Improved Copyright legislation approved by Government

Last Thursday, 4 August, the Minister for Jobs, Enterprise and Innovation, Mary Mitchell-O’Connor TD announced that the Government has approved the drafting of a General Scheme of Bill entitled Copyright and Related Rights (Miscellaneous Provisions) Bill 2016. Senator Martin Conway, the first person ever elected to the Oireachtas with a vision impairment, joined the Minister at the announcement.

The Bill is a response to a Report published in October 2013, entitled “Modernising Copyright”. The Report was prepared by the independent Copyright Review Committee, which began work in 2011. A number of ways to modernise the legislation and break down any barriers it created to innovation and access were considered. The Committee also examined the US Copyright tenant of Fair Use and whether or not it was appropriate for Ireland. One of the main issue dealt with by the new legislation will be the provision that will enable greater access to copyright works for those with disabilities. The Bill will allow an individual to make a copy of a work to customise it to their personal accessibility needs. It also allows designated bodies make multiple copies of a work to modify them for accessibility. They may then share those copies with other designated bodies, or individuals. There will be an anticipatory duty on publishers to make available suitable copies of printed matter to these designated bodies.

The Minister, at the announcement, said that “such improvements in the law reflect the need to create a more equitable society so that all persons can equally enjoy and partake in the delight of reading their preferred books of fact or fiction”.

The new copyright legislation, when enacted, will also allow for the following improvements to the Irish copyright system:

- Copyright exceptions for non-commercial research extended, and introduction of a Text and Data-Mining exception;
- Improved access to the Court for intellectual property claims;
- In line with the Fair Use doctrine in US legislation, an exception will be introduced for the creation of satirical, parodic and caricature works. A furthering of the concept of fair dealing in news reporting will also be allowed for;
- Provisions for copyright deposits extended in order to facilitate that creation of a digital deposit on a voluntary basis; and
- Where photographs are concerned, the introduction of an infringement when metadata of a photographic work occurs.

NAS suspend strike action indefinitely

The National Ambulance Service (NAS) strike, planned for Wednesday 10 August, has been suspended indefinitely. SIPTU representatives announced the suspension on Friday 5 August, following talks between themselves, the Department of Health, the HSE and NAS management at the WRC. SIPTU Health Division Organiser, Paul Bell, said the positive outcomes of the talks were the first step on a long journey to creating an ambulance service that is “fully funded, fit for purpose and enjoys public confidence”.

The talks yielded positive results for the NAS workers, who voted for an all-out strike due to several employment issues. As a results of the talks, staffing level commitments were agreed. There will be 150 new emergency technicians recruited and readied for deployment into the Intermediate Care Services over the next two years. A further 461 paramedics will be recruited, on a phased basis, over the next five years.

An agreement was also met regarding compensation for the loss of earnings under the public service agreement. This will be paid to workers in the next payroll.

A working group will be established to tackle other issues facing the NAS.
Sugar tax will cost consumers, businesses, exchequer says report

The Ibdc group that is made up of companies who produce, distribute and market soft drinks, The Irish Beverage Council (IBC) published a report today, Monday 8 August, which condemns the Government’s proposed sugar tax.

The report, entitled “Sugar Tax: all cost, no benefit” will be presented to the Minister for Finance to be considered in the run-up to Budget 2017. It sets out the economic impact of the tax on consumers, Irish businesses, and the Irish economy. It also looks at jurisdictions where a similar tax has been employed to conclude that there is little to no pay-off in terms of health benefits or reduction in issues such as obesity and related diseases. Director of the IBC, Kevin McPartlan noted that “International experience proves beyond any doubt that sugar tax is singularly ineffective.”

The report outlines the negative effects the tax could have, such as increased household grocery bills, an increase in cross-border trade and smuggling, increased costs to businesses and a threat to Irish jobs. If the 10c tax on cans of soft drinks were introduced, the report suggests that we could expect:
- Irish soft drink companies to lose sales of about €60m;
- The average household grocery bill to increase by €60; and
- The loss of €35m in revenue by the exchequer.

A recent report by Food Drink Industry Ireland detailed the reformulation of existing drinks, and introduction of new products by the IBC, which removed over 2,500 tonnes of sugar and 10 billion calories from Irish diets between 2005 and 2015. This was at no cost to the consumer. The IBC say the new tax would stop the continuation of this work.

Survey of self-employed will inform PRSI reform in Budget 2017

The Minister for Social Protection, Leo Varadkar TD, has launched a massive survey of self-employed workers in the State. In an effort to reform the PRSI system, the Minister aims to find out what new benefits those workers would like to receive most in return for their Social Insurance payments.

The main question contained in the survey is whether or not the 20,000 surveyed individuals would be happy to pay a higher level of PRSI in return for greater benefits, or if they would like to keep the system the way it is. Respondents will be asked to outline the benefits they currently receive, and to rate them in terms of value for money. Respondents are asked which new benefits would be most important to them. It also asks if they would be willing to pay more PRSI to receive them; if so, how much of an increase would they be willing to take on. The extra benefits that the survey outlines include long-term and short-term illness benefit, dental and optical treatment benefits, work-related injuries benefits, unemployment benefits and benefits for time spent as a carer. The consideration of an opt-in option is also broached, wherein individuals can voluntarily choose to pay more PRSI in return for greater benefits.

Minister Varadkar brought a memo to Government in July, containing his plans to majorly reform the PRSI system for self-employed workers in Budget 2017. The issue was raised with him in the Seanad by Senator Ray Butler.

The Chief Statistician in the Statistics and Business Intelligence Unit in the Department of Social Protection will oversee the survey. Responses will be due back by 31 August.
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*The Public Professional*, Issue 2

PAI have published the second issue of our Learning and Development magazine, *The Public Professional*.

This issue looks at a very timely and interesting topic in current HR and social conversations - well-being.

It includes articles on Resilience in the Workplace, Neuroscience in HR and Dignity at Work, as well as our regular features, such as our HR Helpdesk (in association with ByrneWallace) and Appointments.

The magazine is available through our website. It is free for our members. Non-members can purchase the magazine on a per-issue basis, or with a yearly subscription.

If you have any questions, you can contact our editor, Shauna at editor@pai.ie
Policy development and legislation in a changed political environment

The advent of a new minority Government this year represents a new vista for many in the public service and the political system. Instead of a Government being able to rely on an inbuilt majority in both the Dáil and Seanad, the new Government has no guaranteed assurances that legislation will be passed as proposed or in a timely fashion.

Our half-day conference will address these changes. Specifically, talks will focus on policy development and the legislative process in a changed political environment.

Government Chief Whip, Regina Doherty TD, will be the Keynote speaker.

It will take place Friday 30 September, 9.00am to 1.00pm.

For more information, or to book, you can call is at (01) 819 8500, email info@pai.ie or visit our website.
Adjourned until 2.00pm on Tuesday 27 September 2016
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Parliamentary Committees adjourned sine die