

From: Coyne, Terence
To: [Sewell, Julie](#)
Subject: FW: POLICY GROUP - SIX MONTHLY ASSURANCE STATEMENT - MARCH 2013
Date: 14 November 2016 10:35:00
Attachments: [Policy Group Composite Statement March 2013.DOC](#)
[Policy Group Composite Checklist for March 2013.DOC](#)

Julie

I attach the Policy Group six monthly assurance statement to 31 March 2013. The statement itself notes that resource (staffing) pressures have eased. The checklist refers to various actions undertaken with the non domestic and domestic schemes - but there is no indication that there are any issues.

Regards

Terry

Terence Coyne
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-----Original Message-----

From: Coyne, Terence
Sent: 08 May 2013 12:07
To: Shaw, Matthew
Subject: FW: POLICY GROUP - SIX MONTHLY ASSURANCE STATEMENT

-----Original Message-----

From: Johnston, Iris
Sent: 08 May 2013 11:42
To: Sterling, David
Cc: Hill, Janice; Coyne, Terence; Collin, Marie; Morrison, Rosemary; Johnston, Iris
Subject: POLICY GROUP - SIX MONTHLY ASSURANCE STATEMENT

David

Please see attached Six Monthly Assurance Statement from David Thomson on behalf of Policy Group.

Many thanks
Iris

Iris Johnston
Personal Secretary to David Thomson
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Department of Enterprise, Trade and Investment: Six Monthly Assurance Statement on the System of Internal Control - Period Ended 31 March 2013

Scope of Responsibility

1. As the Senior Civil Servant responsible for Policy Group, I have responsibility for maintaining a sound system of internal control that supports the achievement of the Department of Enterprise, Trade and Investment's policies, aims and objectives, whilst safeguarding the public funds and Departmental assets for which I am responsible.

The Purpose of the System of Internal Control

2. The system of internal control is designed to manage risk to a reasonable level rather than eliminate all risk of failure to achieve policies, aims and objectives; it can therefore only provide reasonable and not absolute assurance of effectiveness.
3. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of my Group's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically. The system of internal control has been in place for the six months ended 31 March 2013 in the Group for which I am responsible and accords with Department of Finance and Personnel guidance.

Capacity to Handle Risk

4. My Group is carrying out appropriate procedures to ensure that it identifies its objectives and risks and a control strategy has been devised for each of the significant risks. As a result, risk ownership has been allocated to appropriate staff.

The Risk and Control Framework

5. The Departmental Board, of which I am a member, has ensured that procedures are in place for verifying that risk management and internal control are regularly reviewed and reported on. As well as regular reports to the Departmental Board, risk management and internal control are regularly reviewed by the Departmental Audit Committee. Risk management is continually being incorporated into the corporate planning and decision-making processes of my Group.
6. The Departmental Board and Departmental Audit Committee receive periodic reports concerning internal control. The appropriate steps are being taken to manage risks in significant areas of responsibility and monitor progress on key projects.

7. The Department's key objectives and risks are regularly assessed to ensure consistency of treatment.
8. The Department has an Internal Audit Service, which operates to Government Internal Audit Standards. They submit regular reports which include the Head of Internal Audit's independent opinion on the adequacy and effectiveness of the Department's system of internal control together with recommendations for improvement.

Review of Effectiveness

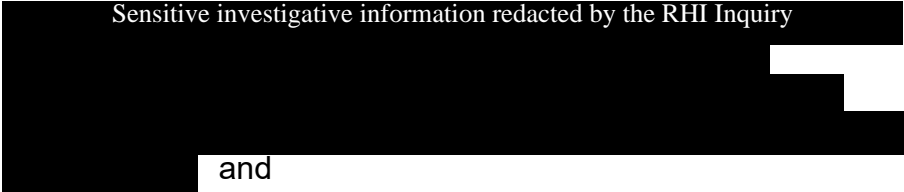
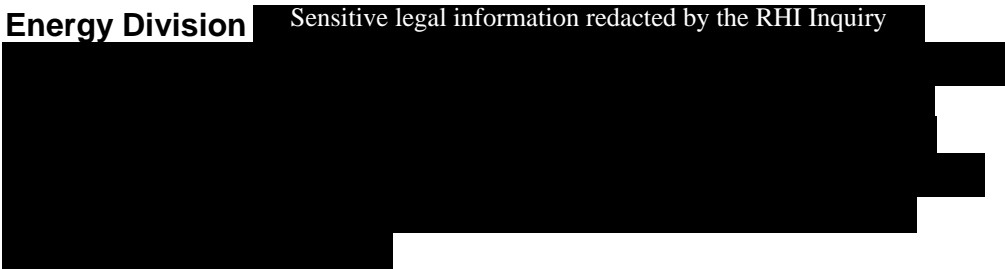
9. As Head of Group I am responsible for reviewing the effectiveness of the system of internal control within my Group. My review of the effectiveness of the system of internal control is informed by the work of the internal auditors and the executive managers within the Department who have responsibility for the development and maintenance of the internal control framework, and comments made by external auditors in their management letters and other reports.

Issues to Note

10. In the following paragraphs I draw your attention to a number of issues that warrant disclosure.

11. **Telecoms, Tourism & GSNI Division** has reported the following issues in relation to Minerals and Petroleum Branch:

- Northern Ireland's transposition of EU Directive CCS/CDD 2009/31/EC – the Carbon Capture & Storage Directive (binding date 25 June 2011) is "deficient" in terms of the specific NI legislation required to regulate provisions pertaining to storage, transport and third party access. Mineral and Petroleum Branch (MAPB) has resourcing issues and consequently the Department is vulnerable to financial penalties should the European Court of Justice determine that there has been an infraction;
- Whilst not subject to potential infraction proceedings other key legislative work e.g. Rights of Access Over Lands/Compensation Rights for Landowners/DETI Annual Mineral Statement etc can no longer be progressed by MAPB whilst the existing Deputy Principal is dedicated to working on the CCS Directive;
- As a result of the increased public concern emanating from the potential for "fracking" in NI, the legislative and policy framework for Minerals and Petroleum Licensing is becoming increasingly vulnerable to challenge – accordingly a review of the legislative, policy and operational framework for today's licensing activities may be required; and

- On a more positive note, the IAS “limited” opinion on Minerals and Petroleum Branch has been lifted.
12. Also in relation to **Telecoms, Tourism & GSNI Division**, expenditure of £18.475 million associated with the Titanic Signature Building project has been removed from the ERDF programme on a “without prejudice” basis. Expenditure from other eligible projects is being substituted to protect the spending power of NI Departments under the ERDF programme.
13. There are three issues to note relating to the **Northern Ireland Tourist Board**:
- Internal Audit Service has issued limited opinions in relation to two recent reports: ‘Review of Walled City Project’ and ‘Review of Payments to Creditors’;
 - Sensitive investigative information redacted by the RHI Inquiry
 and
 - There continues to be ongoing tensions around the role of the Board. The Permanent Secretary and I attended a specially convened meeting of the Board in January, but there are still issues requiring management.
14. The final issue to report in relation to **Telecoms, Tourism & GSNI Division**, is the action that continues to be taken on the Telecommunications Project which was in receipt of Intereg IIIA funding. A further technical report has been produced and this has helped clarify a number of key issues. The Northern Ireland Audit Office has been briefed on progress.
15. **Energy Division** Sensitive legal information redacted by the RHI Inquiry


General Comments

16. In my statement of 8 November reporting on the six months to September 2012, I referred to Emergency Planning and the need to clarify departmental roles. In the subsequent period we have had to deal with a number of issues including food scares and the severe weather in March 2013. DETI’s interests were looked after but they again highlighted a gap in co-ordination and supporting administration.

