemp.ie)

Earlsfort Centre, Lower Hatch Street, Dublin 2

Telephone: 01-631 2121

Lo-call: 1890-220 222

Fax: 01-631 2827

Website: [www.entemp.ie](http://www.entemp.ie)

E-mail: [webmaster@entemp.ie](mailto:webmaster@entemp.ie)

Davitt House, 65a Adelaide Road, Dublin 2

Telephone: 01-631 2121

Lo-call: 1890-220 222

Fax: 01-631 3267

Website: [www.entemp.ie](http://www.entemp.ie)

E-mail: [webmaster@entemp.ie](mailto:webmaster@entemp.ie)

### Enterprise Ireland

The Plaza, EastPoint Business Park, Dublin 3

Telephone: 01-727 2000

Website: [www.enterprise-ireland.com](http://www.enterprise-ireland.com)

E-mail: [info@enterprise-ireland.com](mailto:info@enterprise-ireland.com)

Enterprise Ireland is the government agency responsible for the development and promotion of the indigenous business sector. Its mission is to accelerate the development of world-class Irish companies to achieve strong positions in global markets resulting in increased national and regional prosperity. Enterprise Ireland brings together the key marketing, technology, enterprise development, business training and science and innovation initiatives through which the Government supports the growth of Irish industry.

## Employment Appeals Tribunal

Davitt House, 65A Adelaide Road, Dublin 2

Telephone: 01-631 2121

Lo-call: 1890 220 222

Fax: 01-631 3266

Website: [www.eatribunal.ie](http://www.eatribunal.ie)

E-mail: [eat@entemp.ie](mailto:eat@entemp.ie)

The Employment Appeals Tribunal is an independent body established to provide a speedy, inexpensive and relatively informal means for adjudication of disputes on employment rights under the various legislations that come within the Tribunal's scope. It is our goal that customers using the service will be satisfied overall with the service they have received from the Tribunal.

## FÁS

27-33 Upper Baggot Street, Dublin 4

Telephone: 01-607 0500

Fax: 01-607 0608

Website: [www.fas.ie](http://www.fas.ie)

As the National Training and Employment Authority, FÁS anticipates the needs of, and responds to, a constantly changing labour market. Through a regional network of 66 offices and 20 training centres, FÁS operates training and employment programmes; provides a recruitment service to jobseekers and employers, an advisory service for industry, and supports community-based enterprises.

## Forfás

Wilton Park House, Wilton Place, Dublin 2

Telephone: 01-607 3000

Fax: 01-607 3030

Website: [www.forfas.ie](http://www.forfas.ie)

E-mail: [info@forfas.ie](mailto:info@forfas.ie)

Forfás is the national policy and advisory body for enterprise, trade, science, technology and innovation.

## Health And Safety Authority

Metropolitan Building, James Joyce Street, Dublin 1

Telephone: 01-614 7000

Lo-call: 1890-289 389

Fax: 01-614 7020

Website: [www.hsa.ie](http://www.hsa.ie)

Email: [wcu@hsa.ie](mailto:wcu@hsa.ie)

The Health and Safety Authority has responsibility for the administration and enforcement of the occupational, safety and health and the chemicals regulatory framework provided for in the Chemicals Act 2008 and certain other legislation. It provides information, advice and guidance for employers, workers, the self-employed and others to whom occupational safety and health legislation applies or is of relevance.

## IDA Ireland

Wilton Park House, Wilton Place, Dublin 2

Telephone: 01-603 4000

Website: [www.idaireland.com](http://www.idaireland.com)

E-mail: [idaireland@ida.ie](mailto:idaireland@ida.ie)

IDA Ireland is responsible for the attraction to and development of overseas industry within Ireland.

## InjuriesBoard.ie

P.O. BOX 8, Clonakilty, Co. Cork

Telephone: 1890-829 121

Fax: 1890-829 122

Website: [www.injuriesboard.ie](http://www.injuriesboard.ie)

E-mail: [enquiries@injuriesboard.ie](mailto:enquiries@injuriesboard.ie)

The Personal Injuries Assessment Board, or InjuriesBoard.ie, is a statutory body that provides independent assessment of personal injury compensation for victims of Workplace, Motor and Public Liability accidents. This assessment is provided without the need for the majority of current litigation costs, such as Solicitors, Barristers and Experts' fees, associated with such claims. In exceptional cases legal/expert fees may apply and InjuriesBoard.ie examines each case on its own merits.

