

May 2015



# EU Supplement

This supplement covers the significant EU developments from February 2015 to April 2015 in the broad areas of social policy, consumer policy and citizens' rights.

There is further information about almost all the issues mentioned on the Europa website: [europa.eu](http://europa.eu). In some cases, we give the extended website address. The Official Journal of the EU may be accessed at [eur-lex.europa.eu](http://eur-lex.europa.eu).

## Employment and social policies

### Social policy developments in Europe

The European Social Policy Network (ESPN) is producing a series of *Flash Reports* on key social policy developments in Europe. These reports aim to provide regular, short, accurate and up-to-date information on policy debates and new initiatives in the social policy field across Europe. One of these reports examines the Back to Work Family Dividend in Ireland (see *Relate*, May 2015).

The ESPN was established in 2014 to provide the Commission with independent information, analysis and expertise on social policies. It supports the Commission in monitoring progress towards the EU social protection and social inclusion objectives set out in the Europe 2020 strategy and in the European Semester. It provides the Commission with overviews of policies in areas such as pensions, healthcare and long-term care. It also acts as the secretariat to the Mutual Information Systems on Social Protection (MISSOC). Website: [missoc.org](http://missoc.org)

The ESPN is composed of country teams of independent experts on social policies. They are supported and coordinated by a central team of international experts: [ec.europa.eu/social/main.jsp?catId=1135&langId=en](http://ec.europa.eu/social/main.jsp?catId=1135&langId=en)

### The European Fund for Strategic Investment

The European Fund for Strategic Investment is expected to be in operation in June 2015. It is part of the Commission's €315 billion Investment Plan for Europe (sometimes called the Investment Offensive).

[ec.europa.eu/priorities/jobs-growth-investment/plan/index\\_en.htm](http://ec.europa.eu/priorities/jobs-growth-investment/plan/index_en.htm)

A European Investment Advisory Hub (EIAH) is being established to provide advisory support to project identification, preparation and development across the EU.

The European Fund for Strategic Investment aims to mobilise additional investments in areas such as infrastructure, education, research, innovation, renewable energy and energy efficiency. It also proposes to focus on small and medium enterprises (SMEs) and companies with between 250 and 3000 employees. It will target projects that promote job creation, long-term growth and competitiveness. It is an investment fund and not a grant-providing body.

It is being established within the European Investment Bank (EIB). Member states and financial institutions may contribute to the Fund.

The Fund will be governed initially by the Commission and the EIB. If other contributors join, they will also be involved in its governance. It is proposed that the EIB will report annually to the European Parliament on its operation.

The legislation necessary to establish the Fund is currently being processed. The Council has agreed the proposed legislation and this must now be discussed by the Parliament. [europa.eu/rapid/press-release\\_MEMO-15-3223\\_en.htm](http://europa.eu/rapid/press-release_MEMO-15-3223_en.htm)

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## Consumer

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### Mobile phone roaming charges

The EU first started to set maximum prices for retail roaming services within the EU in 2007. Two further EU Regulations were introduced in 2010 and 2012 to further reduce the maximum permitted retail roaming charges within the EU and to increase consumer protection measures by requiring service providers to inform users of:

- the roaming charges they may incur and
- additional requirements to curtail services in order to avoid bill shocks in any billing period

In September 2013, the Commission published further proposals on roaming regulations as part of a comprehensive Telecoms Single Market (TSM) package. In April 2014, the then out-going European Parliament voted to significantly amend the Commission's original proposals and proposed instead a Roam Like At Home (RLAH) approach which would have seen the abolition of roaming charges within the EU by December 2015. This approach has not been agreed by the Council. The European Council and the Parliament are now engaged in negotiations on a revised set of proposals.

## General

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### Re-use of public sector information

Directive 2003/98/EC on the re-use of public sector information (PSI) came into force on 1 July 2005. This Directive has been amended by Directive 2013/37/EU and this comes into effect on 18 July 2015.

The main purpose of the 2003 PSI Directive is to provide a general framework for the conditions governing re-use of public sector information. It relates in particular to public sector information which is relevant to economic activities, for example, social, economic, geographical, weather, tourist, business, patent and educational information. The Directive aims to ensure that the re-use of such information is governed by fair, proportionate and non-discriminatory conditions.

The 2003 Directive did not provide for an obligation to allow the re-use of documents. The right to re-use is a matter for the public body and the government of the member state to decide. If re-use is allowed, then it must be allowed in accordance with the Directive.

It did not change the rules on access to documents and does not affect rights under data protection legislation or copyright and intellectual property rights.

The Directive applies where the public body licenses, sells, disseminates, exchanges or gives out documents. Documents include hard-copy and electronic documents as well as sound, visual and audio-visual recordings.