17.I also referred to staffing issues, including the absence of the head of Economic Policy Division due to a serious illness. That situation was managed and, with the exception of Minerals Branch referred to above, there are no immediate resourcing issues which are likely to impact significantly on the achievement of departmental objectives.

A handwritten signature in black ink, appearing to read 'D. Thompson'. The signature is written in a cursive style with a large initial 'D'.

Head of Group

Date: 8 May 2013

DEPARTMENT OF ENTERPRISE, TRADE AND INVESTMENT

Checklist for Six Monthly Assurance Statement on Internal Control

Policy Group

This checklist covers the following:

1. Business Planning;
2. Legislative and Other Authorities
3. Business Cases (including Economic Appraisal, Post Project Evaluation and Consultancy);
4. Monitoring of Expenditure;
5. Procurement;
6. Staff (including gifts and hospitality);
7. NDPBs and Third Party Organisations;
8. Internal and External Audit Reports;
9. Data Management; and
10. Other Issues.

Note: If a question is not applicable this should be stated in the comments section.

INTERNAL CONTROL CHECKLIST

1 – Business Planning


1.1	Yes	No	Partly
<p>Divisions/Units and Branches within the Group have plans which contain measurable targets against which performance and progress can be measured.</p>	✓		
<p>Comments:</p> <p><u>Energy Division :</u></p> <p><u>Energy Co-Ordination Branch:</u> Divisional Business Plan agreed and progress against targets reported to HoD on a quarterly basis.</p> <p><u>Markets Branches:</u></p> <p><u>Electricity Markets</u> – Extensive engagement with DCENR and RAs on Target Model High Level Design and associated governance arrangements completed.</p> <p><u>Electricity and Gas Markets</u> - Divisional Business Plans agreed for 2011/12, on which progress is formally reported. Fortnightly meetings with Head of Division to report on progress. IME3 Project Implementation Steering Group established with NIAUR and has met regularly to progress outstanding issues on Electricity and Gas Directives.</p> <p><u>Renewable Electricity Policy & Legislation Branch/Renewable Heat Branch/Sustainable Energy Branch:</u> No comment</p> <p><u>TT & GSNI</u></p> <p>Telecoms: Corporate and Divisional Plan Targets agreed Individual projects are managed under the PRINCE2 methodology, with clearly defined milestones and deliverables</p> <p>Tourism: Tourism Policy Branch Plan in place</p> <p>Minerals: N/A</p> <p><u>ASU</u></p> <p>The ASU Business Plan for 2012/13, which incorporates work requests from DETI Business Areas, was finalised on 30 May 2012.</p> <p><u>EPD</u></p> <p>A full Divisional Plan for 2012/13 is in place that all Branches contributed to. This includes all relevant PfG, Corporate and Operating Plan commitments. All targets are measurable and performance against these is formally monitored, quarterly progress measured and any corrective action taken. In addition each Branch in the Division has a more detailed Operating Plan which each HOB monitors. Business Development Unit has developed a branch operating plan which sets out details of measurable targets for the branch and which is updated on a quarterly basis.</p>			

1.2	Yes	No	Partly
<p>Timely, relevant and reliable reports on progress against targets are produced and reviewed at the appropriate level to ensure that corrective action is taken as required.</p>	✓		
<p>Comments:</p> <p><u>Energy Division:</u></p> <p>Energy Co-Ordination Branch - Progress against 2012/13 Operating Plan and Divisional Plan targets to end March currently being compiled.</p> <p>Markets Branches - Joint Steering Group monitors progress on All-island Energy Market targets and priorities. Project Boards for ISLES and BioMara Interreg IVA projects monitor progress e.g. Isles completed on schedule end 2011, with BioMara now complete. ISLES2 Project Board now established following DETI Casework approval for project on 25 March 2013. Progress against targets monitored through: Branch Progress meetings with Grade 5 and HOBs; individually with Grade 5; and through Divisional Business Plan and SEF Implementation Plan reporting. DETI worked with NIAUR, DECC and EC for IME2 compliance which has now been met. Response to EC Reasoned Opinion letters in respect of IME3 for gas and electricity issued via DECC. Work to complete Gas and Electricity Directives issues progressed with making of Internal Markets and Disputes Resolution Regulations and Distribution Licensing Exemption Order on 28th March 2013.</p> <p><u>Renewable Electricity Policy & Legislation Branch/Renewable Heat Branch/Sustainable Energy Branch:</u> No comment</p> <p><u>TT & GSNI</u></p> <p>Telecoms: Risk register formally reviewed and updated on a quarterly basis. In addition, highlight reports are produced on a regular basis for those projects following Prince2 project management for the SRO/ Project Board/s. Furthermore, project management issues logs are updated on weekly/ fortnightly basis as appropriate. Progress on all projects contributing to Programme for Government commitments is input to the ISNI delivery tracking system on a monthly basis. In addition, progress in respect of those projects which are part-funded through the ERDF Competitiveness Programme is reported through System 2007.</p> <p>Tourism: These include Management liaison/performance monitoring meetings, including financial / corporate governance issues.</p> <p><u>ASU</u></p> <p>Key ASU Objectives are reflected in the DETI Corporate Plan 2012-15, current year's Operating Plan and ASU Risk Register. These are regularly reviewed as part of the performance monitoring and risk management processes.</p> <p><u>EPD:</u> As noted above, the Divisional Plan is formally updated and monitored quarterly by HOD (and HOBs), including Corporate and Operating Plan targets. This requires progress to be documented alongside any remedial action that has either been taken or is planned in order to keep targets on schedule. Branch Plans are also formally monitored by HOBs at the same time. In addition HOBs monitor progress on an ongoing basis, and HOD undertakes formal 2-weekly work progress meetings with HOBs (and DPs) – any necessary remedial action is discussed and agreed prior to implementation.</p>			

