



# German-Irish Business Review 2019



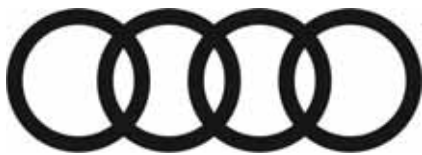
Deutsch-Irische  
Industrie-und Handelskammer  
German-Irish Chamber  
of Industry and Commerce



# Patrons 2019



ARTHUR COX



BOTANY WEAVING



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## ■ Chamber

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# Foreword by the President



Dear members, business partners and friends of the German-Irish Chamber of Industry and Commerce,

It is my great privilege to serve as the 23rd President of the German-Irish Chamber, an organisation with over 250 members and a network of 1,600 business partners and contacts nationally. With 2019 poised to usher in a period of historic change to regional and global trade relationships, the Chamber continues to play a crucial role in providing our members with a unified voice to inform domestic and European policy makers, and to drive opportunities to further build upon the trade and cultural ties that unite Ireland and Germany.

Since its inception, the Chamber has sought to play an active role in promoting Ireland as a destination of choice for German business investment, and conversely, building awareness amongst Irish firms about trade and export opportunities presented by entering the German market. Whilst the Chamber continues to successfully deliver and build on this mandate, for me, our biggest strength (and the foundation upon which our growth has been achieved), is the welcoming and collaborative culture of the membership community.

In order to develop further the trading and cultural relationships between Germany and Ireland, and ensure the Chamber's focus reflects the potential impact of current events, my priorities for the following year include:

- Actively promoting the image of Ireland and Germany through business, political and media channels to convey our views on important commercial topics.
- Promoting trade and supply chain relationships between Germany and Ireland in both directions and highlighting the importance of Germany as a key development market for Irish Companies.
- Drawing attention to established and emergent sectors where mutual benefit to both countries clearly exists (for example: hospitality, agricultural, engineering, education, energy etc.)
- Continuing to promote improvements to Ireland's business environment, focusing on competitiveness, market diversification and better infrastructure.
- Ongoing development of Chamber's social and cultural calendar so that it embraces all members through various events with a view to developing further expanding member participation in the Chamber.

I would like to take this opportunity to express my appreciation to our outgoing President, Jonathan Hackett, who has worked tirelessly during his term to promote the Chamber and ensure Ireland's voice has been heard by key decision makers in Brussels and Berlin during this critical Brexit period. On behalf of all of the members I would also like to recognise the huge contribution made by our CEO, Ralf Lissek and the Chamber team, whose enthusiasm and professionalism continue to be the driving force behind the success of the Chamber.

Finally, to all members I would like to say thank you for this opportunity to serve as your President and as a voice for Ireland. I look forward to working with you as we continue to grow and position the Chamber to meet the opportunities and challenges of the year ahead, and I encourage everyone to get involved with our fantastic program of events.

Best regards

Sheamus Causer  
President, German-Irish Chamber of Industry and Commerce

# Foreword by the CEO



Dear Members, Business Partners and Friends,

It is my pleasure to welcome you to this year's German-Irish Business Review of the German-Irish Chamber of Industry and Commerce.

The Chamber is looking back at a successful year, and forward to a promising year with new exciting challenges.

As Brexit approaches nobody can estimate the consequences of Great Britain's decision to leave the EU. The Chamber aims to support German and Irish businesses whatever the outcome, and we are fully involved with the Brexit topic on many levels. At the beginning of 2019, an Irish delegation will highlight the Irish case to politicians and decision makers in Berlin and Brussels. There are positive opportunities in terms of new trading relationships for both of our countries.

It is not surprising that many of this issue's articles are about Brexit related topics.

In the second half of this publication, you will find interesting case studies by DEinternational Ireland, the consultancy wing of the German-Irish Chamber.

DEinternational Ireland is one of the three pillars of the work of the German-Irish Chamber. Its service spectrum is tailored to assist Irish and German companies to develop a firm foothold in their target markets.

The second pillar relates to Networking & Membership. At our various events and presentations, you will gain valuable information for your business with plenty of possibilities to make new business connections.

The third pillar is the role of the German Trade Representative. The German-Irish Chamber promotes German-based businesses in Ireland, even for the companies not yet established here, and is in close relationship with the German Federal Ministry for Economic Affairs and Energy.

As a member of the German-Irish Chamber, you will benefit from this unique setup which creates valuable synergies for our customers.

Last but not least, I would like to express many thanks to all of our Patrons of the German-Irish Chamber. We sincerely appreciate your support and enjoy working with you in 2019 and beyond.

Best wishes,

Ralf Lissek  
CEO, German-Irish Chamber of Industry and Commerce

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# Grußwort

Liebe Mitglieder, Geschäftspartner, Freunde und liebes Team der Deutsch-Irischen Industrie- und Handelskammer,

wie schnell und ereignisreich ist 2018 verflogen!

Es war dies in meinen Augen ein gutes, ein intensives Jahr für die deutsch-irischen Beziehungen. Und das hohe Engagement der Deutsch-Irischen Industrie- und Handelskammer mit zahlreichen interessanten Veranstaltungen, Ihrer Öffentlichkeitsarbeit sowie die unsererseits erfahrene Unterstützung auch bei Briefings für Delegationen und Gäste haben dazu einen wichtigen Beitrag geleistet. Dafür danke ich Ihnen allen herzlich.

