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From:	Houses of the Oireachtas
date of receipt:	26 September 2018
To:	General Secretariat of the Council
Subject:	Proposal for a Directive of the European Parliament and of the Council on the reduction of the impact of certain plastic products on the environment [9465/18 + COR 1 + ADD 1 - COM(2018) 340 final] - Opinion on the application of the Principles of Subsidiarity and Proportionality

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Delegations will find in the Annex the abovementioned Opinion.

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KS/mb

TREE.1.A

**EN/GA**

An Comhchoiste um Chumarsáid,  
Gníomhú ar son na hAeráide  
agus Comhshaol  
Teach Laighean  
Sráid Chill Dara  
Baile Átha Cliath 2  
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Climate Action  
and Environment  
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25 September 2018

CCAE\_I\_303\_2018

President Donald Tusk,  
European Council  
Brussels 1049

**Re: Political Contribution on Proposal for a Directive of the European Parliament and of the Council on the reduction of the impact of certain plastic products on the environment.**

Dear Mr President,

The Oireachtas Joint Committee on Communications, Climate Action and Environment has considered COM (2018) 340 and has agreed the attached report for consideration as part of the European Commission's political dialogue process with national parliaments.

Yours sincerely

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**Hildegard Naughton T.D.**  
Cathaoirleach

*Cuirfear fáilte roimh chomhfhreagras i nGaeilge*



**Tithe an Oireachtais  
An Comhchoiste um Chumarsáid,  
Gníomhú ar son na hAeráide agus Comhshaol**

**Cion Polaitiúil maidir le**

**COM (2018) 340**

*Togra le haghaidh Rialachán ó Pharlaimint na hEorpa agus ón gComhairle maidir le laghdú a dhéanamh ar an tionchar atá ag táirgí plaisteacha áirithe ar an gcomhshaol.*

21 Meán Fómhair 2018

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**Houses of the Oireachtas  
Joint Committee on Communications,  
Climate Action and Environment**

**Political Contribution on**

**COM (2018) 340**

*Proposal for a Regulation of the European Parliament and of the Council on the reduction of the impact of certain plastic products on the environment.*

21 September 2018

**[32CCAE009]**

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## 1. Introduction

The Oireachtas Joint Committee on Communications, Climate Action and Environment, considers COM(2018) 340 Proposal for a Regulation of the European Parliament and of the Council on the reduction of the impact of certain plastic products on the environment to be significantly important to Ireland and the EU.

## 2. Scrutiny by the Joint Committee

The Joint Committee on Communications, Climate Action and Environment (hereinafter referred to as the "Committee") has scrutinised this proposal at two meetings on 04 July and 11 July, 2018.

- 2.1 At its meeting of 04 July 2018, the Committee agreed that COM(2018)340 warranted further scrutiny and agreed to invite officials from the Department of Communications, Climate Action and Environment to a meeting of the Committee to further discuss the proposals, and to be briefed on the technical aspects of the proposals.
- 2.2 Officials from the Department of Communications, Climate Action and Environment attended the Committee meeting on [11 July 2018](#). Following this meeting, the Committee agreed, to prepare a Political Contribution.

## 3. Decision of the Joint Committee

- 3.1 On 18 September 2018 the Committee agreed to forward a copy of this Political Contribution to Mr Jean Claude-Juncker, President of the European Commission, Mr Antonio Tajani MEP, President of the European Parliament, and Mr Donald Tusk, President of the European Council and to copy it to Mr Denis Naughten T.D., Minister for Communications, Climate Action and Environment.
- 3.2 The Joint Committee further agreed, that in the interests of inter-parliamentary cooperation on EU matters, a copy of this report be forwarded to the appropriate Committee in the National Parliament of each EU Member State and each of Ireland's MEPs.

#### **4. Opinion of the Joint Committee**

Having considered the proposal in detail, the Committee makes the following observations.

- 4.1 The Committee welcomes the proposals and supports the objectives to tackle the problems posed by single-use plastic items, and believes that working proactively with our European colleagues will achieve a greater environmental benefit.
- 4.2 The Committee also supports the potential benefits of the proposal to prevent and to reduce the impact of certain plastic products on the environment, in particular the aquatic environment. This is achieved by defining specific waste prevention and waste management objectives, and measures in relation to single-use plastic products that are most found on the beaches in the Union as well as fishing gear containing plastic.
- 4.3 The Committee also supports the proposal for Member States to set up separate collection targets for beverage bottles that are single-use plastic products in the framework of the extended producer responsibility schemes, or by establishing deposit refund schemes, or by any other measure that they find appropriate.
- 4.4 The Committee recommends that, in line with international best practice, the processing of the Proposal should be expedited and implemented as quickly as possible.
- 4.5 The Committee also recommends that any joint assessment reports must be translated into all official languages of the European Union immediately to ensure that all efficiency gains are realised.