## InterTradelreland

The Old Gasworks Business Park, Kilmorey Street, Newry, Co. Down, BT34 2DE

Telephone: 048-3083 4100

Fax: 048-3083 4155

Website: [www.intertradeireland.com](http://www.intertradeireland.com)

Email: [info@intertradeireland.com](mailto:info@intertradeireland.com)

InterTradelreland is the Trade and Business Development Body established under the British-Irish Agreement Act, 1999. It is one of six North/South Implementation Bodies arising from the Good Friday Agreement of 1998. InterTradelreland's mission for the period 2008-2010 is to enhance the global competitiveness of both jurisdictions for mutual benefit, through cooperative business, policy and research programmes, partnerships and networks. InterTradelreland is co-funded by the Department of Enterprise, Trade and Employment and the Department of Enterprise, Trade and Investment in the North on a two-thirds, one-third basis respectively.



### **Irish Auditing and Accounting Supervisory Authority**

Willow House, Millennium Park, Naas, Co. Kildare

Telephone: 045-983 600

Fax: 045-983 601

Website: [www.iaasa.ie](http://www.iaasa.ie)

E-mail: [info@iaasa.ie](mailto:info@iaasa.ie)

The Irish Auditing and Accounting Supervisory Authority has four principal objectives; to supervise how the prescribed accountancy bodies regulate and monitor their members; to promote adherence to high professional standards in the auditing and accountancy profession; to monitor whether the accounts of certain classes of companies and other undertakings comply with the Companies Acts; and to act as a specialist source of advice to the Minister on auditing and accounting matters.

### **Labour Court**

Tom Johnson House, Haddington Rd, Dublin 4

Telephone: 01-613 6666

Lo-call: 1890-220 228

Fax: 01-613 6667

Website: [www.labourcourt.ie](http://www.labourcourt.ie)

E-mail: [info@labourcourt.ie](mailto:info@labourcourt.ie)

The Labour Court was established under the Industrial Relations Act 1946. It provides a free, comprehensive service for the investigation and resolution of disputes in the areas of industrial relations and statutory employment rights. In addition, the Court makes Employment Regulation Orders setting legally enforceable minimum rates of pay and conditions of employment in those sectors covered by Joint Labour Committees. The Court also registers employment agreements: the effect of registration is to make the provisions of an agreement legally enforceable.

### **Labour Relations Commission**

Tom Johnson House, Haddington Road, Dublin 4

Telephone: 01-613 6700

Lo-call: 1890-220 227

Fax: 01-613 6701

Website: [www.lrc.ie](http://www.lrc.ie)

E-mail: [info@lrc.ie](mailto:info@lrc.ie)

The Labour Relations Commission, established under the Industrial Relations Act 1990, has overall responsibility for promoting the improvement of industrial relations, and does so by providing a range of services including a Conciliation Service, a Rights Commissioner Service and an Advisory Services Division.

### **National Consumer Agency**

4 Harcourt Road, Dublin 2

Telephone: 01-402 5555

Press Queries: 01-475 1444

Consumer Helpline Lo-call: 1890-432 432

Corporate Queries: 01-402 5500

Fax: 01-402 5501

Consumer Website: [www.consumerconnect.ie](http://www.consumerconnect.ie)

Corporate Website: [www.nca.ie](http://www.nca.ie)

The aim of the National Consumer Agency is to defend consumer interests and to embed a robust consumer culture in Ireland. Its mandate includes advocacy, research, information, enforcement, education and awareness. The Agency enforces a wide range of consumer protection laws, including laws on deceptive trading practices (these include unfair, misleading and aggressive commercial practices), consumer credit, package travel, unfair contract terms, timeshare, food labelling, textile labelling, unit pricing and price displays.

### **National Employment Rights Authority**

O'Brien Road, Carlow

Telephone: 059-917 8800

Lo-call: 1890 808 090

Fax: 059-917 8912

Website: [www.employmentrights.ie](http://www.employmentrights.ie)

The role of the National Employment Rights Authority (NERA) is to foster and enforce a national culture of employment rights compliance in the State. NERA undertakes a range of functions, including the provision of impartial information to employers and employees, an inspection function, and a prosecution and enforcement service. Its primary objective is to work with employers to seek compliance with the legislation and rectification of any breaches identified, including redress for individual(s) concerned and payment of any arrears due to employees.