Anlässlich des Besuchs von Bundesaußenminister Maas in Dublin im April des Jahres veröffentlichte Tánaiste Simon Coveney eine Review der deutsch-irischen Beziehungen mit 23 Empfehlungen für deren Vertiefung. Und im Ergebnis der ersten bilateralen Staatssekretärskonsultationen im November in Berlin folgte ein Gemeinsamer Aktionsplan, der konkrete Felder für eine engere Zusammenarbeit auflistet. Beides sind hervorragende Grundlagen für uns für den Ausbau der Beziehungen unserer beiden Länder. Dass wir für dieses Anliegen auch weiter auf die Unterstützung der Kammer zählen dürfen, freut mich sehr.

Jüngste Veranstaltungen irischer Partner, die den Wirtschaftsstandort Deutschland in Irland stärker präsent machen sollen, sind in weiteres Zeichen, dass in Zeiten des Brexit das Interesse an Deutschland, am deutschen Markt weiter wächst. Auch erfolgreiche Wirtschaftsmodelle wie Mittelstandsförderung, duale Bildung/Ausbildungsförderung erfahren meines Erachtens mehr Aufmerksamkeit. Hier ist die Kammer für Viele natürlicher Ansprechpartner. Für die Arbeit, die Sie hier als etablierter Partner leisten, gebührt Ihnen herzlicher Dank.



Brexit wird wohl auch im kommenden Jahr ein zentrales Thema in Irland, in Europa bleiben. Die Bewertungen und Einschätzungen als auch das starke Kontaktnetz der Kammer werden dabei für viele Gesprächspartner hier und in Deutschland und auch für uns an der Botschaft wichtig bleiben. Auf die Fortführung unseres Austauschs dazu freue ich mich.

Ich möchte mich auch persönlich bei Ihnen für die erlebte ausgezeichnete Zusammenarbeit in stets so freundlicher, ja herzlicher, engagierter und hilfsbereiter Weise bedanken. Sie haben mir Türen Ihrer Firmen geöffnet. Gemeinsame Unternehmensbesuche mit Ralf Lissek und gemeinsame Gespräche mit irischen Partnern waren überzeugende Zeichen unserer engen Zusammenarbeit. Zahlreiche inhaltlich sehr hilfreiche Luncheons haben neue Impulse und Erkenntnisse gebracht. Bei der Vorbereitung von Besuchsreisen deutscher Gäste wusste ich immer auf die Kammer zu zählen. Herzlichsten Dank!

Auf die weitere Zusammenarbeit freue ich mich daher sehr. Möge 2019 für Sie alle ein hervorragendes, erfolgreiches Jahr werden.

Und natürlich gilt weiterhin: wenn Sie uns als Botschaft brauchen, sind wir gern für Sie da.

Bleiben Sie gesund!

Mit den besten Grüßen,  
Deike Potzel  
Botschafterin der Bundesrepublik Deutschland in Irland

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# Greetings

Dear members, business partners, friends and dear team of the German-Irish Chamber of Industry and Commerce,

The year 2018 has flown by in no time!

It has been a strong and positive year for German-Irish relations. The German-Irish Chamber of Industry and Commerce has contributed very much to this through its impressive commitment. This is apparent in its hosting of a variety of interesting events, in its PR activities, and through supporting the German Embassy with briefings for visiting delegations and guests. I would therefore like to thank all of you warmly.

When Foreign Minister Maas visited Dublin in April this year, Tánaiste Simon Coveney published a Review of the relationship between Germany and Ireland, listing 23 recommendations.

Following the first bilateral consultations between the German and Irish state secretaries in Berlin November 2018, a Joint Action Plan was released. This plan mentions practical areas for closer collaboration in the future. Both outcomes are excellent starting points for intensifying relations between both countries. I am very happy knowing that we can always count on the Chamber's support.

Recent activities of Irish partners have brought a focus to Germany as a business location. It shows that as Brexit approaches, there is an increased interest in Germany as a marketplace. Promising concepts for a flourishing economy, such as boosting small and medium-sized businesses and dual education/apprenticeship, are increasingly considered. For many,



the Chamber is a natural point of contact for these matters. I wish to thank you for the excellent work you are doing in this regard – as an established partner organization for many institutions and businesses.

Brexit will remain a main topic in Ireland and in Europe. The Chamber's opinions and interpretations, as well as its dense network, will continue to be important for many partners here as well as in Germany, and the German Embassy as well. I look forward to our continued exchange.

I would like to thank you personally for the outstanding cooperation – friendly, warm, dedicated, and supportive. You opened the doors to your companies for me. Visiting companies together with Ralf Lissek and the joint discussions we had with Irish partners are signs of how close we work together.

Many luncheons provided me with helpful arguments and gave me new ideas and insights. The Chamber has always been a reliable partner when the embassy had to prepare visits of German guests. A big thank you from my side!

For all of these reasons I look forward to further cooperation with you. I wish you all a great and successful new year. Keep well!

