

Better Regulation Action Plan

2010 - 2013



Department of
**Agriculture and
Rural Development**

www.dardni.gov.uk

AN ROINN
**Talmhaíochta agus
Forbartha Tuaithe**

MÀNNYSTRIE O
**Fairms an
Kintra Fordèrin**



**INVESTORS
IN PEOPLE**

Better Regulation Action Plan

This document can be made available in alternative formats including:

- Paper Copy
- Braille
- Large Print
- Computer Disk
- Easy Read
- Other languages
- Audio CD / MP3

You can also read, listen with Browsealoud and / or download this Action Plan from our website.

www.dardni.gov.uk/index/strategies-reports-accounts/strategic-corporate-information-services/better_regulation_and_simplification_review.htm

To request an alternative format, please contact us:

Better Regulation Advisory Unit
Department of Agriculture and Rural Development (DARD)
Room 413
Dundonald House
Upper Newtownards Road
Ballymiscaw
Belfast BT4 3SB

Telephone: 028 9052 4292

Fax: 028 9052 4884

Textphone: 028 9052 4420

Email: Better.Regulation@dardni.gov.uk

Web: www.dardni.gov.uk



Glossary

BERR	Department for Business Enterprise and Regulatory Reform	IRM	Identification, Registration and Movement
BR	Brucellosis	NAP	Nitrates Action Programme
BRE	Better Regulation Executive	NI	Northern Ireland
CIIs	Cattle Identification Inspections	NIEA	Northern Ireland Environment Agency
CMS	Countryside Management Scheme	OBF	Officially Brucellosis Free
CPR	Central Point of Recording	OTF	Officially Tuberculosis Free
DARD	Department of Agriculture and Rural Development	PSA	Public Service Agreement
DEFRA	Department of the Environment, Food and Rural Affairs	PVP	Private Veterinary Practitioner
DETI	Department of Enterprise, Trade and Investment	RIA	Regulatory Impact Assessment
DOE	Department of the Environment	ROI	Republic of Ireland
EC	European Commission	SCM	Standard Cost Methodology
EID	Electronic Identification	SFP	Single Farm Payment
ESA	Environmentally Sensitive Areas	TB	Tuberculosis
EU	European Union	TSE	Transmissible Spongiform Encephalopathies
		UFU	Ulster Farmers Union
		UK	United Kingdom



Foreword

I am pleased to present DARD's Better Regulation Action Plan, which sets out the actions my Department plans to take forward over the coming years.

DARD, in common with other Departments, relies upon regulation to achieve its outcomes. Regulations are designed to protect public and animal health, underpin high environmental standards and sustain a diverse natural environment. However, we have to ensure that whilst our regulations work as effectively as possible they do not impose unnecessary burdens on business.

My Department is committed to delivering our policies in the most effective and efficient way possible to achieve their intended outcomes. By regulating better we want to bring about fundamental and lasting change so that stakeholders see a real difference in the way we go about developing and implementing regulations. We are committed to embedding the principles that underpin 'better regulation' into policy development as simplification and the reduction of administrative burdens are implicit in delivering against our Public Service Agreement (PSA) target to reduce the administrative burden on the agri-food industry by 25% by 2013 (15% by 2011).

Finally, my Department will strive to improve regulatory systems through more collaborative work with those who are impacted by regulation to develop practical solutions to improve the way that businesses and the public engage with my Department, ensuring that there is a real partnership with those who we regulate.



Michelle Gildernew, MP MLA

Minister of Agriculture and

Rural Development



Focal ón Aire

Tá lúcháir orm Plean Gníomhaíochta um Rialú Níos Fearr de chuid na RTFT a chur i láthair, rud a leagann amach na bearta atá beartaithe ag mo Roinn a dhéanamh sna blianta amach romhainn.

Cosúil le Ranna eile, tá an RTFT ag brath ar rialú lena torthaí a bhaint amach. Tá sé mar aidhm ag rialacháin sláinte phoiblí agus sláinte ainmhithe a chosaint, tacaíocht a chur faoi ardchaighdeán chomhshaoil agus comhshaoil nádúrtha, ilchineálach a chothabháil. Caithfidimid a chinntiú, áfach, fad is go mbeidh ár rialacháin chomh héifeachtach agus is féidir, nach leagfaidh siad ualraig neamhriachtanacha ar lucht gnó.

Tá mo Roinn tiomanta dár mbeartais a chur i gcrích sa dóigh is éifeachtaí agus is éifeachtúla agus is féidir leis na torthaí atá beartaithe iontu a bhaint amach. Trí chúrsaí a rialú níos fearr, is mian linn athrú bunúsach agus buan a dhéanamh ionas go bhfeicfidh gach páirtí leasmhara go bhfuil fíordhifriocht ann sa dóigh a dtugaimid faoi rialacháin a fhorbairt agus a chur i bhfeidhm. Táimid tiomanta do na prionsabail a chuireann tacaíocht faoi 'rialú níos fearr' a leabú isteach i bhforbairt beartais siocair go bhfuil ról lárnach le himirt ag simpliú agus laghdú na n-ualach riaracháin ó thaobh ár sprioc Comhaontaithe Seirbhíse Poiblí (CSP) a bhaint amach .i. ualach riaracháin an tionscail agrairbhia a laghdú faoi 25% faoin bhliain 2013 (15% faoi 2011).

Mar fhocal scoir, déanfaidh mo Roinn tréaniarracht feabhas a chur ar chórais rialála trí níos mó comhoibrithe leo siúd a dtéann rialú i bhfeidhm orthu le réitigh phraiticiúla a fhorbairt le feabhas a chur ar an dóigh a dtéann gnólachtaí agus an pobal i dteagmháil le mo Roinn, ag cinntiú go bhfuil fíor-chomhpháirtíocht ann leo siúd a ndéanaimid rialú orthu.



Michelle Gildernew, MP CTR

Aire Talmhaíochta agus Forbartha

Tuaithe



Ingang

Ah'm hert-gled tae pit forrit MFKF's Bettèr Prescrivin Jeein Rede, 'at kythes tha daeins ma Männystrie's ettlin at fordèrin ower tha towmonds tae cum.

Forbye ither Männystries, MFKF lippens til prescrivin furtae wun tae its owercums. Wi prescrivin we'r ettlin at fennin tha poust o resydentèrs an bastes, uphaudin guid stannèrts o yird-hainin, an giein a heeze tae sindèrie uises o tha yird aa roon. Still an withal, we hae tae mak siccar 'at, tha mair oor prescrivins is makkin a richt guid han o warkin, the' dinnae fash consarns ower ocht.

Ma Männystrie is aa taen up wi throchin oor roadins in tha maist feckfu an eident gate we can, tha wye we'll can pit ower whit we'r ettlin at. Wi daein bettèr wi prescrivin, we'r leukkin tae throch throu-gan an haudin cheynge, sae yins 'at leuks tha gate o't wull fyn a richt differ in tha wye we gae aboot graithin an throchin prescrivins. We'r aa taen up wi pittin tha airtin 'at fens 'bettèr prescrivin' at tha hairt o roadin oncum, seein makkin things aisier an tha dalin no sae fasheous is maun-daes in cumin up tae oor Resydentèr Aisement Greeance (RAG) mairk tae lichten tha yoke o dalin fur tha fairm-mate hannlin bae 25 pairts tha hunnèr or 2013 (15 pairts or 2011).

