

CCBS – LEGISLATIVE AFFAIRS

12/03/2015-19/03/2015



Northern Ireland
Assembly

Monday 16 March 2015

Plenary Chamber

Bord Bia Accreditation

Summary: Following a question on Bord Bia Accreditations, Mr Boylan asked the Minister of Agriculture and Rural Development what action she was taking to tackle barriers to all-island trade. Minister O'Neill informed the Member that she discusses the matter of tackling barriers to all-island trade with her counterpart Simon Coveney TD Minister for Agriculture, Food and the Marine.

Mr Boylan asked the **Minister of Agriculture and Rural Development** whether she is aware of any producers who are having difficulty in obtaining Bord Bia accreditation, given her welcome assistance in a recent case.

Mrs O'Neill: *I thank the Member for bringing the issue to my attention. After we learnt that that individual was having difficulties in securing Bord Bia inspections and accreditation, the Department got involved, as the Member is aware. We met Bord Bia at official level to discuss its quality assurance schemes. I understand that the application is being processed; so, I am delighted that there has been some progress in that issue.*

Mr Boylan: *Go raibh maith agat. I thank the Minister for her answer. What action is she taking to ensure that there are no barriers to all-island trade?*

Mrs O'Neill: *Removing barriers to all-island trade is a regular discussion item between Simon Coveney and me. We are working very closely on all-island animal health and welfare so that we are able to achieve the same disease status across the island. We very much deploy a fortress Ireland approach when it comes to disease control. That is obviously of tremendous benefit to the industry. I will continue to work with Simon Coveney in removing all barriers that exist to trade. There are opportunities that we can exploit as an island in reaching new markets. There are benefits to be had for all from continuing to work together. I assure the Member that I will continue to do all I can to remove any barriers to all-island trade.*

Link: <http://data.niassembly.gov.uk/HansardXml/plenary-16-03-2015.pdf>



12 March 2015

Protection of the Environment (Criminal Activity) (Amendment) Bill 2015: First Stage

Summary: Fianna Fail TD Brendan Smith proposed an amendment to the Protection of the Environment Act 2003 to establish a cross-Border statutory agency to investigate and report on fuel smuggling and other criminal activity in counties adjacent to the Border between Northern Ireland and the Republic of Ireland.

Brendan Smith (Cavan-Monaghan, Fianna Fail)

I move:

That leave be granted to introduce a Bill entitled an Act to provide for the amendment of the Protection of the Environment Act 2003 in order to establish a cross-Border statutory agency to investigate and report on fuel smuggling and other criminal activity in counties adjacent to the Border between Northern Ireland and this jurisdiction.

In this Bill, I propose the establishment of a cross-Border, multi-agency task force to tackle fuel smuggling. This agency, to be known as the fuel smuggling forum, would bring together all the statutory agencies for detecting and policing the illicit fuel trade, North and South.

Fuel smuggling and the criminal activity which runs in tandem with it is a cancer affecting many areas along the Border. It impacts negatively on communities, North and South, posing not only an environmental threat, but also a severe criminal one by strengthening the dangerous and violent elements which are involved with this illegal trade. I commend the work of the investigative journalists who have clearly identified paramilitaries, among others, as being involved in this trade.

The environmental consequences of fuel laundering have been widely reported in areas along the Border. The material produced as a consequence of removing green dye from diesel is highly toxic and has the potential to damage public drinking water supplies. The fuel laundering industry also spawns broader criminality such as illicit cigarette smuggling and trade in other counterfeit products.

The Bill builds on the work of the British-Irish Parliamentary Assembly. I commend the work of the assembly's committee which produced an important report on this issue. The report's recommendations include the imposition of more serious penalties, including lengthier custodial sentences for illicit activities, on the individuals and gangs involved in these criminal activities.

The fuel smuggling forum to be established through this legislation would consist of a director general and seven other officers appointed in accordance with the legislation. Three officers would be appointed to the forum by the Minister for the Environment, Community and Local Government and would consist of an officer each from the Environmental Protection Agency and Office of the Revenue Commissioners and a chief superintendent nominated by the Garda Commissioner. The Minister, in consultation with his counterpart in Northern Ireland, would also be enabled to appoint the following to be officers of the forum: an officer each from the Northern Ireland Environment Agency and revenue service, a chief superintendent from the Police Service of Northern Ireland and an officer from the Northern Ireland Department of the Environment.

The forum, in carrying out its work, would be provided with the relevant information by An Garda Síochána and the Police Service of Northern Ireland. This information would pertain to fuel smuggling and other organised criminal activity in the Border region. It is proposed that the forum, within six months after the end of the preceding year, would prepare an annual report specifying its activities and submit same to the Minister. The director general would be required to attend a meeting of the joint committee of the Houses of the Oireachtas whenever asked to do so by the committee and to provide relevant information.