### **National Standards Authority Of Ireland**

1 Swift Square, Santry, Dublin 9

Telephone: 01-807 3800

Fax: 01-807 3838

Website: [www.nsai.ie](http://www.nsai.ie)

E-mail: [nsai@nsai.ie](mailto:nsai@nsai.ie)

The primary functions of the National Standards Authority of Ireland are the development and publication of standards, the provision of a comprehensive product and management system certification service, Agrément certification of building and civil engineering products and Legal Metrology for the establishment of confidence in trade measurements. The NSAI, through the National Metrology Laboratory, develops and disseminates national measurement standards in accordance with the International System of Units.

### Office Of The Director Of Corporate Enforcement

16 Parnell Square, Dublin 1

Telephone: 01-858 5800

Lo-call: 1890-315 015

Fax: 01-858 5801

Website: [www.odce.ie](http://www.odce.ie)

E-mail: [info@odce.ie](mailto:info@odce.ie)

The mission of the Office of the Director of Corporate Enforcement is to improve the compliance environment for corporate activity in the Irish economy. The functions of the Director of Corporate Enforcement include encouraging compliance with the Companies Acts, investigating suspected offences under the Acts and initiating civil and summary criminal proceedings in the Courts. The Director has a general supervisory role in respect of liquidators and receivers.

### Office Of The Registrar Of Friendly Societies

Parnell House, 14 Parnell Square, Dublin 1

Telephone: 01-804 5499

Lo-call: 1890-220 225

Fax: 01-804 5498

The Office of the Registrar of Friendly Societies is a statutory independent office responsible for the registration and general regulation of friendly societies, trade unions and industrial and provident societies (co-operatives).

### Patents Office

Government Buildings, Hebron Road, Kilkenny

Telephone: 056-772 0111

Lo-call: 1890-220 223

Fax: 056-772 0100

Lo-call Fax: 1890-220 120

Website: [www.patentsoffice.ie](http://www.patentsoffice.ie)

E-mail: [patlib@entemp.ie](mailto:patlib@entemp.ie)

The Patents Office is responsible for the grant of patents for inventions and for the registration of trademarks and designs. The Controller also has functions in relations to the adjudication of certain copyright disputes.

### Rights Commissioner Service

Tom Johnson House, Haddington Road

Telephone: 01-613 6700

Lo-call: 1890-220 227

Fax (01) 613 6701

Website: [www.lrc.ie](http://www.lrc.ie)

Email: [rightscomm@lrc.ie](mailto:rightscomm@lrc.ie)

The Rights Commissioner Service is a service of the Labour Relations Commission. The Service investigates disputes, grievances and claims that individuals, or small groups of workers make under certain legislation.

### Science Foundation Ireland

Wilton Park House, Wilton Place, Dublin 2

Telephone: 01-607 3200

Fax: 01-607 3201

Website: [www.sfi.ie](http://www.sfi.ie)

Email: [info-at-sfi.ie](mailto:info-at-sfi.ie)

Science Foundation Ireland (SFI) provides awards to scientists and engineers who are most likely to generate new knowledge, leading edge technologies and competitive enterprises in the fields of science and engineering in the broad areas of Biotechnology, Information and communications technology, and Sustainable energy and energy-efficient technologies SFI also makes grants based upon the merit review of distinguished scientists.

### Shannon Development

Town Centre, Shannon, Co. Clare

Telephone: 061-361 555

Fax: 061-361 903

Website: [www.shannon-dev.ie](http://www.shannon-dev.ie)

E-mail: [info@shannon-dev.ie](mailto:info@shannon-dev.ie)

Shannon Development is a Government-owned regional development company dedicated to promoting and developing the Shannon Region of Ireland. Its business is regional economic development – a complex process embracing all sectors of activity and utilising multiple processes to achieve the vision of a world-class region. Shannon Development concentrates its efforts on delivering results in four key areas that can have significant economic impact locally, regionally and nationally, i.e., strategic or “Flagship” Projects, Shannon Free Zone, Tourism Development and Property Development.





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

Kildare Street, Dublin 2

Telephone: 01 631 2121 Fax: 01 631 2827

Lo-call Telephone service for outside 01 area: 1890 220 222

Website: [www.entemp.ie](http://www.entemp.ie) E-mail: [webmaster@entemp.ie](mailto:webmaster@entemp.ie)