1.3	Yes	No	Partly
Divisions within the Group have reviewed their respective responsibilities/entries in the relevant <i>Building-Specific Business Continuity Plan</i> and taken appropriate action to maintain upkeep.	✓		
<p>Comments:</p> <p><u>Energy Division :</u> Energy Co-Ordination Branch - No comment Markets Branches - BCP updated to reflect recent staff changes. Renewable Electricity Policy & Legislation Branch/Renewable Heat Branch/Sustainable Energy Branch: No comment</p> <p><u>TT & GSNI</u> Telecoms: Building-specific BCP is reviewed and responsibilities noted. Tourism: N/A</p> <p><u>ASU</u> ASU has provided a Business Impact Analysis questionnaire to assist with updating the Netherleigh BCP and has also developed its own BCP following the DETI reorganisation.</p> <p><u>EPD</u> EPD reviews the Business – Specific BCP and responsibilities are noted and updates made as required. A Netherleigh Business Continuity Steering Committee has been set up to look at how the Business – Specific BCP is regularly reviewed and updated. A representative from EPD sits on this group and provides feedback to the Division on a regular basis. Business-specific BCPs is reviewed/ updated as necessary.</p>			

1.4	Yes	No	Partly
<p>Divisions/Units within the Group have Branch-level Business Continuity Plan in place that are fully embedded, reviewed, updated and validated/tested, as appropriate, on a regular basis.</p>	✓		
<p>Comments:</p> <p><u>Energy Division:</u> <u>Energy Co-Ordination Branch</u> - Branch-level BCP updated April 2013. Alan Chowney represents Energy Division on the Netherleigh Business Continuity Group and feeds into validation and testing exercises. <u>Markets Branches</u> – Work ongoing to ensure new staff are aware of arrangements. <u>Renewable Electricity Policy & Legislation Branch/Renewable Heat Branch/Sustainable Energy Branch:</u> _No comment</p> <p><u>TT & GSNI:</u> <u>Telecoms:</u> Branch BCP in place and this is reviewed and updated on a regular basis. The BCP was updated in January 2013 to reflect changes in staffing within Unit, stakeholder contacts information with regard to contract changes, decant building arrangements and critical resource considerations in event of requirement to activate plan <u>Tourism:</u> Tourism Policy Branch BCP updated – 08/11/12</p> <p><u>ASU</u> ASU has developed its own Business Continuity Plan, which is reviewed and updated quarterly, in addition to any staff changes.</p> <p><u>EPD</u> Branch BCP's are in place and are reviewed and updated on a regular basis. BDU's BCP was updated in November 2013. A&AF's BCP was reviewed and updated in March 2013 following establishment of this branch. EPU has developed a BCP for the branch following the amalgamation of SPU and EPAU.</p>			

2 – Legislative and Other Authorities

2.1	Yes	No	Partly
Divisions/Units and Branches within the Group have the necessary legislative authority to undertake functions or activities and to spend money on those functions or activities.			 Energy
<p>Comments:</p> <p><u>Energy Division:</u></p> <p>Energy Co-Ordination Branch - No comment</p> <p>Markets Branches - Minister has given approval to put in place legislation to give authority for harmonisation of gas arrangements with ROI under the CAG project. DSO scrutiny of legislation such as IME3 Regulations, and inputs sought from DSO on subsequent IME3 and other legislative issues. Also Ministerial approval obtained for IME3 Regulations. Contract in place for external legal spend. All legal contract work order requests subject to HOBs consideration to confirm quotes are reasonable prior to referral to HOD for spend approval</p> <p><u>Renewable Electricity Policy & Legislation Branch/Renewable Heat Branch/Sustainable Energy Branch:</u> Legislative authority is in place for Phase 1 of the Renewable Heat Incentive (1/11/12) and authority for Phase 2 will be taken forward during 2013/14. New NI Energy Bill will look again at energy objectives and duties for DETI and NIAUR to ensure they align with need for sustainability.</p> <p>New NI Offshore Renewable Energy Bill will look at overall regulatory regime for offshore renewable energy installations to include decommissioning, safety zones and extinguishment of public rights of navigation. Consultation process commenced March 2013. Assembly approval achieved on 11 February for an LCM for extension of EMR powers to Northern Ireland. Bill is now going through Westminster.</p> <p>Renewables Obligation (Amendment Order) NI (2013) laid in the Assembly business Office on 20th March. Due for debate 22nd April.</p> <p>Drafting of LCM memorandum for power sector decarbonisation targets commenced during this period.</p> <p><u>TT & GSNI</u></p> <p>Telecoms: Main powers flow from Section 149 of the Communications Act 2003</p> <p>Minerals: Legislative Authority is grounded in current NI Minerals & Petroleum legislation. The following has been included on the Corporate Risk Register to the Departmental Board. "Action is being taken by DETI (MAPB) relating to the incomplete transposition/implementation in NI of EU Directive CCS/CDD 2009/31/EC – the Carbon Capture & Storage Directive (this is due to the absence of specific NI legislation to regulate provisions pertaining to storage, transport and 3rd party access).MAPB is currently preparing an updated "Transposition Note" (TN) identifying those provisions of the Directive that remain to be transposed. DSO intends to use this TN as the basis for advising DETI on the precise legislative requirements to be enacted in order to make NI wholly compliant.</p> <p>Tourism: Guidance from and adherence to NI Tourism Order 1992.</p> <p><u>ASU:</u> no comment</p> <p><u>EPD</u></p> <p>All branches, where appropriate, have the necessary legislation in place:</p> <p>IPU under the Industrial Development (NI) Order 1982, and in relation to the NI Science Park under the Northern Ireland Science Park Foundation Limited (Funding) Order (NI) 1999. Legislative cover for BDU spend on social economy activity is provided under the Financial Provisions Act 2009</p> <p>BDU: legislative cover for spend on social economy activity is provided under the Financial Provisions Act 2009.</p>			

2.2	Yes	No	Partly
Divisions/Units and Branches within the Group have obtained necessary DFP approvals for expenditure (where appropriate).	✓		
<p>Comments:</p> <p><u>Energy Division:</u> Energy Co-Ordination Branch - DFP Approval secured in respect of new legal contract from 1 April 2011. Markets Branches - All necessary approvals (internal & external) obtained for expenditure on tripartite "Isles" Offshore Grid Study for completion by end 2011 and "BioMara" research study completed end 2012. DFP approval of gas extension Strategic Outline Business Case (SOC) obtained prior to going to OBC stage. DETI Minister's approval obtained to tender via DFP for the Gas Network Extension OBC. DETI Casework approval for submission to DFP re gas subvention funding. DETI Casework approval for ISLES2 project. Renewable Electricity Policy & Legislation Branch/Renewable Heat Branch/Sustainable Energy Branch: No comment</p> <p><u>TT & GSNI</u> Telecoms: Procedures followed where required. DFP approval was given for the Outline Business Case (OBC) for the NI Broadband Improvement Project Tourism: N/A. No grants paid by Tourism Policy Branch</p> <p><u>ASU:</u> No DFP approvals were necessary in the 6 month period being considered</p> <p><u>EPD</u> – no comment</p>			

