



**Northern Ireland
Assembly**

COMMITTEE FOR ENTERPRISE, TRADE AND INVESTMENT

MINUTES OF PROCEEDINGS

**THURSDAY, 27 OCTOBER 2011
ROOM 30, PARLIAMENT BUILDINGS**

- Present: Mr Alban Maginness (Chairperson)
Mr Daithí McKay (Deputy Chairperson)
Mr Steven Agnew
Mr Gordon Dunne
Mr Phil Flanagan
Mr Stephen Moutray
Mr Robin Newton
- In Attendance: Mr Jim McManus (Assembly Clerk)
Ms Sohui Yim (Assistant Assembly Clerk)
Mr David McKee (Clerical Supervisor)
Ms Michelle McDowell (Clerical Officer)
- Apologies: Mr Paul Frew
Mr Mike Nesbitt
Ms Sue Ramsey

The meeting began at 10.05am in public session.

1. Apologies

Apologies are detailed above.

2. Minutes of meeting held on 20 October 2011

Agreed: The draft minutes of the meeting on 20 October were agreed

Gordon Dunne joined the meeting at 10.06am.

3. Chairperson's Business

Members noted a letter to the Chair from the CEO of Sainsbury's regarding the Large Retailer Levy.

Agreed: To forward the letter to the Committee for Finance and Personnel.

4. Matters Arising

The Chair informed members that the afternoon event on Sunday 6 November at Parliament Buildings for the sponsors of the MTV Awards has been cancelled.

Members discussed the event it is hosting for representatives of the SME sector on 17 November.

Agreed: To invite members from the Committees for Employment and Learning and Finance and Personnel.

Agreed: Chair and Deputy Chair to agree future invitees for the event.

Members discussed an InterTradeIreland's report on the Agri-food sector.

Agreed: To receive more information on the report from the Department.

Members discussed an invitation to the Annual Energy conference on the 10 November.

Agreed: Assistant Clerk to attend the Conference and to report back to the Committee with key issues.

5. Research and Development: Assembly Research

The Assembly Research Officer joined the meeting at 10.14am.

Members received an oral briefing from Assembly Research. Key issues discussed included EU Innovation Policy, Research and Development and Framework Programme 7 (FP7).

Stephen Moutray left the meeting at 10.36am.

The Assembly Research Officer left the meeting at 10.40am.

Agreed: Rapporteur to consider the appropriate Assembly committees and universities in GB and the RoI to invite to give written evidence to the Inquiry.

Agreed: To write to Invest NI and InterTradeIreland to ask them to provide information on appropriate businesses (those that have successfully availed of opportunities for R&D and innovation) to invite to give evidence to the Inquiry.

Agreed: To make any necessary amendments to the Inquiry Proposal, as and when it is appropriate.

Agreed: To forward the Assembly Research papers to the Department.

Agreed: To contact MEPs to ask their views on Horizon 2020.

Members noted a report from Assembly Research on the Role of a Rapporteur for Committee Inquiries.

6. Subordinate Legislation on Insolvency

DETI Officials joined the meeting at 10.48am.

Members received an oral briefing from Reg Nesbitt, Senior Principal and Alison Aiken, Deputy Principal. Key issue discussed included proposals to increase the fees for insolvency proceedings.

Stephen Moutray returned to the meeting at 10.53am.

DETI Officials left the meeting at 11.19am.

Agreed: To write to the Department expressing the Committee's views in relation to allowing petitioners for insolvency to pay fees in instalments and to ask the Department to consider the feasibility of this concept and report back to the Committee.

The Committee considered three proposals for subordinate legislation from DETI:

SL1: Insolvency (Fees) (Amendment No.2) Order (Northern Ireland) 2011

SL1: Insolvency (Deposits) (Amendment) Order (Northern Ireland) 2011

SL1: Insolvency Practitioners and Insolvency Account (Fees) (Amendment) Order (Northern Ireland) 2011

Agreed: That the Committee for Enterprise, Trade and Investment has considered DETI's proposals for subordinate legislation under the Insolvency (Fees) (Amendment No.2) Order (Northern Ireland) 2011; the Insolvency (Deposits) (Amendment) Order (Northern Ireland) 2011; the Insolvency Practitioners and Insolvency Account (Fees) (Amendment) Order (Northern Ireland) 2011 and has no objection to the policy implications of the proposed legislation at this stage.

7. Study into Off-Grid Markets: Office of Fair Trading (OFT)

OFT Officials joined the meeting at 11.20am.

