



TITHE AN OIREACHTAIS

**AN COMHCHOISTE UM CHUMARSÁID,
GNÍOMHÚ AR SON NA HAERÁIDE AGUS COMHSHAOL**

Clár Oibre 2019

Feabhra 2019

HOUSES OF THE OIREACHTAS

**JOINT COMMITTEE ON COMMUNICATIONS,
CLIMATE ACTION AND ENVIRONMENT**

Work Programme 2019

February 2019

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Joint Committee on Justice and Equality

2019 Work Programme

Background

The Joint Committee on Communications, Climate Action and Environment was established following Orders of Dáil Éireann on 16 June 2016 and of Seanad Éireann on 21 July 2016. Standing Orders [DSO 89(4); SSO 75(4)] require that “as soon as may be following its appointment and thereafter at any intervals, each Select Committee shall prepare a work programme and shall lay such programme before [Dáil/Seanad] Éireann”.

This Work Programme details business that the Committee must transact between now and the end of the year in accordance with its orders of reference, as well as key policy issues from which items may be selected for consideration.

In so far as possible, the Joint Committee will try to maintain a reasonable balance in its work between all of its policy responsibilities.

The Committee Title changed from Communications, Climate Change and Natural Resources on 7 September 2016 (Select) and 29 September 2016 (Joint).

Select Committee

The function of Select Committee is to consider Bills, Estimates and other business referred to it by Dáil Eireann which relate to the relevant Department.

1. Legislation (Bills)

The Dáil has referred the following Bills to the Committee:

Waste Reduction Bill 2017 [PMB] was referred to the Committee on 11 July 2017. The Committee is awaiting a Money Message before the Bill can be scheduled for Third Stage.

Online Advertising and Social Media (Transparency) Bill 2017 [PMB] was referred to the Committee on 14 December 2017.

Petroleum and Other Minerals Development (Amendment) (Climate Emergency Measures) Bill 2018 [PMB] was referred to the Committee on 8 February 2018.

Digital Safety Commissioner Bill 2017 [PMB] was referred to the Committee on 22 February 2018

Microgeneration Support Scheme Bill 2017 [PMB] was referred to the Committee on 27 November 2018

2. Pre-Legislative Scrutiny

In addition, the Government Legislative Programme makes provision for the publication of a number of Bills. Following changes to Standing Orders (agreed by the Dáil on 17 October 2013), Ministers are now required, except in exceptional circumstances, to bring the general scheme or draft heads of a Bill to a Select Committee for consideration. Committees are empowered to consider the draft heads of Bills but they are not required to do so – it is the prerogative of the Committee to decide on a case by case basis whether it wishes to engage in pre-legislative scrutiny on any particular Bill.

3. Estimates and other Financial Matters

Select Committees are tasked with consideration of annual Estimates for Public Services that fall within their remit. The Estimates represent the Ministers' spending plans for the coming financial year.

The referral of the Estimates to the Dáil select committee for examination offers Members a valuable opportunity to question the Minister for Communications, Climate Action and Environment on financial allocations and associated output targets for the coming year. A Supplementary Estimate may be considered in December 2017 if additional monies are required by the relevant Government Department.

Note: the Dáil select committee is required to consider the Estimates but it is not empowered to make amendments.

As part of the introduction of a new system in which the Estimates have been presented under the Comprehensive Expenditure Review Report published in November 2011, it is the committee's intention to focus on what the Department has committed to achieving, how monies are allocated between services in addition to explore the policy issues underpinning the various spending provisions as well as to consider these matters as fully as possible.

The proposed approach presents Departmental Estimates on a Strategic Programme basis, which is consistent with the presentation of the respective Annual Output Statements and Statements of Strategy. These Estimates have been supplemented with certain performance information regarding the outputs and impacts of Programme expenditure.

In addition, the examination of the Annual Output Statements (AOS) and Value for Money (VFM) Reviews is another important of scrutinising Government expenditure.