Wishing you all the best,  
Deike Potzel,  
Ambassador of the Federal Republic of Germany



## The Council and Company Secretary

- |   |   |   |   |  |
|---|---|---|---|--|
| 01. President Sheamus Causer, Deutsche Bank Ireland         | 03. Councillor Philip Daly, LK Shields                          | 08. Councillor Werner Schwanberg, SFGS – Schwanberg Financial Governance Services | 13. Councillor Gisbert Kügler, Ornua Deutschland GmbH             | 17. Councillor Declan Bolger, Canada Life Europe                                   |
| 02. Vice-President Dr. oec. Wolfgang Häfele, Dussmann Group | 04. Councillor Gary O'Callaghan, Siemens Ltd                    | 09. Councillor John Glennon, RSM Ireland  | 14. CEO Ralf Lisek, German-Irish Chamber of Industry and Commerce | 18. Company Secretary Andreas Fagin, German-Irish Chamber of Industry and Commerce |
|   | 05. Councillor Liam Ryan, SAP Ireland                           | 10. Councillor Jonathan Hackett, Botany Weaving Mill Ltd.                         | 15. Councillor Eddie Goodwin, Enterprise Ireland                  |  |
|   | 06. Councillor Frank Mee, Allianz Care Ltd                      | 11. Councillor Dr. Frank Heisterkamp, CRH plc                                     | 16. Councillor Itziar Canamasas, Bayer Ltd.                       |  |
|   | 07. Councillor Derek Collins, Bank of Ireland Corporate Banking | 12. Councillor Patrick McGrath, Miele Ireland Limited                             |   |  |



# Councillors' Profiles 2019

## **President Sheamus Causer, Deutsche Bank Ireland**

Born and raised in Australia, Sheamus is a graduate of the Queensland University of Technology and also holds Master of Business Administration (MBA) and Master of Science (MSc) in Data Analytics qualifications. Sheamus joined Deutsche Bank in 2014 to establish and lead the Analytics Centre of Excellence based in Dublin and was subsequently appointed General Manager, DB AG (Dublin Branch) and Chief Executive Officer of DB Service Centre which provides technology and operational support to the bank's global branch network. Prior to joining Deutsche Bank, Sheamus worked in a variety of senior risk management, data analytics and technology roles for leading global providers Protiviti and Deloitte, supporting financial services, telecommunications, manufacturing and pharmaceutical clients spread across Asia-Pacific, US and Europe.

## **Vice-President Dr. oec. Wolfgang Häfele, Dussmann Group Dr. oec.**

Wolfgang Häfele is Honorary Consul of Ireland in Stuttgart/ Baden-Württemberg, CEO of the Dussmann Group, Berlin, an international global service company with €2.2 bill turnover and 65,000 employees, he was Chairman of the Advisory Board of Elevion Group (an electrical engineering company) and Managing Director with responsibility for Central Europe of MITIE Group plc. (a London based facility service company with a turnover of €2.6 billion and 75,000 employees). Previously he was Chairman of the Supervisory Board of Metabo AG (professional tools) and Senior Vice President of Imtech Suir Engineering Ltd., Waterford. Dr. Häfele also served as longstanding Chief Executive Officer of the M+W Zander Group. M+W Zander is a globally acting company in the areas of Facility Engineering and Facility Management with a turnover of over

€2.2 billion and 8,100 employees in 2007. Dr. Häfele was re-elected in 2014 as a member of the Regional Parliament of the Region of Stuttgart and he is also Chairman of the Supervisory Board of the Wirtschaftsförderungsgesellschaft (economic development board) of the Stuttgart Region. Dr. Häfele studied economics at the University of Stuttgart-Hohenheim from 1981- 1986 and obtained a doctorate (Dr. oec.) in 1988 with a thesis on labour law. He resides in Stuttgart with his wife Silvia and his daughter Katharina. Amongst his many interests, Dr. Häfele is a keen athlete and marathon runner.

## **Councillor Philip Daly, LK Shields**

Philip Daly is a Partner at LK Shields. His practice is primarily in the areas of Corporate and Commercial Law. Philip has acted in mergers and acquisitions transactions across all industry sectors as well as advising on private equity funding rounds and corporate restructurings. Given his significant experience and focus on the energy sector, he is the lead partner in the firm's successful Energy and Natural Resources Unit. Philip has had a long standing association with the German-Irish Chamber of Industry and Commerce and provides legal advice to a number of German companies located in Ireland.

## **Councillor Gary O'Callaghan, Siemens Ltd**

Gary is currently the Chief Executive of Siemens Ltd providing leadership to the 6 divisions of Siemens Ltd. Siemens is a global technology powerhouse that has stood for engineering excellence, innovation, quality, reliability and internationality for more than 165 years. Prior to his current role he managed the Energy Sector from 2008 through 2015, and before this the Transmission & Distribution Division. He previously headed Siemens Enterprise Communications in Ireland. Gary joined Nixdorf Computer in 1981

where he served in both Service and Sales Management positions. In 1992 he transferred from Nixdorf to Siemens Limited to work in ICT Sales Management. Gary has a Certified Diploma in Accountancy & Finance and is an MSc in Executive Leadership. His MSc Thesis, for which he received a Distinction, was on the subject of Leadership and Culture, a topic which he enjoys and believes is critical in business today. Gary is a Director and Board Member of FIT Ltd, a non-profit organisation which is focussed on building job related training programs for long-term disadvantaged unemployed people. He is married to Fiona with three children and enjoys playing Golf and sports in general in his spare time.