2.3	Yes	No	Partly
Divisions/Units and Branches within the Group have obtained necessary Ministerial and / or Casework Committee approval for expenditure.	✓		
<p>Comments:</p> <p><u>Energy Division:</u> Energy Co-Ordination Branch - Casework Committee/Minister's approval secured in respect of new legal contract from 1 April 2011. Markets Branches – Electricity and Gas Markets (see 2.2 above) Renewable Electricity Policy & Legislation Branch/Renewable Heat Branch/Sustainable Energy Branch: Ministerial and DFP approval received in February 2010 for £85k spend on consultancy on options for future support for renewable electricity generation. EU, Ministerial and DFP approval received in August and September for £80k for consultancy to develop Offshore Renewable Energy Regional Locational Guidance. Ministerial and EU approval received in September and August respectively for £65k to appoint external consultants to undertake work to establish a long term vision, to 2050, for energy in Northern Ireland. Ministerial and EU approval received in October for £50k to appoint external consultants to undertake a study on communities and energy in Northern Ireland. Ministerial (19/11/12) and DFP approval (30/11/12) obtained to appoint consultants (Feb 2013) to undertake policy development work for Phase 2 of the Renewable Heat Incentive. EU State aid approval for the NIRO 2013 order notified to the EU commission Nearing completion. Approval anticipated before end of April. Ministerial and EU approval received in January for £60k to appoint external consultants to undertake a study on a small scale FIT in Northern Ireland.</p> <p><u>TT & GSNI</u> Telecoms: Advice sought and procedures followed where appropriate... Tourism: N/A for Tourism Policy Branch however NITB have internal casework meetings.</p> <p><u>ASU</u> – no comment</p> <p><u>EPD:</u> Advice sought and procedures followed when required.</p>			

3 – Economic Appraisal, Post Project Evaluation and Consultancy

3.1	Yes	No	Partly
Divisions/Units and Branches within the Group produce business cases before committing public funds. Such business cases contain, where appropriate, economic appraisals conducted with proportionate effort in accordance with Departmental guidance.	✓		
<p>Comments:</p> <p><u>Energy Division:</u> Energy Co-Ordination Branch - No Comment Markets Branch - Gas Markets - Business Case for Common Arrangements for Gas prepared, based on updated cost benefit analysis by NIAUR and CER– Revised CBA published April 2009. External review by Poyry and ERINI confirmed findings and broad benefits of CBA. Regulators review ongoing implementation costs set against CBA. Strategic Outline Case and Outline Business Case prepared and DETI Casework approval obtained in relation to proposals for subvention funding for gas network extension. Electricity Markets – Approval received for Single Tender Action for procurement of external technical assessment of IME3 Art 9 (9) Limited Disapplication option. Renewable Electricity Policy & Legislation Branch/Renewable Heat Branch/Sustainable Energy Branch: Business case for approval to appoint external consultants to undertake work to establish a long term vision, to 2050, for energy in Northern Ireland was approved by the Minister on 5 September. Business case for approval to appoint external consultants to undertake a study on communities and energy in Northern Ireland was approved by the Minister on 2 October 2012..Business case for appointing consultants to undertake analysis for a small scale FIT.</p> <p><u>TT & GSNI:</u> Telecoms: Telecoms Branch is aware of this requirement and adheres to the guidance. During this period approval was sought for a consultancy for a review of an extreme broadband project. Tourism: Business cases prepared as appropriate and reflect Departmental guidance</p> <p><u>ASU:</u> A business case for the provision of sub-regional economic forecasting services was completed during the period.</p> <p>The main area of ASU spending relates to the DETI Research Programme 2012-15, which has an overarching business case, approved by David Thomson on 14 May 2012. This covers the individual projects under the research agenda, which do not require separate business cases.</p> <p><u>EPD:</u> EPD currently has a number of areas of business to which public funds are committed.</p>			

3.2	Yes	No	Partly
Divisions/Units and Branches within the Group conduct post project evaluations to consider the effectiveness of expenditure. All post project evaluations have been completed on schedule.	✓		✓ TT & GSNI (Minerals) & Energy & EPD
<p>Comments:</p> <p><u>Energy Division:</u> Energy Co-Ordination Branch - No Comment Markets Branches - PPEs completed for work on Common Arrangements for Gas CBA by Poyry Consultants and ERINI and on DMD Wayleave contract which ended February 2009. No PPEs due for completion in this period for Electricity Markets Branch. PPE completed on the FMA gas network study in March 2011. A PPE for the Energy Storage Study was completed with technical input from GSNI, after final Energy Storage Study reports received. The KPMG gas network extension OBC was completed in mid September 2012 and a PPE on the tender was completed in February 2013. PPE completed for ISLES study Renewable Electricity Policy & Legislation Branch/Renewable Heat Branch/Sustainable Energy Branch: The following PPEs were active during this period:- PPE of 5 outstanding Interreg 3A projects still delayed due to other higher priority work but some progress has been made. PPE on CEPA EMR study completed January 13.</p> <p><u>TT & GSNI</u> Telecoms: Telecoms Branch is aware of and follows this requirement. A detailed spreadsheet identifying due dates for completion of all project PPEs has been developed and circulated, and a rolling programme implemented for the completion of PPEs by assigned staff. Minerals: PPE for the "Tellus2" project has been completed and sent to Accountability & Casework Branch. Some additional analysis of the outcomes of the the Deep Geothermal Energy Project, is currently being undertaken – PPE is expected to be finalised in quarter ending 30 June 2013. Tourism: Post-project evaluations conducted as required.</p> <p><u>ASU</u> A PPE for Assessment of the future prospects for improving the quality of foreign direct investment to Northern Ireland research project was approved by Shane Murphy on 9 October 2012.</p> <p><u>EPD</u> Branches are aware of the need to undertake post-project evaluations. Mechanisms are in place across the division to ensure that post-project evaluations are carried out once current ongoing projects have come to a conclusion. IPU: Completion of the Open Innovation Consultancy project from Michael Kitson was delayed due to [REDACTED] <small>Personal information redacted by the RHI Inquiry</small>. Procurement only completed in March 2013, so PPE is now re-scheduled for completion by end September 2013 as a knock on consequence.</p>			