The Directive establishes a minimum set of rules governing the re-use and the practical means of facilitating re-use of existing documents held by public sector bodies. It does not apply to:

- Documents which are not accessible under the country's rules on access to public documents – freedom of information (FOI) rules; this includes personal information, as well as all the exclusions in the FOI legislation relating to such matters as cabinet papers, security and defence
- Documents for which third parties hold intellectual property rights
- Documents held by public service broadcasters and their subsidiaries
- Documents held by educational and research establishments, such as schools, universities, archives, libraries and research facilities including, where relevant, organisations established for the transfer of research results
- Documents held by cultural establishments, such as museums, libraries, archives, orchestras, operas, ballets and theatres

The general rule is that the member state must ensure that, where the re-use of public sector documents is allowed, it is allowed under the following conditions:

- Requests for the documents are to be processed and the documents provided, electronically if possible, within reasonable time limits
- If no time limits are set, then this should be done within 20 working days with an extra 20 working days for complex requests
- If the documents are refused, reasons must be given and information on redress must be given
- Charges may be made and may cover the costs of providing the documents and a reasonable return on investment
- Public sector bodies may allow for re-use of documents without conditions or may impose conditions – licences may be used
- If a licensing system is used, there should be a standard licence format
- The re-use of documents must be open to everyone. Contracts or other arrangements between the public sector bodies holding the documents and third parties may not grant exclusive rights except where such rights are necessary for the provision of services in the public interest.

## The main changes which will be introduced by the 2013 Directive are:

- Public bodies must allow the re-use of existing and generally accessible documents that they create, collect or hold; in effect, there is a right to re-use in most cases
- In general, the charges for re-use must not be greater than the marginal costs incurred for reproduction, provision and dissemination; there are some exceptions to this rule
- There must be a means of redress operated by an impartial review body with the power to make binding decisions
- The rules will apply to certain cultural institutions such as libraries (including university libraries), museums and archives. However, they are subject to the rules that applied under the 2003 Directive. This means there is no right to re-use; only those documents the re-use of which has previously been allowed are reusable; cultural institutions may charge re-users based on the principle of full costs recovery, including a reasonable return on investment; cultural institutions may engage in the award of exclusive exploitation rights if necessary to ensure digitisation projects.

In July 2014, the Commission published guidelines to help the member states implement the new rules and to encourage practices that increase the role of public sector information in the digital market:

[ec.europa.eu/digital-agenda/en/news/commission-notice-guidelines-recommended-standard-licences-datasets-and-charging-re-use](http://ec.europa.eu/digital-agenda/en/news/commission-notice-guidelines-recommended-standard-licences-datasets-and-charging-re-use)

The Directives apply to the member states. They do not apply to the EU institutions. The Commission has decided to allow the re-use of its own documents in a broadly similar manner.

[ec.europa.eu/digital-agenda/en/news/rules-re-use-commission-information](http://ec.europa.eu/digital-agenda/en/news/rules-re-use-commission-information)

A consolidated version of the Directives is available at: [eur-lex.europa.eu/lexuriserv/lexuriserv.do?uri=consleg:2003l0098:20130717:en:pdf](http://eur-lex.europa.eu/lexuriserv/lexuriserv.do?uri=consleg:2003l0098:20130717:en:pdf)

## EU funding

The main aspects of the EU Structural and Investment Funds for the period to 2020 were described in the July 2014 issue of the *EU Supplement*. Ireland's partnership agreement with the European Commission sets out the agreed framework for the use of European Structural and Investment (ESI) Funds in Ireland. This was agreed by the Commission in December 2014 and is available at: [per.gov.ie/eu-cohesion-policy-2014-2020](http://per.gov.ie/eu-cohesion-policy-2014-2020)

### *Delivering the programmes*

The changes to local government structures which were introduced in the past year mean that there are also some changes to the way in which the EU funding is delivered. The Local Community Development Committees (LCDCs) of the

local authorities (see *Relate*, May 2014) now have a major role in local and rural development programmes. In January 2015, three new Regional Assemblies were established. They replaced the two which existed prior to that – the Border, Midland and Western Regional Assembly (BMW region) and the Southern and Eastern Regional Assembly.

The three new assemblies are:

- The Northern and Western Regional Assembly which covers the county councils of Cavan, Donegal, Leitrim, Galway, Mayo, Monaghan, Roscommon and Sligo and the city council of Galway
- The Midland and Eastern Regional Assembly which covers the county councils of Dun Laoghaire-Rathdown, Fingal, Kildare, Laois, Longford, Louth, Meath, Offaly, South Dublin, Westmeath and Wicklow and the city council of Dublin
- The Southern Regional Assembly which covers the county councils of Carlow, Clare, Cork, Kerry, Kilkenny, Tipperary and Wexford, the city council of Cork, and the city and county councils of Limerick and Waterford

The aim of the new assemblies is to co-ordinate, promote or support strategic planning and sustainable development and promote effectiveness in local government and public services.