In tha owergate o't, ma Männystrie is fur ettlin at fairin tha gates o prescrivin bae cleekin up mair wi yins 'at's smit wi prescrivin, furtae graith practician reddin furtae fair tha wye consarns an resydentèrs yokks til ma Männystrie, makkin siccar thar's rale pairtnerie wi tha yins we'r prescrivin fur.



Michelle Gildernew, MP MLA

Männyster o Fairms an

Kintra Fordèrin



Better Regulation Action Plan

Contents

	Page
1. About the Department	7
2. Background	8
3. Principles of Better Regulation	11
4. Better Regulation in the European Union	12
5. Wider Better Regulation Agenda	13
6. Regulatory Impact Assessments	14
7. Next Steps	15
8. Better Regulation Action Plan Explanatory Notes	16
9. Better Regulation Action Plan	17
10. Annexes	
Annex A: Better Regulation Action Plan by Year	31
Annex B: Organisational Structures	42
Annex C: Rejected Recommendations	45



About the Department

The Department of Agriculture and Rural Development (DARD) aims to promote sustainable economic growth and the development of the countryside in Northern Ireland. The Department assists the competitive development of the agri-food, fishing and forestry sectors in the Northern Ireland economy, having regard for the need of the consumers, the welfare of animals and the conservation and enhancement of the environment.

DARD has responsibility for food, farming, and environmental policy and the development of the rural sector in Northern Ireland. It provides a business development service for farmers and growers, and a veterinary service with administration of animal health and welfare.

Our Aims –

- to put the customer first
- to build partnerships
- to value staff
- to be efficient, adaptable, responsive to change and focused on making a difference

The Department's vision outlined in its Strategic Plan 2006 –2011 is for 'a thriving and sustainable rural community and environment'.

Our strategic goals are –

- to improve performance in the market place
- to strengthen the social and economic infrastructure of rural areas
- to enhance animal, fish and plant health and welfare
- to develop a more sustainable environment
- to deliver effectively our services to customers



Background

The overall aim of the Better Regulation and Simplification Review was to improve the way in which the Department of Agriculture and Rural Development (DARD) and the Department of the Environment (DOE) operate to meet their regulatory policy objectives and EU obligations, so that compliance by the agri-food sector is facilitated and the cost of compliance is reduced.

An independent panel was appointed to undertake the review and report on the main administrative burdens falling on the agri-food sector. They were asked to make proposals to simplify existing regulations and suggest how policy could be screened to minimise burdens in the future. The Panel completed this task and a final report 'Northern Ireland Agri-Food Better Regulation and Simplification Review' was published on 16 June 2009.

The Panel put forward 85 recommendations in the Better Regulation and Simplification Review and these provided us with an opportunity to review and evaluate a wide range of policy areas and regulations. Our response was published on 18 May 2010 and outlines many positive steps that will, or have been taken to reduce the administrative burden on the agri-food industry. The review document and our response can be accessed at www.dardni.gov.uk.

As part of the review the independent panel developed an administrative burden baseline measurement of the top 10 areas of regulatory burden in the NI agri-food sector (see page 9 – Table 1 and page 10 - Figure 1). This baseline measurement was conducted in close collaboration with stakeholders who were asked to quality assure the draft baseline measurements, thereby ensuring that all perspectives were taken into account. As initial baseline measurements were completed for each policy area, they were issued to stakeholder organisations who were asked to provide comment on the accuracy of the baseline estimates and to offer suggestions for simplification. Comments on the completeness and accuracy of the baseline measurements were subsequently discussed with officials and, where appropriate, adjustments made. Amended baselines were reissued to stakeholders and were agreed after one round of consultation, any remaining baselines were agreed after further deliberation.

We are committed to better regulation and to a Public Service Agreement (PSA) target to reduce the administrative burden on the agri-food sector by 25% by 2013 with an interim target of 15% by 2011. The Better Regulation and Simplification Review was an important step in progressing towards this target and provided a means to measure the administrative burden using the Standard Cost Methodology.

Finally, baselines for regulations produced by the panel will be used to assess progress on our commitment to reduce administrative burden.



Better Regulation Action Plan

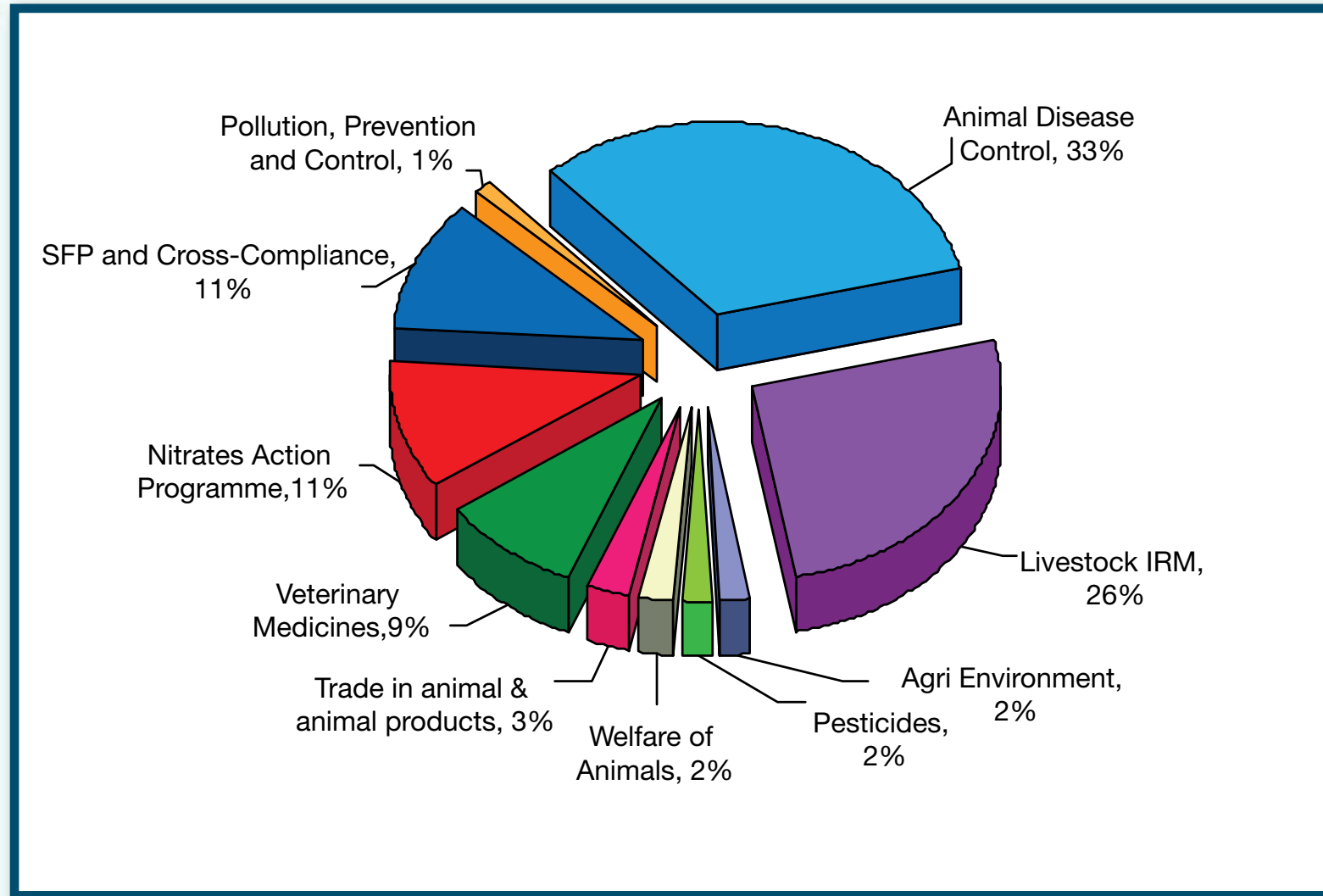
Table 1: Top 10 areas of regulatory burden in the NI agri-food sector

