



DÁIL ÉIREANN

AN BILLE UM SHLABHRA AN TSOLÁTHAIR TALMHAÍOCHTA AGUS BIA, 2022 AGRICULTURAL AND FOOD SUPPLY CHAIN BILL 2022

LEASUITHE COISTE COMMITTEE AMENDMENTS

DÁIL ÉIREANN

AN BILLE UM SHLABHRA AN TSOLÁTHAIR TALMHAÍOCHTA AGUS BIA, 2022 —ROGHCHOISTE

AGRICULTURAL AND FOOD SUPPLY CHAIN BILL 2022 —SELECT COMMITTEE

Leasuithe Amendments

SECTION 3

1. In page 8, between lines 8 and 9, to insert the following:

“ “business-to-consumer” means matters arising between businesses and consumers;”.

—Matt Carthy, Martin Browne.

SECTION 5

2. In page 9, line 22, after “Expenditure” to insert “, National Development Plan Delivery”.

—An tAire Talmhaíochta, Bia agus Mara.

SECTION 8

3. In page 10, line 9, to delete “regulator” and substitute “rialálaí”.

—Matt Carthy, Martin Browne.

SECTION 10

4. In page 10, line 19, after “Expenditure” to insert “, National Development Plan Delivery”.

—An tAire Talmhaíochta, Bia agus Mara.

SECTION 12

5. In page 11, between lines 15 and 16, to insert the following:

“(2) The regulator shall collate the costs associated with the production of different foodstuffs in order to determine a cost-of-production, and publish reports on such on an annual basis.”.

—Matt Carthy, Martin Browne.

6. In page 11, between lines 15 and 16, to insert the following:

“(2) Such analysis and published reports should contain appropriate and relevant reference to and contrast with price and market data available internationally.”.

—Matt Carthy, Martin Browne.

7. In page 11, line 17, after “to” to insert “the full breadth of”.

—Matt Carthy, Martin Browne.

[SECTION 12]

8. In page 11, between lines 26 and 27, to insert the following:

“(d) in support of the regulator’s activities, the regulator shall be authorised to seek from businesses within the agri-food supply chain any data impacting upon price and margins considered necessary, including—

- (i) prices paid and received,
- (ii) margin,
- (iii) financial and accounting data,
- (iv) throughput of agricultural produce,
- (v) data in relation to policy and procedure,
- (vi) employment status,
- (vii) salary,

and

- (e) data referenced under *paragraph (d)* may be in paper or electronic form, held by a business involved in the agri-food supply chain, or otherwise on their behalf.”.

—Matt Carthy, Martin Browne.

9. In page 11, between lines 31 and 32, to insert the following:

“(6) The regulator shall within 3 months of its establishment date commission a social, economic and environmental impact assessment on the impact of factory-controlled feedlots regarding the beef sector.”.

—Matt Carthy, Martin Browne.

10. In page 11, between lines 31 and 32, to insert the following:

“(6) The regulator shall, where details considered may be of a commercially sensitive nature, or which may not be in the public domain for the purposes of confidentiality throughout the agri-food supply chain, refrain from publishing such information without the consent of the party concerned.”.

—Matt Carthy, Martin Browne.

SECTION 14

11. In page 12, line 14, after “law” to insert “and anti-competitive actions in the agri-food supply chain”.

—Matt Carthy, Martin Browne.

12. In page 12, line 17, after “inspections” to insert “, including unannounced inspections,”.

—Matt Carthy, Martin Browne.

[SECTION 16]

SECTION 16

13. In page 13, between lines 30 and 31, to insert the following:

“(4) The regulator may at any time request comment from interested parties on any aspect of a code of practice submitted under this section.”.

—Matt Carthy, Martin Browne.

SECTION 17

14. In page 14, between lines 16 and 17, to insert the following:

“(4) The regulator shall report to the Minister within 12 months of its establishment date as to its ability to acquire data under *section 12(3)(d)**, and make any appropriate recommendation so as to ensure the regulator is empowered to access or seize such data it requires to meet its obligations.”.

—Matt Carthy, Martin Browne.

[*This is a reference to a paragraph proposed to be inserted by amendment No. 8.]

SECTION 20

15. In page 16, line 1, after “buyers” to insert “, consumers”.

—Matt Carthy, Martin Browne.

16. In page 16, line 6, after “Expenditure” to insert “, National Development Plan Delivery”.

—An tAire Talmhaíochta, Bia agus Mara.

SECTION 21

17. In page 16, line 13, to delete “two” and substitute “three”.

—Matt Carthy, Martin Browne.

SECTION 22

18. In page 16, line 26, after “Expenditure” to insert “, National Development Plan Delivery”.

An tAire Talmhaíochta, Bia agus Mara.

SECTION 23

19. In page 16, line 31, after “of” where it secondly occurs to insert “up to”.

—An tAire Talmhaíochta, Bia agus Mara.

20. In page 16, line 32, after “appointment” to insert “, as the Minister shall determine”.

—An tAire Talmhaíochta, Bia agus Mara.

21. In page 16, line 32, to delete “to (6)” and substitute “and (3)”.

—An tAire Talmhaíochta, Bia agus Mara.

22. In page 17, to delete lines 1 to 8.

—An tAire Talmhaíochta, Bia agus Mara.