As a representative of two Southern Border counties, I am particularly conscious of the criminal activity involved in fuel smuggling and other illicit trade. The proposal I put before the House is to ensure these issues are dealt with comprehensively. They can only be solved through more effective and co-ordinated enforcement of the law. Bringing together in one forum or body the statutory agencies whose remit is to deal with these activities is clearly the way forward in dealing with a problem that has grown significantly in recent years.

We are all well aware of the large volumes of laundered diesel and, in more recent times, stretched petrol that are being traded much further afield than the Border region. The many negative aspects to these activities include a substantial loss of revenue to the State and a similar loss in Northern Ireland. It was recently estimated that upwards of €260 million is lost to the State annually through illegal fuel smuggling. Small traders also have a genuine grievance because their business is being eroded through illicit trade. Individual motorists also incur substantial costs when, in good faith, they purchase product without knowing it has been contaminated, resulting in high repair costs for engines and other vehicle parts.

On many Border roads, in particular, we witness fuel spillages which create hazards for motorists and may have caused many accidents over the years. Local authorities incur substantial expenditure every year cleaning up these spillages. We must also consider the overall damage to the environment caused by fuel laundering. We have all seen, either in person or in photographs, cubes of sludge dumped by roadsides and in ditches. This sludge is a by-product of the bleaching agents and sulphuric acid used in laundering diesel. The outcome of this process is that toxic waste is dumped in our countryside, posing serious dangers to our waterways, public drinking water supplies and public health in general and threatens the provenance and authenticity of our agricultural production system.

We need the new cross-Border multi-agency task force I propose to deal in the most comprehensive manner possible with the scourge that is being inflicted on so many communities, one which has impacted on the lives of genuine traders and innocent motorists and continues to rob the State of

much-needed revenue. Our response to these despicable activities must be enhanced to rid society of this illicit trade and deny the criminals involved their ill-gotten gains.

Link: <https://www.kildarestreet.com/debates/?id=2015-03-12a.443&s=cross+border#q444>

Topical Issue Debate

Summary: TD Brendan Smith voiced his discontent regarding the issue of roaming charges in the European Union remaining until at least the end of 2018 after member states voted in favour of a delay. He highlighted that this issue affects a large cohort of people who live in the Border area or who have to travel North and South to transact business daily.

Brendan Smith (Cavan-Monaghan, Fianna Fail): I thank the Leas-Cheann Comhairle for the decision to allow me to raise this issue. I am glad the Minister of State, Deputy Joe McHugh, is here as he should have great empathy for consumers in the Border areas, which are once again the victim of bad decision making in Europe. It is extremely regrettable that EU Ministers have agreed to delay the abolition of mobile phone roaming charges from this year to at least 2018. The decision demonstrates a blatant disregard for consumers and prioritises large multinational mobile phone companies and their interests at the expense of the interests of customers throughout the 28 European Union member states.

We are all very well aware of the punitive charges associated with roaming calls. Those of us who live in the Border area, such as the Minister of State and me, know that when we go on a journey along the Border, we may at times be on our own networks of 3 or Vodafone but suddenly a British network can be used, leaving us with exorbitant charges for transacting business and making or receiving calls. Sometimes mobile phone roaming charges are associated with people going on holidays but this issue affects a large cohort of people in this country who live in the Border area or who have good reasons to travel North and South to transact business daily. All of us living in the Border area have at many times received exorbitant mobile phones bills as a result.

It is absolutely deplorable that the communications Ministers of the European Union agreed to defer a decision made in 2014 and which was to be implemented by December 2015. My understanding is there will be an "assessment" by mid 2018. This is kicking a can down the road; a decision was made a year ago but the issue is now to be assessed more than three years into the future. What proposals were put forward on behalf of the Irish people at the recent meeting when this decision was made? People are bitterly disappointed. There was a palaver when it was agreed to abolish roaming charges, as the indication was that costs would be reduced for consumers throughout the European Union. Naturally, we are concerned about our own country first. There has been little or no comment from the Government or the Minister about this deplorable decision, which was taken approximately a week ago.

I hope the Minister of State can convey through the Minister, Deputy White, to the relevant authorities in the European Commission and the relevant Commissioner that this is not acceptable. A decision was made a year ago but now we hear nonsense to the effect that it will take time for companies to adjust. I have never heard of a delay in implementing new or increased charges but there is always a delay if there is a need to reduce charges. This is typical of European Union

bureaucracy, giving in to the interests of the large multinational companies. What was a very positive decision is now being reversed after 12 months and we are being told the issue will be assessed again three years from now. That is absolutely reprehensible behaviour and I hope our representatives are making this argument at ministerial and other levels to the European Commission and the relevant Commissioner.

Link: <https://www.kildarestreet.com/debates/?id=2015-03-12a.684&s=cross+border#g690>



North South Ministerial Council
An Chomhairle Aireachta
Thuaidh Theas

Summary:

The Joint Communique for the Institutional Meeting held on 25 February 2015 has been published and is now available within this Legislative Affairs bulletin.

Link: http://www.northsouthministerialcouncil.org/institutional_paper_if_1_15_jc_-_final_-_26.2.15.pdf