	Category of Regulation	Hours	NI Department
1	Animal Disease Control	907,723	DARD
2	Livestock Identification, Registration & Movement	555,736	DARD
3	Single Farm Payment & Cross-Compliance	245,504	DARD
4	Nitrates Action Programme & Phosphorus Use in Agriculture	239,403	DARD & DOE
5	Veterinary Medicines	224,835	DARD
6	Trade in Animals and Animals Products	3,280	DARD
7	Animal Welfare	54,571	DARD
8	Pesticides	91,937	DARD
9	Agri-Environment	47,506	DARD
10	Pollution, Prevention & Control (including Waste Management)	17,304	DOE
Total		2,387,799	



Better Regulation Action Plan

Figure 1: Percentage Breakdown of top 10 areas of Regulatory Burden



Principles of Better Regulation

We will adhere to the five guiding principles of Better Regulation, in informing the development of new regulations or amendments and in delivering existing regulations.

Proportionate or Risk-based

Regulations and our actions must be appropriate to the risk they aim to address. Resources should be deployed in such a way that higher risk and poorly performing operations receive greatest attention and bespoke conditions and that robust enforcement action should be focused on activities causing, or likely to cause, greatest harm.

Accountable

As regulators, we must be able to explain and justify our decisions. We must set and publish clear standards and criteria on which we base our actions.

Consistent

Our regulated community needs to be assured that regulation will be applied in a predictable fashion across the board to provide stability and certainty. The same rules and standards must be constant and fairly applied.

Transparent

Regulators should be open and ensure that their rules and systems are simple and user-friendly. Our policies and processes should be clearly explained and understood by all stakeholders.

Targeted

Our regulatory activity should focus on the problem and on delivering the desired outcomes. Regulatory processes should be periodically reviewed to check their effectiveness and to highlight improvements needed.



Better Regulation in the European Union

As the source of much of our legislation, the European Union recognises the impact that the regulatory framework can have on business competitiveness and ability to grow and the need to simplify and consolidate its laws. In its “Strategic Review of Better Regulation in the European Union” published in 2006, the European Commission identified opportunities for member states to take forward simplification programmes and improve their application of European law. Better Regulation is now one of the EU’s core priorities, aimed at cutting red tape and improving the quality of legislation for consumers and businesses alike.

In its “Second Strategic Review of Better Regulation in the European Union” published in 2008, the Commission reported that the European Council had endorsed the Commission’s Action Programme in March 2007. The Commission reported that a key part of the Action Programme is measuring the administrative costs under various information obligations which businesses have to provide as a result of EU and national legislation. Also, as part of a more general culture of change, impact assessments have become embedded in the working practices and decision making of the Commission. This has changed the way policy is shaped.

According to the “Third Strategic Review of Better Regulation in the European Union”, the European Union and its Member States face important challenges in addressing the current economic and financial situation. Better Regulation must remain an essential part of the response – regulating where there is a need to do so, and in a way that keeps burdens on businesses and citizens to the minimum necessary. The experience with better regulation over the last four years provides a good basis on which to confront new challenges. The Commission has identified next steps which require continued efforts and the on-going political support of the other European institutions, the Member States, local and regional authorities, and stakeholders.



Wider Better Regulation Agenda

The United Kingdom

Based in the Department for Business Enterprise and Regulatory Reform (BERR), the Better Regulation Executive (BRE) is driving through the Government's Better Regulation agenda and setting challenging targets for simplification. A suite of reviews on inspection and enforcement, transposition of European legislation, business support and consultation have provided the basis for a significant programme of change for regulators, including the adoption of flexible administrative penalties, reducing red tape and ensuring inspections are proportionate to risk.

Northern Ireland

The Department of Enterprise Trade and Investment (DETI) produced a Better Regulation Strategy in 2001 which placed obligations on all Government Departments in Northern Ireland to promote Better Regulation and provide clear guidance to obligated businesses well in advance of the introductions of new regulations. Following a comprehensive review of the Strategy, a series of recommendations and an action plan for implementation have been endorsed by all Departments, including DARD. The Better Regulation Annual Report for 2009-10 was published in November 2010 and can be accessed at www.detini.gov.uk/deti-better-regulation-index.htm.



Regulatory Impact Assessments

Regulatory Impact Assessment (RIA) is a key tool in delivering better regulation supporting the government's aim of only regulating when necessary and when it is, to do so in a way that is proportionate to the risk being addressed and to deregulate and simplify wherever possible.

The Northern Ireland Better Regulation Strategy requires all departments to undertake an RIA and when doing so should refer to the 'Better Policy Making and Regulatory Impact Assessment: A Guide for Northern Ireland'. This document highlights the fact that “New regulation should only be introduced when other alternatives have first been considered and rejected and where the benefits justify the cost.” The RIA process was introduced to facilitate this process, to assure its transparency and to provide a common structure. The process was designed to assist those who are considering regulatory proposals to:

- Think through the full impact of the process;
- Identify alternative options for achieving the desired change;
- Assess options;
- Ensure that the consultation process is meaningful and reaches the widest possible range of stakeholders; and
- Determine whether the benefits justify the costs.

Undertaking an RIA is a requirement for all government departments and agencies where they exercise statutory powers and make rules that have or may have general effect on others.

Furthermore, in July 2010 all NICS Departments signed up to a New Code of Practice on Guidance on Regulations. All new guidance produced by Departments will comply with this new set of rules and existing guidance will comply as and when they are reviewed by the Department. This Code of Practice provides guidance in relation to Northern Ireland legislation likely to have a significant impact on businesses, charity and voluntary organisations and the social economy sector. It is designed to ensure that guidance is effective, meaningful and relevant for users.



Next Steps

Better Regulation is an evolving process and we will continue to incorporate its principles into how we carry out our duties and how we inform development of future regulatory instruments. Using our experience and feedback from stakeholders, we will work closely with our policy colleagues to inform new policy and provide assistance to maximise the effectiveness of our regulatory framework.

At the heart of Better Regulation is the reduction of the administrative burden associated with complex regulation and the use of that time to deliver better industry outcomes. This means moving towards standard guiding rules with information and guidance to focus on the real risk areas and thereby deliver real improvements on the ground.



Better Regulation Action Plan Explanatory Notes

1. The following Better Regulation Action Plan relates to the key policy areas detailed in the NI Agri-food Better Regulation and Simplification Review. It provides information on how we will take forward the recommendations put forward by the Review Panel.
2. Annex A provides a yearly breakdown based on the information contained in the Better Regulation Action Plan.
3. Annex B provides information on the internal organisational structures which have been put in place to take forward better regulation within the department.
4. Annex C provides information on recommendations which were put forward by the Review Panel which were not accepted by the Department.
5. Where the Review Panel made no recommendations for simplification, that is, in relation to Agri-Environment Schemes or TSE these areas have not been included in the action plan. However, as regulations in relation to these areas have changed since publication of the review the baselines for each of these areas will be re-assessed when looking at progress against the PSA Target.
6. In each of the annexes where there are numbers detailed under the 'Key Actions' for example, (1, 2, 3...), these represent the recommendation which was put forward by the Review Panel.