Members received an oral briefing from James MacBeth, Project Leader and Kyla Brand, OFT Representative for Scotland, Wales and Northern Ireland. Key issues discussed included the perceived margins and profits of the retail oil industry, some inconsistencies in trading practice and consumer protection.

Gordon Dunne left the meeting at 12:19pm.

OFT Officials left the meeting at 12.34pm.

Daithí McKay left the meeting at 12.35pm.

Agreed: To ask the Consumer Affairs branch in DETI to provide details to the Committee on what actions exist to prevent the practice of short measuring and what mechanisms are in place to ensure that it does not occur.

Agreed: To ask the Consumer Affairs branch in DETI to provide the Committee with details of the number of complaints they have received in relation to oil suppliers.

Agreed: To ask information on how Consumer Affairs handles the complaints and the number of cases that Consumer Affairs had to intervene and enforce consumer protection regulations.

Agreed: To ask officials to address progress on the extension of the gas network at the meeting of 24 November.

Agreed: To ask Firmus Energy for a copy of its response to the consultation on the gas network extension consultation so that members can consider both responses at a future meeting.

Agreed: To ask the Department for its comments and views on the OFT study – especially in relation to the areas of consumer protection and NI’s potential for more gas connections.

Agreed: To forward the study to the Committee for Social Development for consideration.

8. SR 2011/365 The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) Regulations (Northern Ireland) 2011

The Committee considered the following subordinate legislation:

SR 2011/365 The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) Regulations (Northern Ireland) 2011

Agreed: That the Committee for Enterprise, Trade and Investment has considered SR 2011/365 The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) Regulations (Northern Ireland) 2011 and, subject to the Examiner of Statutory Rules report, has no objection to the Rule.

9. Draft response to the BIS Consultation on removing NI’s assisted area status

Members discussed the written briefing.

Agreed: Chair and Deputy Chair to agree a final response.

Agreed: To publish the Committee’s response on the Committee pages of the Assembly website.

10. Draft response to the FSA Consultation on Regulation of Credit Unions in Northern Ireland

Members discussed the written briefing.

Agreed: Chair and Deputy Chair to agree a final response.

Agreed: To publish the Committee’s response on the Committee pages of the Assembly website.

11. Consultation on proposed changes to NIRO in 2012

Agreed: To defer this item of business to the meeting of 17 November and to forward the papers to the Committee for the Environment.

12. Correspondence

Members noted the following items of correspondence:

- i. Letter from the Minister to the Chair regarding funding for the Paint Hall.
- ii. Correspondence from the Minister to the Chair regarding the Better Regulation Annual Report 2010-2011 and the draft report.
- iii. Correspondence from the Committee for Culture, Arts and Leisure requesting an oral briefing from the Northern Ireland Tourist Board (NITB).

Agreed: To forward the request to NITB.

- iv. Correspondence from the Committee for Finance and Personnel regarding European Issues (INTERREG IVA and SEUPB).

Agreed: To receive a written briefing from the Department on how the EU Special Support Instrument JEREMIE has been taken forward in Northern Ireland.

- v. Briefing note from DETI on Future University Funding in Northern Ireland.

Agreed: To forward to the Committee for Employment and Learning for information.

- vi. Follow-up information from the Green New Deal regarding the Housing Amendment Act and energy efficiency of owner-occupied housing and social housing sectors.
- vii. Response from DETI on the smooth processing of planning applications in time for Northern Ireland to fully take advantage of the Renewable Heat Incentive (RHI).

Agreed: To forward the correspondence to the Committee for Environment to ask for an update on permitted development for microgeneration.

- viii. Supplementary information from DETI regarding October Monitoring.

- ix. Response from DETI on the Outcome of the Consultation on Telecommunications Action Plan 2011-15.

- x. Briefing note from Clerk and paper from DETI on Screening Exercises for policy/legislation.

- xi. Letter from the Post 19 Lobby Group requesting a meeting with the Committee to discuss issues around Post 19 Transition.

Agreed: to write to the Post 19 Lobby Group to inform them that although the issues they raise fall outside the remit of this Committee, they should expect a response from other statutory committees which have an interest in this area.

- xii. Correspondence from the Committee for Finance and Personnel on departments' performances on payment of invoices within the 10 and 30 day targets.

13. Any other business

Members discussed the OFT study into off grid energy markets.

Agreed: Chair and Deputy Chair to agree a press release on the practice of short measuring.

14. Date, time and place of next meeting

The next meeting of the Committee will take place on **Thursday 17 November at 10.30am, Room 30, Parliament Buildings.**

The Chair adjourned the meeting at 12.50pm.

Mr Alban Maginness
Chair
Committee for Enterprise, Trade and Investment

17 November 2011