3.3	Yes	No	Partly
<p>Divisions/Units and Branches within the Group comply with the Department's guidance on the use of consultants. This includes the completion of business cases in line with the Department's guidance to both justify the use of consultants and to define the scope and outputs of the consultancy exercise.</p>	✓		
<p>Comments:</p> <p><u>Energy Division:</u></p> <p>Energy Co-Ordination Branch - No comment</p> <p>Markets Branches - Business case and approvals granted to conduct a technical review of secondary fuel stocking requirements to be held by generators. No Business Cases completed in this period for Electricity Markets Branch. Business case for the Single Tender Action for external assessment of the IME3 Limited Disapplication completed and approved. Business case prepared and approved by Minister for tendering of gas extension OBC.</p> <p>Renewable Electricity Policy & Legislation Branch/Renewable Heat Branch/Sustainable Energy Branch: Business case for approval to appoint external consultants to undertake work to establish a long term vision, to 2050, for energy in Northern Ireland was approved by the Minister on 5 September. Business case for approval to appoint external consultants to undertake a study on communities and energy in Northern Ireland was approved by the Minister on 2 October 2012. Business case for appointing consultants to undertake analysis for a small scale FIT approved by the Minister in January 13.</p> <p><u>TT & GSNI</u></p> <p>Telecoms: Telecoms Branch follows guidance on the use of consultants when appointing consultancy contracts. No business cases were completed by Telecoms during this period in relation to consultancy assignments</p> <p>Tourism: Proper process undertaken in compliance with DETI guidance.</p> <p><u>ASU</u> – no comment</p> <p><u>EPD</u> The Division appoints consultants/external contractors in line with guidance and advice is sought, as appropriate, before any activity to procure commences.</p>			

4 – Monitoring of Expenditure

4.1	Yes	No	Partly
Divisions/Units and Branches within the Group review financial reports reviewed to monitor expenditure against budget.	✓		
<p>Comments:</p> <p><u>Energy Division:</u> <u>Energy Co-Ordination Branch -</u> No comment <u>Markets Branch - Electricity Markets-</u> ISLES and BioMara project spend monitored in conjunction with EU Programmes and SEUPB. Wayleave costs monitored against reports and ongoing caseload. <u>Gas Markets</u> – Claim for significant additional costs by consultant involved in completing the 2010 Gas Network Extension Study resolved, resulting in agreement to pay around 20% of full claim, with full study costs less than next acceptable tender. Legal contract expenditure monitor maintained.</p> <p><u>Renewable Electricity Policy & Legislation Branch/Renewable Heat Branch/Sustainable Energy Branch:</u> No comment</p> <p><u>TT & GSNI</u> Telecoms:</p> <ul style="list-style-type: none"> • Monthly exercises undertaken on financial monitoring, reviewing past expenditure and forecasting future requirements • HOD is also updated on spend through monthly Budget reporting exercise <p>Minerals: The procedures for reviewing the delivery of the service under the Service Level Agreement between NERC/BGS & DETI will be further reviewed by the Grade 7, MAPB in liaison with the Director, GSNI in the quarter ending 30 June 2013.</p> <p>Tourism: Financial monitoring through monthly profiling, monitoring rounds on a quarterly basis.</p> <p><u>ASU</u> – no comment</p> <p><u>EPD:</u> Finances (Resource Admin and programme expenditure) are monitored on a monthly and quarterly basis. All transactions and profiling/re-profiling are undertaken at this time. Appropriate staff within the Division have been trained on Account NI procedures. IPU - Bi-annually finance checks are carried out on NISP Connect as part of ERDF drawdown.</p>			

5 - Procurement

5.1	Yes	No	Partly
All procurement activity by Divisions/Units and Branches within the Group is undertaken in accordance with the procedures in place and by officers with the necessary delegated purchasing authority.	✓		
<p>Comments:</p> <p><u>Energy Division:</u> Energy Co-Ordination Branch - No comment Markets Branch - <i>Electricity and Gas Markets</i> – DFP - CPD assistance utilized in tendering for gas extension studies, electricity grid SEA study contract, Energy Efficiency Levy PPE contract, replacement of Wayleaves Officer contract and IME3 Act 9 (9) assessment study (no responses received). (See also sections 3.3 and 5.3). Also DFP/CPD utilised for tender for gas extension OBC. All staff familiar with best practice procurement guidance. All PPA/PDPs updated to ensure staff participating in procurement exercises receive mandatory procurement and contract management training. Renewable Electricity Policy & Legislation Branch/Renewable Heat Branch/Sustainable Energy Branch: No comment</p> <p><u>TT & GSNI</u> Telecoms: Procedures followed in accordance with published guidance. Tourism: Monitored and completed by admin team, with appropriate authorisation DP/G7.</p> <p><u>ASU</u> – no comment</p> <p><u>EPD:</u> The Division fully complies with procurement policy and has worked closely with Central Procurement Directorate to ensure that tendering arrangements are in line with best practice and represent value for money. CPD oversees all procurement activity and sits on all selection panels.</p>			

5.2	Yes	No	Partly
<p>Appropriate arrangements are in place to ensure that all assets within the Group are properly safeguarded and controlled against unauthorised use or disposal.</p>	✓		
<p>Comments:</p> <p><u>Energy Division:</u> Energy Co-Ordination Branch - No comment Markets Branches – No comment Renewable Electricity Policy & Legislation Branch/Renewable Heat Branch/Sustainable Energy Branch: No comment</p> <p><u>TT & GSNI</u> Telecoms:</p> <ul style="list-style-type: none"> • Checks are made on branch assets to ensure compliance <p>Tourism: DETI own land at Ulster American Folk Park. Rent of £2k paid via BACs on yearly basis. Request for payment, monitoring and retention of receipts carried out by admin team.</p> <p><u>ASU:</u> ASU, by its nature, has minimal physical assets.</p> <p><u>EPD:</u> The majority of assets in the Division are IT related and all hardware is listed on the IT Assets database maintained by Corporate Services. Staff are also encouraged to update the Global Address List with details of the IT equipment allocated to them. EPD has participated in the DETI assessment of data security in terms of how information is held and transferred, providing an opportunity to review branch security procedures where necessary.</p>			

5.3	Yes	No	Partly
Divisions/Units and Branches within the Group have obtained prior approval from the Accounting Officer for the procurement of consultants by single tender action.	✓	✓ ASU	
<p>Comments:</p> <p><u>Energy Division:</u> <u>Energy Co-Ordination Branch</u> - No comment <u>Electricity Domestic Markets</u> – ERINI study on mutualisation of energy assets and IME3 Art 9(9) technical study – Single Tender Action approval obtained in both cases. IME3 Act 9 (9) study was tendered via CPD, and no responses obtained. <u>Renewable Electricity Policy & Legislation Branch/Renewable Heat Branch/Sustainable Energy Branch:</u> No comment</p> <p><u>TT & GSNI:</u> <u>Telecoms:</u> Telecoms Branch are aware of and adhere to this requirement. There has been 1 STA in this reporting period. <u>Minerals:</u> Not applicable to MAPB for this period. <u>Tourism:</u> Branch aware of requirement to seek prior approval from Accounting Officer.</p> <p><u>ASU</u> – No comment</p> <p><u>EPD</u> – no comment</p>			