Key Policy Areas

Policy Area	2007 Baseline (Hours)	Key Actions	Milestones	Outcomes
Animal Disease Control	907,723			
Brucellosis Control Programme				The overall aim of the Brucellosis Control Programme is to reduce by 20 percent the incidence of Brucellosis in cattle by 2011, as laid out in the Northern Ireland Executive's Programme for Government 2008-2011.
		Consider measures to reduce the incidence of Brucellosis in cattle to a level that requires less frequent monitoring (5, 6, 7).	Ongoing Ongoing Apr 2011	Benchmarking with Republic of Ireland to gather information to support eradication of brucellosis. Increased use of the media to encourage the reporting of abortions. Review of Private Veterinary Practitioner (PVP) contract to consider effectiveness of including provision of biosecurity advice as part of the contract.
Tuberculosis Control Programme				The overall aim of the Tuberculosis Control Programme is, through industry and Government partnership, to move towards the eradication of TB in the most cost-effective way and in a realistic timeframe.



Key Policy Areas

Policy Area	2007 Baseline (Hours)	Key Actions	Milestones	Outcomes
Tuberculosis Control Programme		Consider administrative burden placed on herd keepers of new policy options in relation to TB (1).	Ongoing	The administrative burden of new policies relating to TB will be quantified.
		Minimise the number of occasions when herds are subject to tests (2, 3).	31 Mar 2011	<p>Synchronisation of routine brucellosis herd tests with TB herd tests i.e. 74 percent synchronisation in herds of 20 or less for Brucellosis testing and 81 percent synchronisation in herds with more than 20 for brucellosis testing.</p> <p>Up to 30 percent of Cattle Identification Inspections synchronised with herd bTb.</p>



Key Policy Areas

Policy Area	2007 Baseline (Hours)	Key Actions	Milestones	Outcomes
Livestock Identification, Registration and Movement	555,736			
Cattle Identification, Registration and Movement				The overall aim of cattle IRM is localisation and tracing of animals for veterinary purposes. This is vitally important for the control of infectious diseases and the traceability of beef for public health reasons.
		Amend SR 1999 No 265 to allow for notification of cattle births and deaths by telephone (9).	31 Oct 2011	Provision of legislative support for province wide service to allow cattle births and deaths to be registered by telephone.
		Undertake review and consultation on development of cattle Identification, Registration and Movement (IRM) and Electronic Identification (EID) policy (10, 14, 16, 19, 20).	2012	<p>Cattle EID policy developed after engagement with the Department of Environment, Food and Rural Affairs (DEFRA) and the European Commission (EC), in line with the EC timescales.</p> <p>Increased use of electronic methods of cattle births and death registration.</p> <p>Process in place to allow keeper to use registered agent to notify animal deaths.</p> <p>EID will be used as the official means of cattle identification.</p>



Key Policy Areas

Policy Area	2007 Baseline (Hours)	Key Actions	Milestones	Outcomes
Cattle Identification, Registration and Movement		Engage with keepers and suppliers regarding ear tag loss (18).	Ongoing	Progress the review of cattle IRM - policy developed on cattle EID in line with Commission timescales.
Sheep Identification, Registration and Movement				The overall aim of sheep IRM is to ensure the individual traceability of sheep and goats which is vital for the control of animal health and food safety.
		Introduce Sheep EID system (25, 26).	31 Dec 2009	Sheep EID system requiring all sheep to be tagged with one EID device (e.g. EID tag, bolus or EID pastern tag) and one conventional tag and all goats to be double tagged implemented. Effective traceability which will satisfy EU Regulation 21/2004.
		Fully implement the Sheep EID and double tagging of goat system with appropriate funding for Central Points of Recording (CPR) (25,26, 27).	Jun 2010	CPRs established to read tags on behalf of keepers. Simplification of rules by introducing one system of tagging. Flock register derogation and movement document accepted on a voluntary basis.
		Complete roll-out of Sheep EID policy (25, 26).	31 Mar 2011	Sheep EID policy which satisfies EU Regulation 21/2004 and which is endorsed by industry.



Key Policy Areas

Policy Area	2007 Baseline (Hours)	Key Actions	Milestones	Outcomes
Trade in Animals and Animal Products	3,280			
Animals and Animal Products (Imports and Exports)				To improve the efficiency of livestock import and export trade whilst complying with veterinary checks and transport requirements for such trade.
		Issue copies of licences to importer / exporter / DARD portal staff / DARD Divisional Veterinary Officer (52).	Sep 2009	All parties in import chain informed as to licensing arrangements.
Single Farm Payment Scheme and Cross-Compliance	245,504			
Single Farm Payment Scheme				To improve the efficiency of the application, inspection and post-inspection processes for Single Farm Payment and provide information to ensure compliance with cross-compliance and eligibility conditions.



Key Policy Areas

Policy Area	2007 Baseline (Hours)	Key Actions	Milestones	Outcomes
Sheep Identification, Registration and Movement		Assess the benefits of the introduction using Standard Cost Methodology (28).	Ongoing	Benefits of sheep EID will be comparable against previous baselines which were in place before the introduction of sheep EID.
		Improve communication, guidance and understanding of sheep EID (29, 30).	May-Jun 2010 Ongoing	Delivery of timely, appropriate and specific training to sheep farmers to ensure compliance with sheep EID legislation. Clear, user friendly guidance material is up-to-date and available on DARD website.
Veterinary Medicines	224,835			
Veterinary Medicines				To ensure that farmers and the wider industry are aware of the importance of veterinary medicines record keeping from the point of view of public health and consumer confidence as they ensure that unsafe food is not placed on the market.
		Improve guidance available to farmers in relation to veterinary medicines record books (50, 51).	Dec 2010	Guidance relating to veterinary medicines record keeping is up-to-date and available on the DARD website.



Key Policy Areas

Policy Area	2007 Baseline (Hours)	Key Actions	Milestones	Outcomes
Animal Welfare	54,571			
Welfare of Farmed Animals				To ensure that any owner or keeper of any animal bred or kept for farming purposes has access to the welfare code relating to the the animal and that they are acquainted with that code in order to take reasonable steps to ensure the welfare of the animal.
		Improve communications and understanding of welfare requirements for keeping meat chickens (54).	Oct 2010 2011	The NI Code of Practice on the Welfare of meat chickens is published and made available to farmers on the DARD internet site. The NI Code of Practice on the Welfare of meat chickens is approved by the Plain English Campaign.



Key Policy Areas

Policy Area	2007 Baseline (Hours)	Key Actions	Milestones	Outcomes
Single Farm Payment Scheme		Improve communications and guidance issued to Single Farm Payment applicants (31, 32, 33).	Annual (Mar) Achieved Mar 2010 Annual Annual	Revision of Single Application Form reduced from 110 pages in 2009 to 56 pages in 2010. Redesigned online system with an increased uptake of on-line applications - Target of 3,000 for 2010 with actual uptake of 3,583 online applications. Farmers/formfillers aware of availability and benefits of online system. Clear, user friendly guidance material is up-to-date and available on DARD website.
		Provide applicants with caseworkers name and contact information on acknowledgment of SFP application (34).	Ongoing	The 'Whole Case Approach' is used later in the SFP year, however there are difficulties in providing advance notice. This will be reviewed on an on-going basis.
		Improve processing times of SFP applications (35, 36).	Ongoing	More 2009 eligibility inspections paid earlier than in previous years (comparison is 2008/09 period) i.e. 29% (9%) in Dec 2009, 49% (21%) by end of Jan 2010, 65% (41%) by end of Feb 2010, 78% (65%) by end Mar 2010, 88% (78%) by end April 2010 and 95% (88%) by end May 2010.