4. Referrals of Motions and Other Matters

From time to time, matters may arise and may be referred to the Select Committee by the Dáil. It is not possible to say in advance what those matters might be or when they might arise.

Joint Committee

The duties of the Joint Committee are discharged in two ways.

- (1) There will be items of business referred to it by one or both Houses, and
- (2) It can select business for consideration itself, from the areas within its terms of reference.

In practice, the Joint Committee's work will comprise the examination of EU business and key policy priorities.

1. EU Business

(i) *EU Draft Legislative Acts*

The scrutiny of draft EU legislative proposals will continue to be a standing agenda item of the Joint Committee. The Joint Committee will consider all proposals as they arise during the period covered by this Work Programme.

(ii) *EU Councils*

Irish Ministers attend meetings of the Council of the European Union (also known as the Council of Ministers or "the Council"). Though the Council is a single body, it meets in different configurations attended by Ministers from the Member States and the European Commissioners responsible for the areas concerned in their relevant policy areas, and it is intended that the Minister will come before the Committee in advance of and following the Council meetings to brief the Committee.

2. Statutory functions regarding State Bodies

Deriving from a number of different Acts of the Oireachtas, the Committee has an oversight function in regard to particular state bodies as listed below. The Committee intends to perform this function throughout the period defined by this work programme.

- RTÉ (Broadcasting Act 2009);
- TG4 (Broadcasting Act 2009);
- Broadcasting Authority of Ireland (Broadcasting Act 2009)
- Inland Fisheries Ireland (Inland Fisheries Ireland Act 2010);
- Commission for Regulation of Utilities (Electricity Regulation Act 1999 and Energy Act 2016);
- ComReg (Communications Regulation Act 2002); and
- National Oil Reserves Agency (National Oil Reserves Agency Act 2007).

3. Key Policy Priorities

The Joint Committee is empowered to consider such other policy issues as it may select within its terms of reference.

The following are the major topical issues identified by the Joint Committee for examination:

(i) Regulation of social media / the internet (continued from 2018)

Due to the global nature of the internet, this item will warrant co-operation across jurisdictions as legislative solutions are composed to meet the challenges of the internet, as recognised by the declaration of the *International Grand Committee on Disinformation and Fake News* in its declaration of 27 November 2018. Therefore, the Committee will continue to engage internationally on this topic while building on its work from 2018.

Pillars of this topic include:

Balancing the need to prevent harm on social media with freedom of expression

Disinformation and transparency in funding of online political campaigns

Privacy concerns including data breaches

Online pornography especially its effects on children, attitudes to sexual violence and sex education

(ii) The report of the Special Committee on Climate Action.

This report is expected in March 2019. The Joint Committee will continue the work done by the Special Committee, monitoring progress and assessing the climate action aspect of its remit in light of the Special Committee's recommendations. As part of this, the Committee will look at:

Deep retrofit programs

The development of offshore wind

(iii) The National Broadband Plan

(iv) Post Office Closures

(v) The potential construction of a geological disposal facility for nuclear waste on the island of Ireland

(vi) Safety in electricity networks

Agreement of Work Programme.

This Work Programme for 2019 of the Joint Committee on Communications, Climate Action and Environment was agreed by the Committee at its meeting on 19 February 2019. In accordance with Standing Orders of Dáil Éireann and Seanad Éireann, it was agreed that the Work Programme be laid before both Houses of the Oireachtas.

It was also agreed that the Work Programme would be published on the Committee's page of the Oireachtas website.