## **Councillor Liam Ryan, SAP Ireland**

Liam Ryan is the Managing Director of SAP Ireland. Born in 1965 he graduated from Kevin St College of Technology and Trinity College with a Degree in Electronic Engineering. Liam started his career working as a Quality Engineer for Siemens in Amberg, Germany. After returning to Ireland in 1990 Liam held roles in APV Ireland, Donnelly Mirrors and Motorola before joining SAP. Liam joined SAP in 1999 when there were 33 employees and has overseen the growth of SAP in Ireland to 2,300 employees involved in Support and Development for SAP's European and US customer base. Liam joined the Chamber Council in 2004 and was President in 2007. He is a member of the National Skills Council and is Chairman of FIT (Fastrack to IT). Living in Malahide with his wife and 3 children, Liam is a keen golfer.

## **Councillor Frank Mee, Allianz Care**

Frank Mee is Finance Director and Deputy CEO of Allianz Care, the Allianz Group's international health insurance subsidiary, which is based in Dublin. Born in 1954, Frank Mee completed a BComm degree in UCG in 1975 and subsequently qualified as a Chartered Accountant with

Deloitte, with which he worked for 11 years. He joined the company now known as Allianz Ireland in 1986 and served on the Board of Management of that company for many years until 1999. He was instrumental in the decision by Allianz Group to base its new international health insurance operation in Dublin in 1999. He is one of the founding Directors of that business. He has filled the role of Finance Director since its establishment in 1999. He was President of Insurance Ireland, the representative body for insurance companies operating in Ireland, in the year 2017 to April 2018.

#### **Councillor Derek Collins, Bank of Ireland Corporate Banking**

Derek Collins is a Senior Director at Bank of Ireland Corporate Banking in Dublin. He is responsible for leading Bank of Ireland Foreign Direct Investment Team. The Foreign Direct Investment team engages with new International Companies setting up in Ireland, where Bank of Ireland provides them with a full range of banking services. The team covers Europe, UK, USA, Canada, China, India, Japan and Australia. Bank of Ireland has overseas offices in Frankfurt, London, Paris, New York, Stamford, Chicago and Los Angeles. Derek has been with Bank of Ireland throughout his career which included a period based in New York.

#### **Councillor Werner Schwanberg, SFGS – Schwanberg Financial Governance Services**

Werner Schwanberg is a Chartered Director and Fellow of the Institute of Directors, UK. He is Chairman of London listed Carador Income Fund plc. Born in Germany in 1955, he has lived and worked in Dublin since 1991.

#### **Councillor John Glennon, RSM Ireland**

John Glennon is the founding and Managing Partner of RSM Ireland which is the 8th largest accounting firm in Ireland and who specialise

in advising German companies on the financial aspects of setting up and doing business in Ireland. RSM Ireland is a member firm of RSM International which is the 6th largest global audit, tax and consulting network, represented by firms in 120 countries including Germany, where its associate is RSM Deutschland GmbH Wirtschaftsprüfungsgesellschaft. In 2017 RSM International was awarded the global 'Network of the Year' in 2017. RSM Ireland won 'Member firm of the Year' within the RSM International network. John has considerable experience working with large to medium sized local Irish businesses and foreign direct investment companies alike, helping them to develop and achieve their strategic objectives and goals. As well as being a member of the Council of the German – Irish Chamber since 2016, John is also on the Board of the Gaelic Players Association. John is also a Council Member of the British-Irish Chamber of Commerce. John has been involved over the years with the various committees of the Institute of Chartered Accountants in Ireland. He is a FCA and FCCA and he has also completed an executive leadership programme for professional services firms at Harvard University. He has a keen interest in helping Irish and international mid-market businesses grow and achieve their objectives and looks at their requirements through a global yet local lens.

#### **Councillor Jonathan Hackett, Botany Weaving Mill Ltd.**

Jonathan Hackett is Managing Director of Botany Weaving Mill Ltd. which is a leading supplier of seat fabrics and carpets to the aviation industry worldwide. The Company operates three manufacturing plants in Ireland, two in Europe and one in the US employing 250 people. He is a director of a number of other Companies. He holds a Bachelor of Commerce and a Master of Business

Studies degree in International Marketing from University College Dublin. He lives with his wife and three children in Dublin. Jonathan regularly participates in marathons both at home and abroad.

#### **Councillor Dr. Frank Heisterkamp, CRH plc**

Frank Heisterkamp is Head of Investor Relations of CRH plc. A native of Berlin, Frank obtained a doctorate (Dr. iur.) from the University of Nürnberg and is qualified both as Solicitor in Ireland and Rechtsanwalt in Germany. He moved to Ireland in 1994 and joined the Financial Services Group of Matheson before moving to the USA in 1999 when he took up the position as Vice President Business Development with CRH's US Division in Washington DC. In January 2005 he was appointed Director of Business Development for CRH Europe in Dublin before becoming CRH's Country Manager China in 2007. Subsequently Frank became Country Manager for Turkey and for CRH's business in Portugal, Tunisia and Lebanon before being appointed to his current position in February 2013. He is a keen hockey player and lives with his wife and 3 children in Dublin.