Key Policy Areas

Policy Area	2007 Baseline (Hours)	Key Actions	Milestones	Outcomes
Single Farm Payment Scheme		Improve post-inspection procedures which effect SFP payments (36).	Annual	Improved timelines for inspection and logging of results/payments processes by maximising staff resources in SFP branch to process inspections to allow for earlier availability of cases selected for inspection, timely completion of inspection reports and timely logging of inspection results to database To date progressive improvements being made.
		Use of remote sensing techniques to reduce number of on-farm inspections (37).	2013 Scheme year	Farms selected for eligibility checks will be screened using remote sensing techniques therefore reducing the number of on farm inspections.
		Improve communications and guidance issued to Single Farm Payment applicants (38, 44, 46, 47, 48).	Achieved	Revision of Cross-Compliance guidance material in December 2010 produced a simplified 52 page booklet which replaced three booklets totally 97 pages. Guidance material is produced in line with Plain English standards. Clear, user friendly guidance is up-to-date and available on the DARD website.



Key Policy Areas

Policy Area	2007 Baseline (Hours)	Key Actions	Milestones	Outcomes
Single Farm Payment Scheme		Allow maximum period of notification provided integrity of inspection is not compromised (43).	Achieved	Maximising period of advance notice for non-livestock on-farm inspections.
		Review weightings already allowed for in cross-compliance risk analysis (45).	Achieved Apr 2010	Weightings given to indicators of good practice.
Nitrates Action Programme	239,403			
Nitrates Action Programme				To fulfill the legal obligations under EU Nitrates Directive 91/676/EEC by adopting Article 3.5 and thereby establishing and applying an action programme across Northern Ireland. This is designed to reduce pollution caused or induced by nitrates from agricultural sources and prevent further such pollution. It will also contain provisions for record keeping and inspections as Statutory Management Requirements under cross-compliance.



Key Policy Areas

Policy Area	2007 Baseline (Hours)	Key Actions	Milestones	Outcomes
Nitrates Action Programme		Review current Nitrates Action Plan (49).	Dec 2009	<p>The review of the current Nitrates Action Programme will consider effectiveness of the existing measures and whether these need to be modified or removed or if new measures need to be added to meet goals of Nitrates Directive.</p> <p>Ministers and NI Assembly Committees will be informed of results of the review.</p>
		Undertake formal consultation on revised Nitrates Action Plan (49).	2010	<p>All interested stakeholders will have been consulted on the review of the Nitrates Action Programme through formal public consultation, participation in stakeholder meetings and workshops with representatives from farming and environmental organisations.</p> <p>A synopsis of the consultation responses will be published.</p>



Key Policy Areas

Policy Area	2007 Baseline (Hours)	Key Actions	Milestones	Outcomes
Nitrates Action Programme		Improve all communication and guidance in relation to Nitrates Action Plan (49).	Mar 2011	<p>A 'quick -start' summary document is available.</p> <p>Guidance and forms are produced in line with plain english guidelines.</p> <p>Guidelines produced in line with BERR Code of Practice on Guidance on Regulation.</p> <p>Provision of training and workshops.</p>
Pesticides	91,937			
Control of Pesticides				<p>To clarify the statutory responsibilities of those who sell, store or use pesticides in agriculture, and offer advice and guidance on how to protect themselves, their employees and bystanders, improve efficiency in the use of pesticides, and stay within the law.</p>



Key Policy Areas

Policy Area	2007 Baseline (Hours)	Key Actions	Milestones	Outcomes
Control of Pesticides		Consider cost of having Code reviewed for the 'Crystal Mark' standard (55).	Sep 2010	The Code currently meets the Plain English principles, however on consideration of costs and budget it may be put forward for 'Crystal Mark' review.
		If appropriate and proportionate, have the code reviewed for the 'Crystal Mark' standard (55).	Jan 2011	
		Implement zonal authorisation provision into the revised Plant Protection Products Regulations (57).	14 Jun 2011	There will be up to 3 different zonal applications for a particular product, instead of 25 different EU national authorisations.
Pollution Prevention and Control	17,304			The overall aim is to develop a more integrated approach to controlling pollution from industrial sources and achieve a high level of environmental protection through reducing emissions into the air, water and land.



Key Policy Areas

Policy Area	2007 Baseline (Hours)	Key Actions	Milestones	Outcomes
Pollution Prevention and Control		To provide a streamlined permitting system (58, 59).	Dec 2010 / Mar 2011	Rollout of online applications (Services Directive)
			Dec 2010	Develop online applications webpage and application information
			Nov 2010	Develop system, procedures and training for units for handling online applications and payments
Total	2,387,799			

DOE/NIEA Policy Area



Annex A - Key Milestones

Policy Area	Key Actions	Milestones	Outcomes
Sheep Identification, Registration and Movement	Introduce Sheep EID system (25, 26).	31 Dec 2009	Sheep EID system requiring all sheep to be tagged with an EID tag and all goats to be double tagged implemented. Effective traceability which will satisfy EU Regulation 21/2004.
Trade in Animals and Animal Products			
Animals and Animal Products (Imports & Exports)	Issue copies of licences to importer / exporter / DARD portal staff / DARD Divisional Veterinary Officer (52).	Sep 2009	All parties in import chain informed as to licensing arrangements.
Nitrates Action Programme			
Nitrates Action Programme and Phosphorus Use in Agriculture	Review current Nitrates Action Plan (49).	Dec 2009	Ineffective measures will be modified or removed. Inclusion of new measures to meet goals of Nitrates Directive. Ministers and NI Assembly Committees will be informed of results of the review.



Annex A - Key Milestones

Policy Area	Key Actions	Milestones	Outcomes
Animal Disease Control			
Brucellosis Control Programme	Consider measures to reduce the incidence of Brucellosis in cattle to a level that requires less frequent monitoring (5, 6, 7).	Ongoing Ongoing	Benchmarking with Republic of Ireland to gather information to support eradication of brucellosis. Increased use of the media to encourage the reporting of abortions.
Tuberculosis Control Programme	Consider administrative burden placed on herd keepers of new policy options in relation to TB (1). Minimise the number of occasions when herds are subject to tests (2, 3).	Ongoing 31 Mar 2011	The administrative burden of new policies relating to TB will be quantified. Synchronisation of routine brucellosis herd tests with TB herd tests i.e. 74 percent synchronisation in herds of 20 or less for Brucellosis testing and 81percent synchronisation in herds with more than 20 for brucellosis testing. Up to 30 percent of Cattle Identification Inspections synchronised with herd bTb.
Livestock Identification, Registration and Movement			
Cattle Identification, Registration and Movement	Engage with keepers & suppliers regarding ear tag loss (18).	Ongoing	Progress the review of cattle IRM - policy developed on cattle EID in line with Commission timescales.