The Northern and Western Regional Assembly manages the BMW Regional Operational Programme and the INTEREG Northern and Arctic Programme. Website: [nwra.ie](http://nwra.ie)

The Southern Regional Assembly manages the Southern and Eastern Regional Operational Programme and is the programme partner for the Ireland-Wales programme. The Welsh government is the managing authority for the Ireland – Wales programme. It is also involved in the Atlantic Area, the Northern Periphery and Arctic Programme and INTERREG EUROPE Programme. Website: [southernassembly.ie](http://southernassembly.ie)

### *Social Inclusion and Community Activation Programme*

The Social Inclusion and Community Activation Programme (SICAP) is being rolled out from 1 April 2015. It will continue until 2017. It is the successor programme to the Local and Community Development Programme (LCDP). Its aim is to tackle poverty, social exclusion and long-term unemployment through local engagement and partnership between disadvantaged individuals, community organisations, public sector agencies and other stakeholders.

The Local Community Development Committees (LCDCs) of the local authorities have overall responsibility for local and community programmes in their areas.

The Citizens Information Board provides independent information, advice and advocacy on public and social services through [citizensinformation.ie](http://citizensinformation.ie), the Citizens Information Phone Service and the network of Citizens Information Services. It is responsible for the Money Advice and Budgeting Service and provides advocacy services for people with disabilities.

## Head Office

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A tendering process was conducted for the delivery of the programme. Existing local development companies as well as other not-for-profit community groups, commercial organisations and national organisations were eligible to tender. The tender process is now complete and the LCDCs have finalised contracts with the winning tenderers. A number of local development companies that delivered the previous LCDP did not get contracts to deliver SICAP. The Department of the Environment, Community and Local Government is providing financial support to the local development companies to facilitate an orderly closure of the LCDP. Pobal is liaising with the companies on the issues arising. Website: [pobal.ie](http://pobal.ie)

The main goals of SICAP are:

- To support and resource disadvantaged communities and marginalised target groups to engage with relevant local and national stakeholders in identifying and addressing social exclusion and equality issues
- To support individuals and marginalised target groups experiencing educational disadvantage so they can participate fully, engage with and progress through life-long learning opportunities through the use of community development approaches
- To engage with marginalised target groups/individuals and residents of disadvantaged communities who are unemployed but who do not fall within mainstream employment service provision, or who are referred to SICAP, to move them closer to the labour market and improve work readiness, and support them in accessing employment and self-employment and creating social enterprise opportunities

The target groups are:

- Children and families from disadvantaged areas  
Lone parents
- New communities (including refugees/asylum seekers)
- People living in disadvantaged communities
- People with disabilities
- Roma
- The unemployed (including those not on the Live Register)
- Members of the Traveller community
- Young unemployed people from disadvantaged areas

The budget for SICAP for the period April–December 2015 is €28 million. The local authorities have been allocated their SICAP budgets for this period. The allocations range

from over €7 million for Dublin to under €300,000 for Meath. The administrative costs of the former Local and Community Development Programme were capped at 33%. Under SICAP, the total administration costs must not be greater than 25%.

## Urban development

Ireland has been allocated €1.2 billion of Structural Funds from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) for the period 2014–2020. The rules governing the ERDF regulation require an increased focus on sustainable urban development and urban regeneration; 5% of ERDF resources must be earmarked to implement integrated actions for sustainable urban development. The partnership agreement between Ireland and the European Commission provides for an urban development fund of about €80 million, half of which will be provided by the ERDF. Local authorities will shortly be invited to bid for this ERDF support for projects that will contribute to the social, economic and environmental development of their urban areas.

## LEADER

The process of selection of the local action groups to implement the LEADER element of the Rural Development Programme 2014–2020 is currently underway. It is expected that decisions will be made by mid-2015. The LEADER elements of the Rural Development Programme 2014–2020 will provide €250 million in financial resources to address poverty reduction, social inclusion and economic development in rural areas. There are 28 sub-regional areas identified for the delivery of LEADER. The Government aims to have a single LEADER strategy in each of these regions. It is expected that the LCDCs will be involved in delivering the programme and may be the designated local action group for the area with local development companies as implementing partners. Allocations have been made to the 28 sub-regions.

[environ.ie/en/Community/RuralDevelopment/EURuralDevelopment/RuralDevelopmentProgrammeLEADER2014-2020/SelectionProcessforLEADER2014-2020/](http://environ.ie/en/Community/RuralDevelopment/EURuralDevelopment/RuralDevelopmentProgrammeLEADER2014-2020/SelectionProcessforLEADER2014-2020/)

**Citizens Information** 

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**CALL** 0761 07 4000 Mon to Fri, 9am to 8pm  
**DROP IN** 260 locations nationwide