6 – Staff

6.1	Yes	No	Partly
(a) Authority, responsibility and accountability within the Group are clearly defined so that decisions are made and actions taken by appropriate people.	✓		
(b) Staff within the Group are made fully aware of their job responsibilities.	✓		
<p>Comments:</p> <p><u>Energy Division:</u> <u>Energy Co-Ordination Branch</u> - No comment Markets Branch - All financial approvals completed under delegated limits procedures <u>Renewable Electricity Policy & Legislation Branch/Renewable Heat Branch/Sustainable Energy Branch:</u> No comment</p> <p><u>TT & GSNI</u> Telecoms:</p> <ul style="list-style-type: none"> • Lines of authority are well defined and understood by staff across the unit • Staff are aware of their responsibilities through updates to PDPs/PPAs, dissemination of relevant information through divisional and staff briefings and corporate electronic messaging systems • We have appropriate levels of separation in respect of financial procedures (approvals/authorisations/payment) for each project. We also have named personnel for the management of specific project risks. <p>Tourism:</p> <p>(a) Operating Plan/Branch Plan/PPAs (b) Regular Branch meetings (c) Regular informal contact (d) Timely completion of annual reports</p> <p><u>ASU</u> – No comment</p> <p><u>EPD:</u> Personal Performance Agreements/PDPs are drafted in line with targets in Branch, Divisional and Operating Plans. Lines of authority are well defined and regular Branch and Divisional monitoring of progress against targets ensures responsibility for delivery is further embedded. The previous EPAU Team, which had no G7 lead, now report to the G7 in EPU</p> <p>Regular branch meetings are undertaken, plus HOBs meet collectively with HoD on a regular basis. HoD also has detailed fortnightly work planning meetings with each Branch.</p>			

6.2	Yes	No	Partly
Guidance and instructions are disseminated to appropriate staff.	✓		
<p>Comments:</p> <p><u>Energy Division:</u> <u>Energy Co-Ordination Branch -</u> No comment <u>Markets Branches –</u> No comment <u>Renewable Electricity Policy & Legislation Branch/Renewable Heat Branch/Sustainable Energy Branch:</u> No comment</p> <p><u>TT & GSNI</u> Telecoms :</p> <ul style="list-style-type: none"> • All staff have access to and are competent in accessing departmental IT systems • Issues discussed through regular formal and informal team meetings and briefings <p>Tourism: Review of procedures manual currently underway.</p> <p><u>ASU</u> – no comment</p> <p><u>EPD:</u> All staff have access to the e-mail system regarding receipt of instructions. Where necessary any issues are raised and discussed at either the regular Branch/Team or HOB meetings; or in the context of the monthly divisional Team Brief.</p>			

6.3	Yes	No	Partly
Staff are adhering to guidance on gifts and hospitality and records are kept of the receipt of gifts and hospitality. Gifts & hospitality registers are complete and up to date.	✓		
<p>Comments:</p> <p><u>Energy Division:</u></p> <p><u>Energy Co-Ordination Branch</u> - Divisional hospitality register controlled centrally and updated on a six-monthly basis.</p> <p>Markets Branches: Divisional hospitality register maintained centrally. <i>Electricity Markets</i> - No offers of gifts or hospitality within reporting period. <i>Gas Markets</i> – Hospitality accepted for a CBI – Infrastructure UK event in December 2012, and therefore during the reporting period.</p> <p><u>Renewable Electricity Policy & Legislation Branch/Renewable Heat Branch/Sustainable Energy Branch:</u> No comment</p> <p><u>TT & GSNI</u></p> <p>Telecoms: Reminders issued regularly to staff asking them to complete the register and <u>to the best of our knowledge</u> staff adhere to the guidance.</p> <p>Tourism: Gifts and hospitality information/receipts for Branch held on TRIM.</p> <p><u>ASU</u></p> <p>.ASU has its own Gifts and Hospitality register which is maintained regularly and staff receive reminders on guidance on the acceptance on gifts and hospitality on at least an annual basis.</p> <p><u>EPD:</u> A gift/hospitality register is maintained by the Division. It is circulated annually and all staff are reminded of their obligations under the guidance. Once the update of the register is completed, the latest position is forwarded to HOD to either note or for any action required.</p>			

6.4	Yes	No	Partly
Line Managers are aware of their responsibilities to actively manage staff attendance and are adhering to and implementing sick absence procedures in a timely manner.	✓		
<p>Comments:</p> <p><u>Energy Division:</u> <u>Energy Co-Ordination Branch -</u> No comment Markets Branches - No issues arising in reporting period. All line managers familiar with HR Connect attendance management procedures <u>Renewable Electricity Policy & Legislation Branch/Renewable Heat Branch/Sustainable Energy Branch:</u> No comment</p> <p><u>TT & GSNI</u> Telecoms: Telecoms Branch line managers are aware of their responsibilities and have been implementing procedures. Tourism: Regular review of HR Connect procedures. Absences recorded by line management as appropriate and return to work interviews conducted in a timely manner.</p> <p><u>ASU</u> – no comment</p> <p><u>EPD:</u> All staff are aware of, and are fully implementing, Departmental procedures. Return to work interviews are completed within the necessary timeframes.</p>			

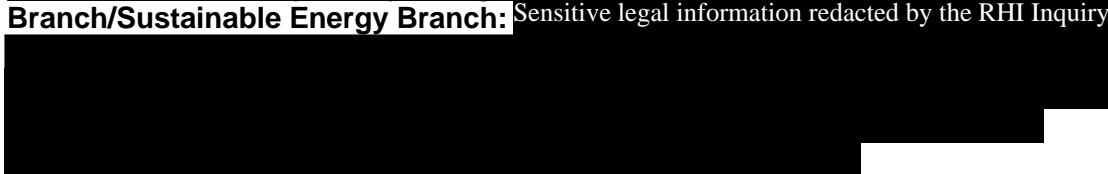
7.1	Yes	No	Partly
Where applicable, appropriate procedures are in place to monitor the NDPB's adherence to its Management Statement and Financial Memorandum.	✓		
<p>Comments:</p> <p><u>Energy Division:</u> Energy Co-Ordination Branch - N/A Markets Branches – N/A <u>Renewable Electricity Policy & Legislation Branch/Renewable Heat Branch/Sustainable Energy Branch:</u> N/A</p> <p><u>TT & GSNI</u> Telecoms: Staff within Telecoms Branch are aware of the need for appropriate procedures in relation to the monitoring of NDPBs (but do not currently need to implement them as they do not support any NDPBs) Tourism: Monitoring of NDPBs' adherence to MSFMs is carried out on quarterly and yearly basis and recorded appropriately. This is carried out through quarterly oversight meetings, regular technical meetings and by on site visits. Minerals: N/A</p> <p><u>ASU</u> – N/A</p> <p><u>EPD: IPU</u> - Quarterly NISP/DETI liaison meetings are held to ensure compliance. A Memorandum of Understanding is in place with NISP. In addition bi-annual meetings are held between NISP Connect and DETI and progress reports accompany financial checks.</p>			