Annex A - Key Milestones

Policy Area	Key Actions	Milestones	Outcomes
Sheep Identification, Registration and Movement	Fully implement the Sheep EID and double tagging of goat system with appropriate funding for Central Points of Recording (CPR) (25,26, 27).	1 Jun 2010	CPRs established which read tags on behalf of keepers. Simplification of rules by introducing one system of tagging. Flock register derogation & movement document accepted on a voluntary basis.
	Complete roll-out of Sheep EID policy (25, 26).	31 Mar 2011	Sheep EID policy which satisfies EU Regulation 21/2004 and which is endorsed by industry.
	Assess the benefits of the introduction using Standard Cost Methodology (28).	Ongoing	Benefits of sheep EID will be comparable against previous baselines which were in place before the introduction of sheep EID.
	Improve communication, guidance and understanding of sheep EID (29, 30).	May-Jun 2010 Ongoing	Delivery of timely, appropriate and specific training to sheep farmers to ensure compliance with sheep EID legislation. Clear, user friendly guidance material is up-to-date and available on DARD website.
Veterinary Medicines			
Veterinary Medicines	Improve guidance available to farmers in relation to veterinary medicines record books (50 & 51).	Dec 2010	Guidance relating to veterinary medicines record keeping is up-to-date and available on the DARD website.



Annex A - Key Milestones

Policy Area	Key Actions	Milestones	Outcomes
Animal Welfare			
Welfare of Farmed Animals	Improve communications and understanding of welfare requirements for keeping meat chickens (54).	Dec 2010 Jan 2011	The NI Code of Practice on the Welfare of meat chickens is approved by the Plain English Campaign. The NI Code of Practice on the Welfare of meat chickens is published and made available to farmers.
Single Farm Payment Scheme & Cross Compliance			
Single Farm Payment Scheme	Improve communications and guidance issued to Single Farm Payment applicants (31, 32, 33).	Annual (Mar) 18 Mar 2010 Throughout 2010 Annual	Revision of Single Application Form reduced from 110 pages in 2009 to 56 pages in 2010. Redesigned online system with an increased uptake of on-line applications - Target of 3,000 for 2010 with actual uptake of 3,583 online applications. Farmers/formfillers aware of availability and benefits of online system. Clear, user friendly guidance material is up-to-date and available on DARD website.



Annex A - Key Milestones

Policy Area	Key Actions	Milestones	Outcomes
Single Farm Payment scheme	Provide applicants with caseworkers name and contact information on acknowledgment of SFP application (34).	Ongoing	The 'Whole Case Approach' is used later in the SFP year, however there are difficulties in providing advance notice. This will be reviewed on an on-going basis.
	Improve processing times of SFP applications (35, 36).	Ongoing	More 2009 eligibility inspections paid earlier than in previous years (comparison is 2008/09 period) i.e. 29% (9%) in Dec 2009, 49% (21%) by end of Jan 2010, 65% (41%) by end of Feb 2010, 78% (65%) by end Mar 2010, 88% (78%) by end April 2010 and 95% (88%) by end May 2010.
	Improve post-inspection procedures which effect SFP payments (36).	Annual	Improved timelines for inspection and logging of results/payments processes by maximising staff resources in SFP branch to process inspections to allow for earlier availability of cases selected for inspection, timely completion of inspection reports and timely logging of inspection results to database To date progressive improvements being made.
	Improve communications and guidance issued to Single Farm Payment applicants (38, 44, 46, 47, 48).	Achieved	<p>Revision of Cross-Compliance guidance material in December 2010 produced a simplified 52 page booklet which replaced three booklets totalling 97 pages.</p> <p>Guidance material is produced in line with Plain English standards.</p> <p>Clear, user friendly guidance is up-to-date and available on the DARD website.</p>



Annex A - Key Milestones

Policy Area	Key Actions	Milestones	Outcomes
Single Farm Payment scheme	Allow maximum period of notification provided integrity of inspection is not compromised (43).	Achieved	Maximising period of advance notice for non-livestock on-farm inspections.
	Review weightings already allowed for in cross-compliance risk analysis (45).	Apr 2010	Weightings given to indicators of good practice.
Nitrates Action Programme			
	Undertake formal consultation on revised Nitrates Action Plan (49).	2010	All interested stakeholders will have been consulted on the review of the Nitrates Action Plan through participation in stakeholder meetings & workshops with representatives from farming & environmental organisations. Results of the consultation will be published.
	Improve all communication and guidance in relation to Nitrates Action Plan (49).	Mar 2011	A 'quick -start' summary document is available. Guidance & forms are produced in line with plain english guidelines. Guidelines produced in line with BERR Code of Practice on Guidance on Regulation. Provision of training & workshops.



Annex A - Key Milestones

Policy Area	Key Actions	Milestones	Outcomes
Pesticides			
Control of Pesticides	<p>Consider cost of having Code reviewed for the 'Crystal Mark' standard (55).</p> <p>If appropriate and proportionate, have the code reviewed for the 'Crystal Mark' standard (55).</p>	<p>Sep 2010</p> <p>Jan 2011</p>	The Code currently meets the Plain English principles, however on consideration of costs & budget it may be put forward for 'Crystal Mark' review.
Structures, Oversight and Policy Development			
Organisational Structures	<p>Improve organisational structures to ensure successful implementation of the Better Regulation and Simplification Review (60, 62, 63, 64).</p>	June 2010	A small dedicated Better Regulation Advisory unit will be established to take forward the Action Plan and provide a co-ordination and advice function for the department.
	<p>Engage with Stakeholders in implementing Better Regulation Principles (65).</p>	October 2010	A Better Regulation Steering Group will be established which will meet quarterly and which will include both internal and external representation.



Annex A - Key Milestones

Policy Area	Key Actions	Milestones	Outcomes
An Independent Monitoring and Assessment Body	Establish external scrutiny group to undertake independent monitoring of better regulation within the department (66).	2010	The department will be accountable for progress being made in relation to the implementation of better regulation practices and the achievement of better regulation targets.
Resourcing Regulation and Advice	Improve communication and guidance available in relation to better regulation (70, 71, 74).	2010	<p>Guidelines produced in line with BERR Code of Practice on Guidance on Regulation.</p> <p>Clear, user friendly guidance is up-to-date and available on the DARD internet and intranet sites.</p> <p>Raised awareness of DETI web feedback form for both internal and external customers.</p>
Regulatory Impact Assessments	Use Regulatory Impact Assessments (RIAs) to contribute to better regulation within the department (80, 81, 82, 84, 85).	Ongoing	<p>Administrative burden posed by new regulations or amendments to existing legislation will be minimised.</p> <p>A consistent approach to RIAs with RIAs co-ordinated and monitored centrally by Better Regulation Advisory unit.</p>



Annex A - Key Milestones

Policy Area	Key Actions	Milestones	Outcomes
Animal Disease Control			
Brucellosis Control Programme	Consider measures to reduce the incidence of Brucellosis in cattle to a level that requires less frequent monitoring (5, 6, 7).	Apr 2011	Review of PVP contract to consider effectiveness of including provision of biosecurity advice as part of contract.
Livestock Identification, Registration & Movement			
Cattle Identification, Registration and Movement	Amend SR 1999 No 265 to allow for notification of cattle births and deaths by telephone (9).	31 Oct 2011	Provision of legislative support for province wide service to allow cattle births & deaths to be registered by telephone.
	Undertake review and consultation on development of cattle EID policy (10,14, 16, 19, 20).	2012	<p>Cattle EID policy developed after engagement with DEFRA and EC, in line with EC timescales.</p> <p>Increased use of electronic methods of cattle births & death registration.</p> <p>Process in place to allow keeper to use registered agent to notify animal deaths.</p> <p>EID will be used as the official means of cattle identification.</p>



Annex A - Key Milestones

Policy Area	Key Actions	Milestones	Outcomes
Pesticides			
	Implement zonal authorisation provision into the revised Plant Protection Products Regulations (57).	14 Jun 2011	There will be up to 3 different zonal applications for a particular product, instead of 25 different EU national authorisations.