#### **Councillor Patrick McGrath, Miele Ireland Limited**

Patrick McGrath is Chief Executive at Miele Ireland. Patrick is a graduate of University of Limerick where he studied Business Studies and graduated in 1989. His early career was spent with Coca Cola System in Ireland, Greece and then Germany. Patrick returned to Ireland in June 2001 to join Emo Oil, part of DCC plc. And subsequently joined Miele Ireland Ltd. in 2005. From 2011–2015 Patrick spent five years as an Independent Non-Executive Director with Allianz Worldwide Care. Born in 1968 he is a native of Abbeyside, Co. Waterford and now married with 2 children. Pat is a keen golfer.

### **Councillor Gisbert Kügler, Ornua Deutschland GmbH**

Born in Stuttgart in 1954, Gisbert Kügler studied economics at the University of Stuttgart. He started his career in the dairy industry with a Cooperative called Südmilch AG. Later on he worked as Managing Director for various companies in the FMCG sector and returned 1989 to the dairy industry again. 2004 he joined the Irish Dairy Board in Dublin to head up the Ornua Deutschland GmbH in Germany as CEO. Gisbert Kügler is married, has two daughters and lives in Düsseldorf. He is a golfer but does also support various soccer teams in Germany.

### **CEO Ralf Lissek, German– Irish Chamber of Industry and Commerce**

Born in Wuppertal in 1962, Ralf Lissek completed a two and a half year traineeship in Business Administration before beginning his studies in Germany and at Aston University in the UK, where he specialised in Marketing. In 1990 he joined the German-Dutch Chamber in The Hague as Head of Marketing, a position he held until 1995 when he moved to the Chamber in Brussels to take up the post of Deputy Director with responsibility for commercial management. While in Brussels he was the originator and driving force behind the company APRI, to set up to lobby on behalf of business associations and advise on how to lobby EU funded programmes. He was appointed Chief Executive Officer of the German-Irish Chamber of Industry and Commerce in 1999. He holds a number of directorships and is the Chairman of the European Chamber of Commerce in Ireland. Ralf is also editor of the book "Ireland and Germany: Partners in European Recovery", published in 2014 by Oak Tree Press and the Brexit report "Brexit – a view from the Chambers" in December 2016.

### **Eddie Goodwin, Enterprise Ireland**

Eddie Goodwin has served overseas for over 17 years with the Irish

Government Economic development Agencies: Enterprise Ireland and IDA Ireland. Having predominantly been based in Germany & the DACH region, in his current role Eddie manages the Enterprise Ireland office for Germany, Switzerland and Austria out of Duesseldorf, leading a team of sector experts in promoting trade links between Irish and German, Swiss, Austrian industry. Prior to this, for 4 years Eddie was posted to the USA where he managed the Enterprise Ireland Boston Office and managed the Life Sciences portfolio for the USA. Between 2001 and 2007 Eddie worked as an Overseas Executive with IDA Ireland in Frankfurt negotiating foreign direct investment projects into Ireland across a number of sectors. Eddie has previous private sector experience in Banking (Deutsche Bank & Bankers Trust) & Internet Software/Digital (DoubleClick).

### **Councillor Itziar Canamasas, Managing Director and Country Division Head of Pharmaceuticals Bayer Ltd.**

Itziar joined Bayer as an International Management Trainee. Throughout her career in Bayer she has worked in a number of roles in the Pharmaceutical Division across Europe, Asia Pacific and the US. She has extensive experience in the area of oncology including European Oncology Head and Global Commercial Lead for Stivarga and Nexavar. Since May 2017, Itziar has held the position of Managing Director and Country Division Head of Pharmaceuticals in Bayer Ltd. here in Ireland. She holds a PhD in Tumor genetics and a university degree in Biology and Biotechnology. In her spare time, Itziar likes to read, listen to music and spend time with her husband and son.

### **Councillor CEO Declan Bolger, Canada Life Europe**

Declan is Chief Executive of Canada Life Assurance Europe plc

(Canada Life Europe), a company with headquarters in Dublin which provides retirement savings, life assurance and disability insurance protection to 500,000 German customers through a Cologne branch. Canada Life Europe is a sister company of Irish Life and is part of the Great-West Lifeco group of companies. It employs over 600 people, split evenly between Ireland and Germany. Declan was part of the founding team of Canada Life Europe in 2000 and previously held the positions of Head of Product Development, Chief Financial Officer and Chief Actuary. Declan is also a director of Irish Life Investment Managers and Setanta Asset Management. He is a Fellow of the Institute of Actuaries in the UK and a Fellow of the Society of Actuaries in Ireland. Declan is married to Shirley. They live in Dublin and have three young children. Declan likes running, cycling, travelling and following the varying, but always interesting, fortunes of the Wexford hurlers.

### **Company Secretary Andreas Fagin, German-Irish Chamber of Industry and Commerce**

Andreas joined the Finance & Personnel department of the German-Irish Chamber of Industry and Commerce in August 2009. He is responsible for the preparation of the Irish and German financial returns, project controlling and process improvement. He is also the company secretary of the Chamber and has responsibility for personnel matters. Over the last 15 years Andreas has gained a wealth of international finance experience in his previous roles in Oracle Corporation and Yahoo! Europe where he held a number of positions including Accounting Manager responsible for the monthly accounts preparation and monthly and quarterly reporting. He has gained extensive experience in the implementation and testing of ERP accounting systems, particularly in several Oracle modules.