7.2	Yes	No	Partly
<p>From the monitoring performed the Department is satisfied that the NDPBs have been adhering to the requirements of the Financial Memorandum and there are no significant problems.</p>	✓		
<p>Comments:</p> <p><u>Energy Division:</u> <u>Energy Co-Ordination Branch</u> – N/A <u>Markets Branches</u> – N/A <u>Renewable Electricity Policy & Legislation Branch/Renewable Heat Branch/Sustainable Energy Branch:</u> N/A</p> <p><u>TT & GSNI</u> <u>Telecoms:</u> See 7.1 <u>Minerals:</u> N/A <u>Tourism:</u> Sensitive investigative information redacted by the RHI Inquiry</p> <div style="background-color: black; width: 100%; height: 100%; min-height: 150px;"></div> <p><u>ASU</u> – N/A</p> <p><u>EPD:</u> IPU - Financial checks and Article 13 checks are carried out as per terms of ERDF funding.</p>			

7.3	Yes	No	Partly
Departmental procedures are followed in relation to the establishment and operation of External Delivery Organisations (EDOs) / Third Party Organisations (TPOs) that distribute funds on behalf of the Department.	✓		
<p>Comments:</p> <p><u>Energy Division:</u> <u>Energy Co-Ordination Branch</u> - No comment <u>Electricity Markets</u>- NIE Limited was put in place as Trustee for the distribution of funds to defray the Energy Efficiency Levy (EEL) in 2004/05 and 2005/06. The Department used the same means to defray the EEL in 2007/08 and as such NIE Limited remained classed as a TPO, with the existing monitoring arrangements continuing where spend occurs. However no further EEL defrayal is planned and a final audit of the account was completed by Ernst and Young for NIE in June 2011. The EEL trust fund account was closed in January 2011. <u>Renewable Electricity Policy & Legislation Branch/Renewable Heat Branch/Sustainable Energy Branch:</u> N/A – Energy Division did not fund any TPOs since April 2011.</p> <p><u>TT & GSNI</u> <u>Telecoms:</u> Telecoms Branch are aware of the procedures but do not currently need to implement them as they do not support any EDOs or TPOs <u>Minerals:</u> N/A <u>Tourism:</u> N/A</p> <p><u>ASU</u> – N/A</p> <p><u>EPD:</u> Departmental procedures as outlined above are followed by the Division.</p>			

7.4	Yes	No	Partly
Divisions/Units and Branches within the Group that distribute money via External Delivery Organisations (EDOs) / Third Party Organisations (TPOs) have adequate monitoring systems in place.	✓		
<p>Comments:</p> <p><u>Energy Division:</u> <u>Energy Co-Ordination Branch</u> - No comment <u>Electricity Markets</u> - Contract awarded in March 2010 for completion of Energy Efficiency levy PPEs and work was completed in May 2010. A final audit of the remaining amount in the account was completed by Ernst and Young for NIE in June 2011. <u>Renewable Electricity Policy & Legislation Branch/Renewable Heat Branch/Sustainable Energy Branch:</u> N/A</p> <p><u>TT & GSNI</u> Telecoms: See 7.3 Minerals: N/A Tourism: N/A</p> <p><u>ASU</u> – N/A</p> <p><u>EPD:</u> BDU: Expense of social economy activity is closely monitored.</p>			

7.5	Yes	No	Partly
Divisions/Units and Branches within the Group that distribute money in the form of grant have adequate monitoring (claims inspection) systems in place to ensure that the grant is used for the purposes intended by the Department.	✓		
<p>Comments:</p> <p><u>Energy Division:</u> <u>Energy Co-Ordination Branch</u> - No comment Gas Markets – no active Letters of Offer or grant funding of gas projects at present. Electricity Markets – See comments at 7.3 and 7.4 above, otherwise not applicable – no existing contracts or Letters of Offer in place with external parties <u>Renewable Electricity Policy & Legislation Branch/Renewable Heat Branch/Sustainable Energy Branch:</u> Irregularity in paperwork from 3 applicants to the Renewable Heat Premium Payment Scheme reported to Internal Audit 30/1/13. PSNI investigation under way.</p> <p><u>TT & GSNI</u> <u>Telecoms:</u> Telecoms Branch have various monitoring and claims inspection procedures in place to monitor disbursement of monies and have developed grant skills of staff within the unit; Monitoring and claims inspection activities have been reviewed by DETI IAS and recommendations incorporated into procedures as appropriate; Appropriate levels of separation in respect of financial procedures (approvals/authorisations/payment) are in place for each project. There are also named personnel for the management of specific project risks; A number of staff have completed the CIPFA “Fraud Awareness for Grant Funders” training course; Nine members of staff have completed CIPFA training in Vouching of Grants and Verification Visits; and, documentation and monitoring arrangements for Next Generation Access, Broadband Fund and Logon-Ni programme have also been agreed with DETI European Programmes Branch (Managing Authority for the ERDF programme) as part of the projects designation procedures and to ensure compliance with auditing procedures. All Telecoms Branch staff have either attended, or will attend as required, mandatory training provided by the DETI Managing Authority in relation to EU Tourism: N/A Minerals: N/A</p> <p><u>ASU</u> – N/A</p> <p><u>EPD:</u> <u>BDU:</u> Agreed systems are in place to enable vouching of claims to be undertaken by Invest NI on behalf of DETI in relation to Social Enterprise NI..</p>			