Annex A - Key Milestones

Policy Area	Key Actions	Milestones	Outcomes
Single Farm Payment Scheme and Cross-Compliance			
	Use of remote sensing techniques to reduce number of on-farm inspections(37).	2013 Scheme year	Farms selected for eligibility checks will be screened using remote sensing techniques therefore reducing the number of on farm inspections.



Annex B - Organisational Structures

Policy Area	Key Actions	Milestones	Outcomes
Structures, Oversight and Policy Development			
Organisational Structures			To have appropriate structures and procedures in place to ensure that the administrative burden imposed by regulations is minimised, that progress towards better regulation targets is adequately monitored, that better regulation practices are routinely and systemically followed and stakeholders are involved in all aspects of better regulation.
	Improve organisational structures to ensure successful implementation of the Better Regulation and Simplification Review (60, 62, 63, 64).	Jun 2010	A small dedicated Better Regulation Advisory unit will be established to take forward the Action Plan and provide a co-ordination and advice function for the Department.
	Engage with Stakeholders in implementing Better Regulation Principles (65).	Oct 2010	<p>A Better Regulation Steering Group will be established which will meet quarterly and which will include both internal and external representation.</p> <p>The Better Regulation Steering Group will report to the Departmental Board on a quarterly basis.</p>



Annex B - Organisational Structures

Policy Area	Key Actions	Milestones	Outcomes
An Independent Monitoring and Assessment Body			To ensure that the Department is subject to external scrutiny and is required to account for progress being made in relation to better regulation.
	Establish external scrutiny group to undertake independent monitoring of better regulation within the Department (66).	2010	The Department will be accountable for progress being made in relation to the implementation of better regulation practices and the achievement of better regulation targets.
Resourcing Regulation and Advice			To ensure that the Department recognises the importance of advice as a central part of the concept of good regulation and that by providing support and advice to the people and businesses that they regulate compliance can be improved.
	Improve communication and guidance available in relation to better regulation (70, 71, 74).	2010	<p>Guidelines produced in line with Department for Business Enterprise and Regulatory Reform (BERR) Code of Practice on Guidance on Regulation.</p> <p>Clear, user friendly guidance is up-to-date and available on the DARD internet and intranet sites.</p> <p>Raised awareness of DETI web feedback form for both internal and external customers.</p>



Annex B - Organisational Structures

Policy Area	Key Actions	Milestones	Outcomes
Regulatory Impact Assessments			To ensure that comprehensive Regulatory Impact Assessments (RIAs) are undertaken early in the policy making cycle to make informed choices about the likely administrative burden with individual regulatory and non-regulatory options. Effective use of the RIA process will make a vital contribution towards better regulation.
	Use Regulatory Impact Assessments (RIAs) to contribute to better regulation within the Department (80, 81, 82, 84, 85).	Ongoing	<p>Administrative burden posed by new regulations or amendments to existing legislation will be minimised.</p> <p>A consistent approach to RIAs with RIAs co-ordinated and monitored centrally by Better Regulation Advisory unit.</p> <p>Raised awareness of DETI web feedback form for both internal and external customers.</p>



Annex C - Rejected Recommendations

Policy Area	Rejected Recommendation	Justification
Livestock Identification, Registration and Movement		
Cattle Identification, Registration and Movement	That providing the colour of an animal should not be a data requirement when creating a record in the herd book or registering cattle with DARD (8).	<p>The reason that we require recording of both colour and breed is that as both colour and breed can be subjective, both together provide a much better description of the animal than either one on its own. This is of benefit when there is an identity query. Evidence would indicate that when considering eligibility for slaughter for cattle with an identity query, colour is one of the contributing characteristics used to decide acceptability or otherwise for the food chain. In all cases where there is a query over the animal's identity, breed and colour along with sex and dentition are considered when trying to resolve these. Where animals are presented with only one ear tag then the Food Business Operator must check and document that the animal matches its APHIS (DARD official database for animal health movements) description before it can progress to slaughter. Colour discrepancy has the potential to be the first indication that there is something wrong with the traceability of an animal and is one of the factors considered during an investigation into fraud involving cattle or tag switching. While not all potentially fraudulently presented animals have colour mismatch, not having the colour characteristic available would increase the potential for fraud to occur and reduce the indicators available for fraud detection.</p>



Annex C - Rejected Recommendations

Policy Area	Rejected Recommendation	Justification
<p>Cattle Identification, Registration and Movement</p>	<p>For the same reasons as applied in the case of birth notifications, providing the colour of an animal should not be a data requirement when recording cattle movements (11).</p>	<p>As stated at recommendation 8 DARD requires that both breed and colour are recorded. The reason for this requirement is that both colour and breed can be very subjective and both together provide a much better description of the animal than either one on its own. This is of benefit when there is an identity query. Evidence would indicate that when considering eligibility for slaughter for cattle with an identity query, colour is one of the contributing characteristics used to decide acceptability or otherwise for the food chain. In all cases where there is a query over the animal's identity, breed and colour along with sex and dentition are considered when trying to resolve these. Where animals are presented with only one ear tag then the Food Business Operator must check and document that the animal matches its APHIS description before it can progress to slaughter.</p> <p>Colour discrepancy has the potential to be the first indication that there is something wrong with the traceability of an animal and is one of the factors considered during an investigation into fraud involving cattle or tag switching. While not all potentially fraudulently presented animals have colour mismatch, not having the colour characteristic available would increase the potential for fraud to occur and reduce the indicators available for fraud detection.</p>



Annex C - Rejected Recommendations

Policy Area	Rejected Recommendation	Justification
Cattle Identification, Registration and Movement	<p>That DARD should give at least 24 months advance notice of the date when tags in use can no longer be applied to cattle for birth registration (15).</p>	<p>EU legislation (Article 1 of Commission Regulation 911/2004) provides that keepers can order in advance a supply of tags proportionate to their needs for up to one year. Keepers should therefore be able, in most cases, to use tag stocks in one year. However, DARD will seek to give the industry as much notice as possible of changes to the tagging system, recognising that we are often obliged to follow timescales proscribed in EU legislation. This was achieved, for example, in the case of the Regulation to require sheep to be electronically identified, as it was introduced by the Commission in 2004 and became law on 31 December 2009.</p>
	<p>Should electronic identification of cattle be recognised as an alternative means of identification to ‘flag’ tags in Northern Ireland, the option not to use electronic identification should remain available to herd keepers during a transition period (17).</p>	<p>Like the introduction of electronic identification for sheep, DARD will help to assist in the smooth transition from one system to another. However, it is unlikely that the benefits of EID could be delivered with two systems - EID and non EID - running simultaneously, as this would make it more difficult for markets, meat plants and others to make full use of EID reading technology.</p>



Annex C - Rejected Recommendations

Policy Area	Rejected Recommendation	Justification
Single Farm Payment Scheme and Cross-Compliance		
Single Farm Payment Scheme	<p>That DARD adopts a policy of up-skilling inspectors, so that over time a single cadre of staff becomes qualified to undertake onfarm assessment of compliance against all Statutory Management Requirements (SMRs). As a first step, staff undertaking SFP eligibility and GAEC inspections should be trained to assess compliance with SMRs 10 and 11, thus eliminating the need for two teams to carry out on-farm inspections (39).</p>	<p>While we are sensitive to the principle, at this stage we do not feel that this recommendation is practicable. Inspectors who would be capable of dealing with multifaceted inspections are likely to be graduate staff. Present staff profile does not have sufficient staff or financial resources to accommodate such a request.</p>



Annex C - Rejected Recommendations

Policy Area	Rejected Recommendation	Justification
Cattle Identification, Registration and Movement	Should DARD seek to introduce full cost recovery for meat inspection services, it should do so at the lowest possible cost to industry. If this is achievable through the use of private contractors, supervised by official veterinarians, every effort should be made to persuade the European Commission that this approach is compliant with the existing regulatory framework (23).	The competent authority for Official Controls in meat hygiene for the north of Ireland and Britain is the Food Standards Agency (FSA). DARD Veterinary Service officials are participating with the FSA in efforts to modernise meat inspection at EU level.
	That DARD promotes the cessation of dentition checks at United Kingdom level and implements any change as soon as possible (24).	Dentition checks are a matter for the Food Business Operator and not DARD. Dentition checks determine the categories of animals to be slaughtered and which SRM (Specified Risk Material) material is to be removed.