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# The German-Irish Chamber of Industry & Commerce: Positioning Points 2019

## Trade

*The German-Irish Chamber aims to develop trade between Germany and Ireland. It will work to:*

1. minimise the regulatory burden for goods transiting the UK. The additional expense of complying with two different regulatory regimes (EU and non-EU) and other associated costs would substantially hit Irish exports with negative knock-on effects for employment and economic growth;
2. pursue trade and investment opportunities offered by Brexit. The new economic landscape will create opportunities for enhancing export and import relations between Germany and Ireland opening the potential for a win/win scenario for both countries. Ireland will likely search for new suppliers in Germany, the rest of mainland Europe, to substitute the UK;
3. improve the business environment in Ireland, focusing on competitiveness, market diversification and better infrastructure. Brexit will raise Ireland's international business profile and many international companies will establish their own Irish centre of operations, bringing fresh opportunities and new investment;
4. uphold free movement of EU citizens, goods, capital and service within the EU, recognising that the Brexit negotiations need to strengthen the European integration;
5. encourage the education system in Ireland to promote both technical and language studies and further highlight the benefits of the dual education system in critical areas;
6. maintain the current competitive tax regime in Ireland because it is an essential part of the Irish economy and a successful business model over the last 30 years;
7. oversee discussions where appropriate on the mutual benefit to both countries in sectors where potential clearly exists, eg hospitality, agri sector, engineering, education, energy;



## Northern Ireland

*Northern Ireland is the only land border between the UK and the EU. In light of this the Chamber aims to:*

8. maintain EU support for the peace process in Ireland. Ireland, Britain and the EU cannot be complacent about the work that needs to be done to implement the Good Friday Agreement in full. The elimination of a hard border in modern times has been critical in the context of the Northern Ireland peace process. The agreement reached between the EU and Britain on the border question needs to be reflected in law;

## The Financial Services Industry

*The Financial Services Industry is crucial to Ireland's economy. The Chamber actively works to:*

9. establish areas of common interest with the financial services industry in Germany in relation to attempts by the European Commission to concentrate more power in bodies, such as the European Securities and Markets Authority which may influence the role of local/member state regulators;
10. encourage more constructive engagement between the Central Bank and industry. The Central Bank should have a capacity to promote Ireland's competitiveness as a jurisdiction for the location of financial service.

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# Die Deutsch-Irische Industrie- und Handelskammer: Positionierungspunkte 2019

## Handel

*Das Ziel der Deutsch-Irischen Industrie- und Handelskammer ist es, den Handel zwischen Deutschland und Irland zu fördern. Sie arbeitet daran*

1. regulatorische Auflagen für Güter, welche Großbritannien durchqueren, zu minimieren. Die zusätzlichen Kosten für die Einhaltung zweier verschiedener Regulierungssysteme (EU und Nicht-EU) und anderer damit verbundener Kosten, würden die irischen Exporte erheblich beeinträchtigen und negative Auswirkungen auf die Beschäftigung und das Wirtschaftswachstum haben.
2. Handel- und Investitionsmöglichkeiten anzuregen, die sich durch den Brexit ergeben. Die neue wirtschaftliche Landschaft schafft Möglichkeiten zur Verbesserung von Export und Import zwischen Deutschland und Irland und eröffnet das Potenzial einer Win/Win-Situation für beide Länder, da Irland wahrscheinlich nach neuen Lieferanten in Deutschland und dem Rest Europas suchen wird, um das Vereinigte Königreich zu ersetzen.
3. das Geschäftsumfeld in Irland zu verbessern vor allem im Hinblick auf die Wettbewerbsfähigkeit, Marktdiversifizierung und bessere Infrastruktur. Der Brexit wird das internationale Geschäftsprofil Irlands stärken und viele internationale Unternehmen werden einen eigenen irischen Standort gründen, was neue Möglichkeiten und Investitionen mit sich bringt.
4. die Bewegungsfreiheit von EU-Bürgern, Gütern, Kapital und Dienstleistungen innerhalb der EU sicher zu stellen mit dem Bewusstsein, dass die Brexit-Verhandlungen die europäische Integration stärken müssen.
5. das Bildungssystem in Irland zu unterstützen, für technische und sprachliche Studiengänge zu werben und die Vorteile des dualen Ausbildungssystems in kritischen Bereichen aufzuzeigen.
6. das derzeitige wettbewerbsfähige Steuersystem in Irland aufrecht zu erhalten, da es in den letzten 30 Jahren ein wesentlicher Bestandteil der irischen Wirtschaft und ein erfolgreiches Geschäftsmodell war.
7. Diskussionen zu führen über den gegenseitigen Nutzen beider Länder in Bereichen, in denen eindeutig Potenzial vorhanden ist, wie z.B. Tourismus, Agrarsektor, Ingenieurwesen, Bildung und Energie.



## Nordirland

*Nordirland hat die einzige Landesgrenze zwischen dem Vereinigten Königreich und der EU. Vor diesem Hintergrund zielt die Kammer darauf ab*

8. die Unterstützung des Friedensprozesses in Irland durch die EU aufrecht zu erhalten. Irland, Großbritannien und die EU sollten nicht nachgeben in ihren Bestrebungen, das Karfreitagsabkommen vollständig umzusetzen. Die Beseitigung einer harten Grenze war im Zusammenhang mit dem Friedensprozess in Nordirland von entscheidender Bedeutung. Die zwischen der EU und Großbritannien erzielte Vereinbarung über die Grenzfrage muss sich gesetzlich widerspiegeln.

