

CCBS – LEGISLATIVE AFFAIRS

16 February 2018 – 23 February 2018



Northern Ireland
Assembly

The Northern Ireland Assembly was dissolved at 00:01 on Thursday 26 January 2017.



Tuesday 20 February 2018

Department for Communications, Climate Action and Environment

Maurice Quinlivan asked the Minister for Communications, Climate Action and Environment if his attention has been drawn to the fact that the TransFrontier shipments office only gives companies transporting recycling material across the Border with Northern Ireland a one day opportunity to move the pre-notified waste compared to a movement window of up to 30 days provided by the Northern Ireland Environment Agency; and his plans to amend same to assist businesses engaging in cross-Border trade using this service.

Denis Naughten: The legislative framework for the import and export of waste in the European Union is set out in Regulation (EC) No. 1013/2006 of the European Parliament and of the Council. Under the Waste Management (Shipments of Waste) Regulations 2007, Dublin City Council was designated as the National Competent Authority for all waste exports and imports and the National Transfrontier Waste Shipment Office (NTFSO) was established under the auspices of Dublin City Council. The primary aim of the Regulations is to prevent the illegal shipment of waste abroad, and to assist businesses engaged in legitimate waste export activities.

The NTFSO imposes charges on its customers with the aim of fully recouping costs incurred in the performance of its duties as competent authority for the purposes of the Waste Shipments Regulations. In March 2008, the then Department of Environment, Heritage and Local Government made a payment of €500,000 to Dublin City Council as a contribution towards the fit-out costs of the NTFSO, which had been established in July 2007. The NTFSO also received payments from the Department in 2009 of €560,000 and 2010 of €600,000 to assist with refund payments in cases where notified shipments were cancelled or where the volumes of waste shipped were less than the notified amount due to the downturn in the economy. The European Waste Shipments Regulation allows competent authorities to apply charges to waste notifiers in respect of the administrative costs of implementing the notification and supervision procedures and the NTFSO is now recouping its costs in full with no subvention from my Department.

Since April 2012, the NTFSO has implemented a fee in respect of minor infringements of the Waste Shipments Regulations, such as incomplete documentation as an enforcement tool. This was introduced following consultation with the Irish Waste Management Association. The NTFSO's Monitoring & Repatriation Fee Policy details specific incidents when these fees should be applied. A monitoring fee of €350 is applied in respect of the cost of investigating cases where a breach of the regulations occurred but no prosecution was taken. It should be noted that the NTFSO reserves the right to take legal action if it is warranted in certain circumstances, such as for repeated breaches of the Regulations or in relation to non-compliance with directions issued, and since 2009, the NTFSO has taken 31 successful prosecutions under the Waste Shipment Regulations with €59,000 in fines being imposed together with €92,791 in costs being awarded.

As the competent authority for Ireland, Dublin City Council is responsible for implementing an enforcement regime and applying penalties for non-compliance with the Waste Shipments Regulations. An enforcement team has been put in place for this purpose and to carry out joint inspections with various national and international organisations. Under section 159 of the Local Government Act 2001, each Chief Executive is responsible for staffing and organisation arrangements necessary for carrying out the functions of the local authorities for which he or she is responsible.

As Minister, I am precluded under Section 60(3) of the Waste Management Act 1996 from exercising any power or control in relation to the performance, in specific cases, by a local authority of their statutory functions under the Act. Notwithstanding, my Department is satisfied as to the efficiency of the TFS office operations and given past incidents concerning unauthorised movements of waste across the border, it is entirely appropriate that a robust system of checks and proportionate enforcement is deployed as deemed necessary by the TFS office.

Source: <https://www.kildarestreet.com/wrans/?id=2018-02-20a.1228&s=cross-border+2018-02-16..2018-02-23#g1233.q>

Wednesday 14 February 2018

Department of Agriculture, Food and the Marine

Clare Daly asked the Minister for Agriculture, Food and the Marine the role his Department will take to work with UK authorities to prevent the illegal cross-border trade of puppies.

Michael Creed: Trade within the EU of dogs is governed by EU law. Dogs moved to another EU Member State from Ireland must be accompanied by an EU pet passport and a health certificate issued by a Department veterinarian, be microchipped and have a valid rabies vaccination. Before travel, dogs must undergo a clinical examination by an authorised veterinarian, who must verify that the animals show no obvious signs of disease and are fit to be transported.

The premises exporting dogs to the other EU Member States must be registered with my Department in advance of the export.

These procedures ensure that only healthy dogs, over the age of 15 weeks, are allowed to be exported.

Exporters must also comply with national and EU law on the protection of animals during transport, while the transport of animals by air is also governed by the International Air Transport Association (IATA). Information about any breaches of these regulations can be provided to my Department, which will treat any information received in the strictest of confidence.

The vast majority of dogs that are moved from Ireland go to the UK (of the 12,898 dogs exported to the EU in 2017; 10,560 were exported to the UK). The Department carries out unannounced checks at our ports and will continue to do so.

My Department and the UK authorities work together on areas of common interest and have agreed to keep canine exports on the agenda.

Source: <https://www.kildarestreet.com/wrans/?id=2018-02-20a.1067&s=cross-border+2018-02-16..2018-02-23#g1068.q>