## 5. Membership of the Joint Committee

Member	Party
<b>Deputies:</b>	
Hildegarde Naughton [Chairman]	<i>Fine Gael</i>
James Lawless [Vice Chairman]	<i>Fianna Fáil</i>
Timmy Dooley	<i>Fianna Fáil</i>
Michael Lowry	<i>Rural Independent Group</i>
Eamon Ryan	<i>Social Democrats - Green Party Group</i>
Bríd Smith	<i>Solidarity - People Before Profit</i>
Brian Stanley	<i>Sinn Féin</i>
<b>Senators:</b>	
Terry Leyden	<i>Fianna Fáil</i>
Tim Lombard	<i>Fine Gael</i>
Michael McDowell	<i>Independent Group</i>
Joe O'Reilly	<i>Fine Gael</i>

- The Dáil Committee of Selection nominated the members of the Dáil Select committee on 15 June 2016 and the report nominating Deputy Hildegarde Naughton to be chairman of the committee was agreed by the Dáil on Thursday 16 June 2016.
- The Seanad Committee of Selection report on membership of the Seanad select committee was agreed by the Seanad on 21 July 2016.
- This committee's name was changed from the Joint Committee on Communications, Climate Change and Natural Resources on Thursday 29 September 2016.
- Deputy James Lawless was elected vice chairman of the joint committee on Tuesday 28 February 2017.

## 6. Orders of Reference – Joint Committee

### 6.1 A: Functions of the Committee – (As Derived From Standing Orders) [DSO 84A; SSO 70A]

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



- d) Government policy and governance in respect of bodies under the aegis of the Department,
  - e) policy and governance issues concerning bodies which are partly or wholly funded by the State or which are established or appointed by a member of the Government or the Oireachtas,
  - f) the general scheme or draft heads of any Bill,
  - g) any post-enactment report laid before either House or both Houses by a member of the Government or Minister of State on any Bill enacted by the Houses of the Oireachtas,
  - h) statutory instruments, including those laid or laid in draft before either House or both Houses and those made under the European Communities Acts 1972 to 2009,
  - i) strategy statements laid before either or both Houses of the Oireachtas pursuant to the Public Service Management Act 1997,
  - j) annual reports or annual reports and accounts, required by law, and laid before either or both Houses of the Oireachtas, of the Department or bodies referred to in subparagraphs (d) and (e) and the overall performance and operational results, statements of strategy and corporate plans of such bodies, and
  - k) such other matters as may be referred to it by the Dáil from time to time.
- 5) Without prejudice to the generality of paragraph (1), the Joint Committee appointed pursuant to this Standing Order shall consider, in respect of the relevant Department or Departments—
- a) EU draft legislative acts standing referred to the Select Committee under Standing Order 114, including the compliance of such acts with the principle of subsidiarity,
  - b) other proposals for EU legislation and related policy issues, including programmes and guidelines prepared by the European Commission as a basis of possible legislative action,
  - c) non-legislative documents published by any EU institution in relation to EU policy matters, and
  - d) matters listed for consideration on the agenda for meetings of the relevant EU Council of Ministers and the outcome of such meetings.

- 6) The Chairman of the Joint Committee appointed pursuant to this Standing Order, who shall be a member of Dáil Éireann, shall also be the Chairman of the Select Committee.
- 7) The following may attend meetings of the Select or Joint Committee appointed pursuant to this Standing Order, for the purposes of the functions set out in paragraph (5) and may take part in proceedings without having a right to vote or to move motions and amendments:
  - a) Members of the European Parliament elected from constituencies in Ireland, including Northern Ireland,
  - b) Members of the Irish delegation to the Parliamentary Assembly of the Council of Europe, and
  - c) at the invitation of the Committee, other Members of the European Parliament.

## **6.2 B: Scope and Context of Activities of Committees (As Derived From Standing Orders) [DSO 84; SSO 70]**

- 1) The Joint Committee may only consider such matters, engage in such activities, exercise such powers and discharge such functions as are specifically authorised under its orders of reference and under Standing Orders.
- 2) Such matters, activities, powers and functions shall be relevant to, and shall arise only in the context of, the preparation of a report to the Dáil and/or Seanad.
- 3) The Joint Committee shall not consider any matter which is being considered, or of which notice has been given of a proposal to consider, by the Committee of Public Accounts pursuant to Standing Order 186 and/or the Comptroller and Auditor General (Amendment) Act 1993.
- 4) The Joint Committee shall refrain from inquiring into in public session or publishing confidential information regarding any matter if so requested, for stated reasons given in writing, by—
  - a) a member of the Government or a Minister of State, or
  - b) the principal office-holder of a body under the aegis of a Department or which is partly or wholly funded by the State or established or appointed by a member of the Government or by the Oireachtas:

Provided that the Chairman may appeal any such request made to the Ceann Comhairle / Cathaoirleach whose decision shall be final.