8.1	Yes	No	Partly
Internal and external audit reports relating to the activities of the Group have not revealed any significant weaknesses.			✓ Energy (Sustainables)
<p>Comments:</p> <p><u>Energy Division:</u> <u>Energy Co-Ordination Branch</u> - No comment <u>Electricity and Gas Markets</u> – Internal audits in 2011 of ESB/NIE transaction, Climate Change Levy and IME3, revealed no significant weaknesses. <u>Renewable Electricity Policy & Legislation Branch/Renewable Heat Branch/Sustainable Energy Branch:</u> Sensitive legal information redacted by the RHI Inquiry </p> <p><u>TT & GSNI</u> <u>Telecoms:</u> Accountability and Casework Branch working with the Audit Service and others, is continuing to pursue allegations made against a company that received a grant under Interreg IIIA. <u>Minerals:</u> Internal Audit Report IAS 23/10 – follow up report June 2012 refers: IAS 23/10 follow up report upgraded GSNI/MAPB from an original “limited” opinion to “satisfactory”. All of the 26 recommendations contained in the report have now been implemented save for one very minor “low” risk recommendation. Appropriate implementation of this recommendation will be reviewed on receipt of IAS further follow up report anticipated by end April 2013. <u>Tourism:</u> BIT Reviews of procedures of Tourism Policy Branch processed in October 2008 did not identify any weaknesses.</p> <p><u>ASU</u> As outlined in the previous Assurance Statement the recent Internal Audit Service follow-up report did not reveal any significant weaknesses. One low risk recommendation was identified on branch payments (dating and signing of invoices) an additional action commenced during the previous Assurance Statement period.</p> <p><u>EPD:</u> IPU - KPMG completed a report August 11 which highlighted three areas of low risk between NISP and DETI.</p>			

8.2	Yes	No	Partly
<p>Recommendations arising from internal and external audit reports and PAC hearings are implemented and implementation is monitored by Heads of Division.</p>	✓		✓ ASU
<p>Comments:</p> <p><u>Energy Division:</u> <u>Energy Co-Ordination Branch</u> – N/A <u>Markets Branches</u> – N/A <u>Renewable Electricity Policy & Legislation Branch/Renewable Heat Branch/Sustainable Energy Branch:</u> All issues identified for Sustainable Energy Branch in Internal Audit reports have been actioned.</p> <p><u>TT & GSNI</u> Telecoms:</p> <ul style="list-style-type: none"> • Recommendations made by IAS have been implemented and are monitored by HOB and reported to HOD. • European Programmes Branch carries out quarterly Drawdown verification checks and as yet there have been no issues arising. <p>Tourism: Tourism Policy Branch adheres to guidance issued by DFP.</p> <p><u>ASU</u> : ASU have implemented all recommendations which are the responsibility of the unit, following the Internal Audit report on the previous SPES division.</p> <p>As noted at 8.1 above, an Internal Audit follow up report found that a recommendation on processing payments had been partially implemented. During the previous Assurance Statement period EPD Admin and ASU have reviewed processes for invoices and added supplementary checks to ensure procedures are being followed.</p> <p><u>EPD:</u> Recommendations are monitored by Heads of Division</p>			

9.1	Yes	No	Partly
<p>Appropriate arrangements are in place within Divisions/Units and Branches in the Group to ensure that all data is correctly classified, held, transmitted and transported in line with guidance provided by the Security Advisory Unit in OFMDFM and, where appropriate, supplemented by additional advice and guidance from Human Resources and Central Support Division.</p>	✓		
<p>Comments:</p> <p><u>Energy Division:</u> <u>Energy Co-Ordination Branch</u> - A checklist for all Divisional staff was developed and is circulated alongside a reminder about the full guidance on a regular basis. Regular Divisional security checks now in place and HoD updated accordingly. <u>Electricity Markets</u> – HOB has received Cabinet Office Information Asset Owner accredited training. <u>Renewable Electricity Policy & Legislation Branch/Renewable Heat Branch/Sustainable Energy Branch:</u> No comment</p> <p><u>TT & GSNI</u> <u>Telecoms:</u></p> <ul style="list-style-type: none"> • All data held by Telecoms Branch is categorised at “Restricted” or lower level in accordance with approved NICS Guidance • All data is stored centrally to approved Guidance with appropriate access permissions within file-plan agreed with DETI Departmental Information Manager • Stored 3rd party personal data comprises basic identifier detail such as name/address/telephone number/s only and is generated typically as a consequence of complaint/enquiry management. If additional data is required to be gathered Telecoms Branch liaise with the Departmental Information Manager to ensure best practice guidelines are followed • Data transmission by e-mail (no 3rd party courier arrangements or use of alternative storage media for data transportation) • Data security arrangements have also been discussed with and security enhancements implemented as part of a roll-out programme by DETI IT Branch for those members of staff using laptops or other portable devices • All laptops are Iron-key protected <p><u>Minerals:</u> Work is on-going within MAPB to migrate information historically held on “G” Drive into Trim system. <u>Tourism:</u> All data is managed, classified, etc in accordance with information management and information security guidelines.</p> <p><u>ASU</u> – no comment</p> <p><u>EPD:</u> All data held are categorised at “Restricted” or lower level in accordance with approved NICS EDRMS. All data are stored centrally to approved EDRMS with appropriate access permissions within file-plan agreed with DETI Departmental Information Manager. As part of a departmental rollout programme, members of staff using laptops or other portable devices have had the appropriate security enhancements implemented by the DETI IT team</p>			

10 – Other Issues

10.1	Yes	No	Partly
<p>Apart from the issues raised above, there are no significant control or other matters arising within the Group which could adversely affect the signing of the biannual SIC.</p>	✓		
<p>Comments:</p> <p><u>Energy Division:</u> <u>Energy Co-Ordination Branch</u> - No comment <u>Markets Branches</u> – No comment <u>Renewable Electricity Policy & Legislation Branch/Renewable Heat Branch/Sustainable Energy Branch:</u> No comment</p> <p><u>TT & GSNI</u> <u>Telecoms:</u> Telecoms Branch are not aware of any significant control or other matters arising within the Branch which could adversely affect the signing of the quarterly SIC <u>Minerals:</u> <u>Other Legislative Matters</u> MAPB functions and activities a pro pos Mineral & Petroleum Licensing in NI are determined by the enacting legislation available to DETI, i.e.: Mineral Development Act (NI) 1969 (MDA 1969) Petroleum (Production) Act (NI) 1964 Further legislative/legal issues are arising out of how legislation that is circa 50 years old can be applied in today’s operational environment e.g. Rights of Access Over Land issues; issue of entitlement to compensation; Annual Mineral Statement etc etc. Given that MAPB’s only legislative resource (1 DP X 2 day week working pattern) has been dedicated to working full time on the transposition of the CCS Directive referred to at Section 2.1, these other legislative issues are not being progressed within MAPB. Moreover with the increased public concern emanating from the potential for “fracking” in NI, the legislative and policy framework for Minerals and Petroleum Licensing is becoming increasing vulnerable to challenge – accordingly a wholesale review of the legislative, policy and operational framework for today’s licensing activities may be required. None of the above can take place without additional (suitably skilled) staff resources being deployed within MAPB.</p> <p><u>ASU</u> – no comment</p> <p><u>EPD:</u> At this point there are no significant matters arising within the Division which would significantly affect the signing of the six monthly SIC</p>			