23. In page 17, between lines 8 and 9, to insert the following:

“(7) a member of the board who is a primary producer will not be subject to a

[SECTION 23]

determination by lot should the representative who retired in the previous year also have been a primary producer.”.

—Matt Carthy, Martin Browne.

SECTION 28

24. In page 19, line 21, after “Expenditure” to insert “, National Development Plan Delivery”.

—An tAire Talmhaíochta, Bia agus Mara.

SECTION 33

25. In page 22, line 10, after “Minister” to insert “and the relevant Oireachtas Sectoral Committee”.

—Matt Carthy, Martin Browne.

26. In page 22, line 28, to delete “renewable”.

—An tAire Talmhaíochta, Bia agus Mara.

27. In page 22, line 29, after “contract” to insert “(which contract may be renewed)”.

—An tAire Talmhaíochta, Bia agus Mara.

28. In page 22, line 33, after “Expenditure” to insert “, National Development Plan Delivery”.

—An tAire Talmhaíochta, Bia agus Mara.

SECTION 36

29. In page 24, between lines 15 and 16, to insert the following:

“(2) Prior to an appointment under *section 33(1)*, a proposed candidate for Chief Executive shall attend the relevant Oireachtas Sectoral Committee to discuss his or her strategic priorities for the role.”.

—Matt Carthy, Martin Browne.

SECTION 37

30. In page 25, line 29, after “Expenditure” to insert “, National Development Plan Delivery”.

—An tAire Talmhaíochta, Bia agus Mara.

31. In page 25, line 32, after “Expenditure” to insert “, National Development Plan Delivery”.

—An tAire Talmhaíochta, Bia agus Mara.

32. In page 26, line 2, after “Expenditure” to insert “, National Development Plan Delivery”.

—An tAire Talmhaíochta, Bia agus Mara.

SECTION 41

33. In page 28, line 25, after “chain” to insert the following:

“including any recommendations made to the Minister regarding its own functions, or proposed or requested powers or functions”.

—Matt Carthy, Martin Browne.

[SECTION 43]

SECTION 43

34. In page 29, between lines 23 and 24, to insert the following:

“(b) shall be published as soon as is reasonable.”.

—Matt Carthy, Martin Browne.

35. In page 29, line 25, to delete “or separately”.

—Matt Carthy, Martin Browne.

SECTION 45

36. In page 30, line 5, after “Expenditure” to insert “, National Development Plan Delivery”.

—An tAire Talmhaíochta, Bia agus Mara.

SECTION 46

37. In page 30, line 9, after “Expenditure” to insert “, National Development Plan Delivery”.

—An tAire Talmhaíochta, Bia agus Mara.

38. In page 30, line 15, after “Expenditure” to insert “, National Development Plan Delivery and Reform”.

—An tAire Talmhaíochta, Bia agus Mara.

SECTION 47

39. In page 30, line 32, after “Expenditure” to insert “, National Development Plan Delivery”.

—An tAire Talmhaíochta, Bia agus Mara.

SECTION 48

40. In page 31, line 15, after “Expenditure” to insert “, National Development Plan Delivery”.

—An tAire Talmhaíochta, Bia agus Mara.

SECTION 49

41. In page 31, line 24, after “Expenditure” to insert “, National Development Plan Delivery”.

—An tAire Talmhaíochta, Bia agus Mara.

SECTION 66

42. In page 43, to delete lines 28 to 31 and substitute the following:

“(ii) in the case of an undertaking that is not an individual, to a fine not exceeding the greater of €50,000,000, or 20 per cent of the turnover of the undertaking in the financial year ending in the 12 months prior to the conviction, or

(iii) in the case of an individual, to a fine not exceeding whichever of the following amounts is the greater, namely, €50,000,000, or 20 per cent of the turnover of the individual in the financial year ending in the 12 months prior to the conviction or to imprisonment for a term not exceeding 10 years or to both such fine (that is to say a fine not exceeding the greater of the foregoing monetary amounts) and such imprisonment.”.

—Matt Carthy, Martin Browne.

[SECTION 67]

SECTION 67

43. In page 44, line 24, after “investigation,” to insert “such a period being at least 5 years,”.

—Matt Carthy, Martin Browne.

SECTION 68

44. In page 44, line 31, after “Expenditure” to insert “, National Development Plan Delivery”.

—An tAire Talmhaíochta, Bia agus Mara.

SECTION 80

45. In page 54, to delete lines 11 to 14 and substitute the following:

- “(ii) in the case of an undertaking that is not an individual, to a fine not exceeding the greater of €50,000,000, or 20 per cent of the turnover of the undertaking in the financial year ending in the 12 months prior to the conviction, or
- (iii) in the case of an individual, to a fine not exceeding whichever of the following amounts is the greater, namely, €50,000,000, or 20 per cent of the turnover of the individual in the financial year ending in the 12 months prior to the conviction or to imprisonment for a term not exceeding 10 years or to both such fine (that is to say a fine not exceeding the greater of the foregoing monetary amounts) and such imprisonment.”.

—Matt Carthy, Martin Browne.

46. In page 54, between lines 14 and 15, to insert the following:

“(6) In this section, “Act of 1972” means the European Communities Act 1972.”.

—An tAire Talmhaíochta, Bia agus Mara.

47. In page 54, to delete lines 15 and 16.

—An tAire Talmhaíochta, Bia agus Mara.