Hildegard Naughton, TD
Chairman
19 February 2019

Appendix (1)

JOINT COMMITTEE ON JUSTICE AND EQUALITY

TERMS OF REFERENCE

a. Functions of the Committee – derived from Standing Orders [DSO 84A; SSO 70A]

- (1) The Select Committee shall consider and report to the Dáil on—
 - (a) such aspects of the expenditure, administration and policy of a Government Department or Departments and associated public bodies as the Committee may select, and
 - (b) European Union matters within the remit of the relevant Department or Departments.
- (2) The Select Committee appointed pursuant to this Standing Order may be joined with a Select Committee appointed by Seanad Éireann for the purposes of the functions set out in this Standing Order, other than at paragraph (3), and to report thereon to both Houses of the Oireachtas.
- (3) Without prejudice to the generality of paragraph (1), the Select Committee appointed pursuant to this Standing Order shall consider, in respect of the relevant Department or Departments, such—
 - (a) Bills,
 - (b) proposals contained in any motion, including any motion within the meaning of Standing Order 187,
 - (c) Estimates for Public Services, and
 - (d) other mattersas shall be referred to the Select Committee by the Dáil, and
 - (e) Annual Output Statements including performance, efficiency and effectiveness in the use of public monies, and
 - (f) such Value for Money and Policy Reviews as the Select Committee may select.
- (4) The Joint Committee may consider the following matters in respect of the relevant Department or Departments and associated public bodies:
 - (a) matters of policy and governance for which the Minister is officially responsible,
 - (b) public affairs administered by the Department,
 - (c) policy issues arising from Value for Money and Policy Reviews conducted or commissioned by the Department,
 - (d) Government policy and governance in respect of bodies under the aegis of the Department,
 - (e) policy and governance issues concerning bodies which are partly or wholly funded by the State or which are established or appointed by a member of the Government or the Oireachtas,

- (f) the general scheme or draft heads of any Bill,
 - (g) any post-enactment report laid before either House or both Houses by a member of the Government or Minister of State on any Bill enacted by the Houses of the Oireachtas,
 - (h) statutory instruments, including those laid or laid in draft before either House or both Houses and those made under the European Communities Acts 1972 to 2009,
 - (i) strategy statements laid before either or both Houses of the Oireachtas pursuant to the Public Service Management Act 1997,
 - (j) annual reports or annual reports and accounts, required by law, and laid before either or both Houses of the Oireachtas, of the Department or bodies referred to in subparagraphs (d) and (e) and the overall performance and operational results, statements of strategy and corporate plans of such bodies, and
 - (k) such other matters as may be referred to it by the Dáil from time to time.
- (5) Without prejudice to the generality of paragraph (1), the Joint Committee appointed pursuant to this Standing Order shall consider, in respect of the relevant Department or Departments—
- (a) EU draft legislative acts standing referred to the Select Committee under Standing Order 114, including the compliance of such acts with the principle of subsidiarity,
 - (b) other proposals for EU legislation and related policy issues, including programmes and guidelines prepared by the European Commission as a basis of possible legislative action,
 - (c) non-legislative documents published by any EU institution in relation to EU policy matters, and
 - (d) matters listed for consideration on the agenda for meetings of the relevant EU Council of Ministers and the outcome of such meetings.
- (6) Where a Select Committee appointed pursuant to this Standing Order has been joined with a Select Committee appointed by Seanad Éireann, the Chairman of the Dáil Select Committee shall also be the Chairman of the Joint Committee.
- (7) The following may attend meetings of the Select or Joint Committee appointed pursuant to this Standing Order, for the purposes of the functions set out in paragraph (5) and may take part in proceedings without having a right to vote or to move motions and amendments:
- (a) Members of the European Parliament elected from constituencies in Ireland, including Northern Ireland,
 - (b) Members of the Irish delegation to the Parliamentary Assembly of the Council of Europe, and
 - (c) at the invitation of the Committee, other Members of the European Parliament.
- (8) A Select Committee appointed pursuant to this Standing Order may, in respect of any Ombudsman charged with oversight of public services

within the policy remit of the relevant Department or Departments, consider—

- (a) such motions relating to the appointment of an Ombudsman as may be referred to the Committee, and
- (b) such Ombudsman reports laid before either or both Houses of the Oireachtas as the Committee may select.