## Der Finanzsektor

*Der Finanzsektor ist von entscheidender Bedeutung für Irlands Wirtschaft. Die Kammer arbeitet aktiv daran*

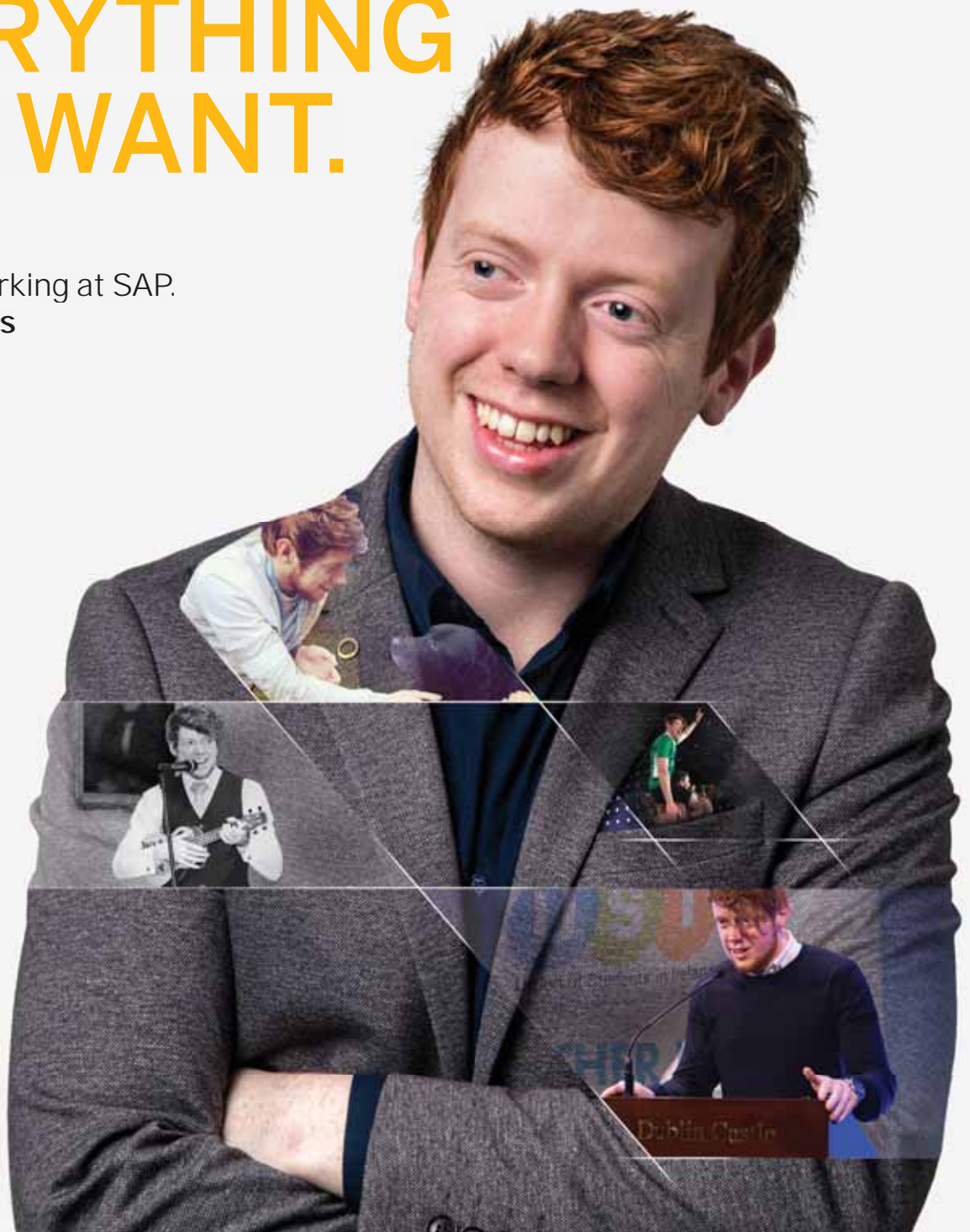
9. Bereiche von gemeinsamem Interesse mit dem Finanzsektor in Deutschland zu ermitteln, die sich auf Bestrebungen der Europäischen Kommission beziehen, Gremien, wie beispielsweise der Europäischen Wertpapier- und Marktaufsichtsbehörde, mehr Einfluss zu verleihen, die die Rolle der lokalen Regulierungsbehörden der Mitgliedstaaten beeinflussen können.
10. ein konstruktiveres Zusammenspiel von Zentralbank und Industrie anzuregen. Die Zentralbank sollte befähigt werden, sich dafür einzusetzen, Irlands Wettbewerbsfähigkeit als Gerichtsstandort für den Finanzsektor bekannt zu machen.