- 5) It shall be an instruction to all Select Committees to which Bills are referred that they shall ensure that not more than two Select Committees shall meet to consider a Bill on any given day, unless the Dáil, after due notice given by the Chairman of the Select Committee, waives this instruction on motion made by the Taoiseach pursuant to Dáil Standing Order 28. The Chairmen of Select Committees shall have responsibility for compliance with this instruction.

### **6.3 C: Establishment of Select Committees: Dáil Éireann Motion, 16 June 2016**

#### **Dáil Éireann Debate, Vol. 913 No. 3**

- (1) That Select Committees as set out in column (1) of the Schedule hereto are hereby appointed pursuant to Standing Order 84A.
- (2) Each Select Committee shall perform the functions set out in Standing Order 84A in respect of the Government Department or Departments listed in column (2) opposite each Committee (in anticipation of the coming into effect of the necessary Government Orders in relation to names of Departments and titles of Ministers and transfer of Departmental Administration and Ministerial Functions).
- (3) The number of members appointed to each Select Committee shall be seven.
- (4) Each Select Committee shall have the powers defined in Standing Order 85 (1), (2) and (3).
- (5) Each Select Committee shall be joined with a Select Committee appointed by Seanad Éireann to form a Joint Committee to carry out the functions set out in Standing Order 84A, other than at paragraph (3) thereof.
- (6) Each Joint Committee shall have the powers defined in Standing Orders 85 (other than paragraph (2A) thereof), 114 and 116.
- (7) The Select Committee on Justice and Equality shall have the powers defined in Standing Order 115(1) (b).
- (8) The Order of the Dáil of 10th March, 2016 in relation to the Standing Order 112 Select Committee is hereby rescinded and the Committee is accordingly dissolved. *Schedule (extract):*
  - Committee: Select Committee on Communications, Climate Change and Natural Resources
  - Department: Communications, Climate Change and Natural Resources

**COMMITTEE TERMS OF REFERENCE: DÁIL ÉIREANN MOTION, 7 SEPTEMBER 2016**

That, following Orders made by Government on 5 July, 2016, and 19 July, 2016, respectively, altering the names of Departments and titles of Ministers, the names of the Select Committees in column (1) of the Schedule below, which were established by Order of the Dáil of 16 June, 2016, are hereby amended as set out in column (2) of the Schedule and each such Committee shall perform the functions set out in Standing Order 84A in respect of the Government Department or Departments listed in column (3) opposite each Committee.

- Select Committee established on 16 June 2016: *Communications, Climate Change and Natural Resources.*
- New name of Select Committee: *Communications, Climate Action and Environment.*
- Government Department: *Communications, Climate Action and Environment.*

**6.4 D: Establishment of Select Committees: Seanad Éireann Motion, 21 July 2016**  
**Seanad Éireann Debate, Vol. 247 No. 5**

- (1) That Select Committees as set out in column (1) of the Schedule hereto are hereby appointed pursuant to Standing Order 70A.
- (2) Each Select Committee shall perform the functions set out in Standing Order 70A in respect of the Government Departments listed in column (2) opposite each Committee (in anticipation of the coming into effect of the necessary Government Orders in relation to names of Departments and titles of Ministers and transfer of Departmental Administration and Ministerial Functions).
- (3) The number of members appointed to each Select Committee shall be four.
- (4) Each Select Committee shall have the powers defined in Standing Order 71 (1), (2) and (3).
- (5) Each Select Committee shall be joined with a Select Committee appointed by Dáil Éireann to form a Joint Committee to carry out the functions set out in Standing Order 70A.
- (6) Each Joint Committee shall have the powers defined in Standing Orders 71 (other than paragraph (2A) thereof), 107 and 109.
- (7) The Select Committee on Justice and Equality shall have the powers defined in Standing Order 108(1) (b). *Schedule (extract):*
  - Committee: Select Committee on Communications, Climate Change and Natural Resources
  - Department: Communications, Climate Change and Natural Resources

**COMMITTEE TERMS OF REFERENCE: SEANAD ÉIREANN MOTION 29 SEPTEMBER 2016**

That, following Orders made by Government on 5th July, 2016, and 19th July, 2016, respectively, altering the names of Departments and titles of Ministers, the names of the Select Committees in column (1) of the Schedule below, which were established by Order of the Seanad of 21st July, 2016, are hereby amended as set out in column (2) of the Schedule and each such Committee shall perform the functions set out in Standing Order 70A in respect of the Government Department or Departments listed in column (3) opposite each Committee.

- Select Committee established on 16 June 2016: *Communications, Climate Change and Natural Resources.*
- Government Department: *Communications, Climate Action and Environment*
- New name of Select Committee: *Communications, Climate Action and Environment.*

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