Annex C - Rejected Recommendations

Policy Area	Rejected Recommendation	Justification
Trade in Animals and Animal Products		
Animals & Animal Products (Imports and Exports)	The Panel recommends that if, following the European Commission's review of Council Directive 64/432/EEC, the Republic of Ireland derogation is extended then DARD should liaise with counterparts there and in Great Britain to seek a similar derogation for Northern Ireland, allowing the free movement of animals throughout the island of Ireland (53).	The export of cattle to EU member states is governed by EU Council Directive 64/432. Our interpretation of this Directive is in accordance with EU law and this has been verified by the Food and Veterinary Office, EU Auditors. It is highly unlikely that any of the south of Ireland derogations will be renewed by the EU Commission. The All Ireland Animal Health and Welfare Strategy was agreed at the NSMC in March 2010. The ultimate aim of the Strategy is to facilitate the free movement of animals on the island of Ireland.



Annex C - Rejected Recommendations

Policy Area	Rejected Recommendation	Justification
Single Farm Payment Scheme	<p>To complement the partial or complete integration of the inspection teams, the Panel recommends that a single DARD CCA and a single DARD risk assessment process should be established so that a single list of farms is identified for cross-compliance inspection. Farms identified for inspection, could then be visited in a coordinated manner, by one or more inspectors (40).</p>	<p>Not considered practicable or in farmer's interest. This approach increases the risk of higher disallowance on an individual basis. More important to make sure that non-compliances found are within the inspection tolerances. In an attempt to combine a host of different requirements as part of a single risk assessment, this tends to target the larger farmers. By keeping to existing risk assessment structure, this provides a more targeted approach, within various SMR's.</p>
	<p>That DARD sets an objective of replacing on-the-spot checks with administrative checks wherever feasible and reserving farm inspections for those cases where a problem is detected or suspected. Where on-the-spot farm checks cannot be eliminated by the use of administrative data, then the latter should be employed to reduce the scope and duration of farm inspections. For example, that information held in APHIS is used to meet some or all of the requirements of SMRs 7 and 8 on the identification and registration of cattle (41).</p>	<p>This approach would lead to 100% checks on APHIS and would be extremely unfair to farmers as we are only required to inspect 1% of SFP population for cross-compliance purposes. Current practice is that APHIS information is utilised in the risk analysis. The use of Ortho-imagery has potential in identifying areas of land for land eligibility inspections.</p>



Annex C - Rejected Recommendations

Policy Area	Rejected Recommendation	Justification
Single Farm Payment Scheme	As an interim measure, and to avoid duplication of effort, DARD should recognise the identification and inspection of cattle during recent TB and Brucellosis tests as satisfying equivalent IRM cross-compliance requirements (42).	<p>TB and Brucellosis tests are announced in advance. This approach would place the Department in breach of the regulatory requirement for unannounced inspections. This issue of announcing animal inspections has been raised in a recent Commission audit report.</p> <p>Where practicable we will take account of a planned test.</p>
Pesticides		
Control of Pesticides	In negotiations on revision of the EC Pesticides Authorisations Directive, DARD should lobby for the introduction of zonal authorisation of agricultural pesticide products, rather than authorisation at Member State level (56).	At this point, this recommendation has been rejected as the Sustainable Use of Pesticides Directive is subject to a 2 stage consultation, with DEFRA leading. The first stage of the consultation closed for comments in May 2010 and responses are being considered and the second stage of the consultation on detailed proposals has yet to be launched. As this policy is still under consideration and subject to further consultation, the DARD Minister will not be in a position to make a decision on this recommendation until the outcome of the consultation is known.



Annex C - Rejected Recommendations

Policy Area	Rejected Recommendation	Justification
Structures, Oversight and Policy Development		
Organisational Structures	Stakeholder forums on better regulation established by each Department should be directly involved on evaluating the administrative burden posed by regulations not considered in this report and in identifying measures by which that burden might be reduced. In addition, those forums should oversee and evaluate the steps taken by each Department to embed better regulation principles (65).	DARD already participates in the Better Regulation Stakeholders Forum (chaired by DETI) which brings together legislators, regulators, policy makers and representatives of the NI business community, including the voluntary and social economy sectors. This is an open forum to all interested parties.



Annex C - Rejected Recommendations

Policy Area	Rejected Recommendation	Justification
<p>An Independent Monitoring and Assessment Body</p>	<p>That the audit function should be conducted by a DETI Better Regulation Team with enhanced resource, as long as sufficient safeguards are in place to guard against conflicts of interest between its role as an advisor and as an auditor, and that it is sufficiently independent of the Government departments that it is called upon to audit (67).</p>	<p>Each NICS Department is responsible for ensuring their processed and policy developments are within NICS guidelines and have audit capacity built into their respective performance monitoring arrangements.</p>



Annex C - Rejected Recommendations

Policy Area	Rejected Recommendation	Justification
Resourcing Regulation and Advice	DARD should, in consultation with stakeholders, devise and implement a Charter of Farmers' Rights similar to that in operation in the Republic of Ireland (75).	There has been no demand for this from stakeholders and many issues raised are covered by DARD Customer Service standards and by process and procedures in our customer service programmes.
Regulatory Impact Assessments	Consultations with stakeholders, small firms and other Government departments and regulators should normally occur on the basis of a full RIA document. Where this is not the case, this should be justified within the full RIA document published on the web-site of the Department concerned (83).	<p>There is a requirement in the NI Regulatory Impact Assessment Guidance to formally consult with stakeholders. Departments are encouraged as good practice to have dialogue with stakeholders throughout the process.</p> <p>Current DARD practice is to complete the RIA in accordance with the DETI document "Better Policy Making & Regulatory Impact Assessment: A Guide for Northern Ireland", which advocates consultation on the basis of a partial RIA. It is not generally feasible to consult on the basis of a full RIA document because a very important part of the RIA process is the input from stakeholders which helps to shape the full RIA. Furthermore, policy changes as a result of consultation responses will have an impact on the full RIA. However, the Department agrees that the partial RIA should be as complete and detailed as possible.</p>



Better Regulation Action Plan

2010 - 2013

ISBN: 978 -1-84807-192-6



Department of
**Agriculture and
Rural Development**

www.dardni.gov.uk

AN ROINN

**Talmhaíochta agus
Forbartha Tuaithe**

MÁNNYSTRIE O

**Fairms an
Kintra Fordèrin**



**INVESTORS
IN PEOPLE**

DMS: 10.11.133