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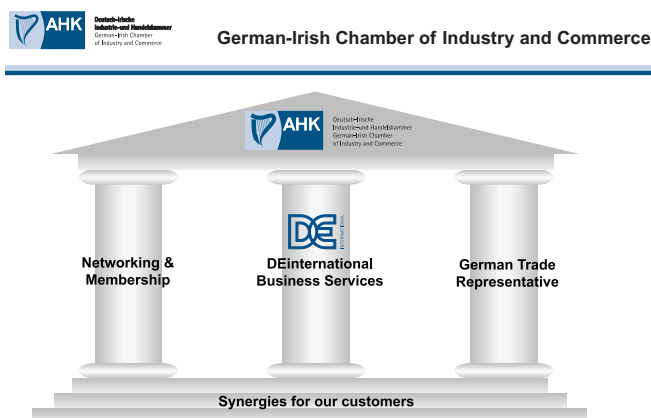
# Programme of Events 2019

2019	EVENT	PARTICIPANTS	CONTACT
<b>January</b>			
29-31	Trip to Berlin- Meeting with Committee for Energy & Economy & German politicians	Councillors/ Patrons only	EM/OH
<b>February</b>			
01	Council Meeting and patrons lunch hosted by Siemens	Councillors/ Patrons only	EM
06	Rainer Wieland Visit to Dublin	Free members Event	OH/EM
06	Annual General Meeting	Free members Event	EM
14	Councillors Dinner	Councillors only	EM
<b>April</b>			
05	Golf Outing to Royal Dublin	Paid Event	EM
<b>May</b>			
23-25	Business Trip to Dresden	Councillors & Patrons	EM
<b>June</b>			
14	Golf Outing to Luttrellstown	Paid Event	EM
<b>September</b>			
13	Council Meeting and patrons lunch hosted by BSH	Councillors/ Patrons only	EM
<b>October</b>			
11	Oktoberfest	Paid Event	EM
<b>November</b>			
01	Golf outing to Island Golf Club	Paid Event	EM
04	Council Meeting and Patrons Lunch	Councillors/Patrons only	EM
<b>December</b>			
06	Chamber Christmas Lunch	Paid Event	EM

More events will be added in the coming months – to stay up to date subscribe to our mailing list by contacting [ellen.mcgrath@german-irish.ie](mailto:ellen.mcgrath@german-irish.ie)

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## European Chamber of Ireland



Represented by Austria, Belgium, Bulgaria, Denmark, France, Germany, Great Britain, Hungary, Latvia, Lithuania, Luxembourg, the Netherlands, Norway, Poland, Slovakia, Spain, Sweden, Switzerland, Turkey

# Programme of Events 2019

2019	EVENT	PARTICIPANTS	CONTACT
<b>February</b>			
06/02	Event with MEP Rainer Wieland	Members & non-members	OH
27-28/02	Trip to Brussels to meet Irish and German MEPs	Members	EM/OH
<b>April</b>			
26/04	Financial Services	Members	CP
<b>September</b>			
06/09	European Chamber Golf Outing Event at the K Club	Members & non-members	EM

Your contact		Phone	Email
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## European Chamber Golf Outing on the 6<sup>th</sup> September 2019

**When** Friday the 6<sup>th</sup> of September

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Palmer Ryder Cup Course

<b>Ticket price</b>	Golf, goodie bags and 3 course dinner	€145.00
	Dinner only price	€45.00

***Places are limited and will be allocated on a first come, first served basis. To ensure availability please book as early as possible.***

If you require further information, please contact the European Chamber :

00353 1 6424 300 / 0864667390

[ellen.mcgrath@european-chamber.ie](mailto:ellen.mcgrath@european-chamber.ie)

Kind regards,  
Ellen McGrath

### Premium Patrons 2019





# European Chamber of Ireland



Represented by Austria, Belgium, Bulgaria, Denmark, France, Germany, Great Britain, Hungary, Latvia, Lithuania, Luxembourg, the Netherlands, Norway, Poland, Slovakia, Spain, Sweden, Switzerland, Turkey

# European Chamber Report 2018/19

1. Over the past year, the agenda and workload of the European Chamber has been dominated by Brexit. It is without parallel that a country of the UK's size and influence would withdraw from the EU and this is still contributing to economic uncertainty in the remaining EU nations and further afield.
2. In 2018 the Chamber held numerous meetings to inform itself and its membership on Brexit and put across its concerns. These meetings have included engagements with EU Commissioners, members of the European Parliament, members of the Bundestag, and members of Dáil and Seanad Éireann regarding both the huge challenges now faced by the Irish economy and the issues that are of concern to the businesses that we represent.
3. Finding solutions to possible changes to the UK 'land bridge' has been a key motivation in the work of the European chamber. A series of round tables with this specific focus were held throughout the year. In addition a number of meetings with logistics experts have further strengthened the chamber's knowledge of the practicalities, and the indeed necessity, of an alternative to the land bridge in the form of a 'sea bridge' to continental Europe.
4. Over the course of 2018, the European Chamber hosted events with three high profile politicians. In March the chamber welcomed EU Commissioner, Guenter Oettinger to speak at our member's night. In April Dr Werner Langen MEP (former Chair of Panama Papers Commission) was the key guest speaker at a Breakfast seminar. In July MdB Joachim Pfeiffer spoke on Brexit & Tax harmonisation. This is indicative of the European Chamber's connections to key decision makers in Berlin and Brussels.
5. In February 2019 a delegation from the European Chamber of Ireland will visit Brussels. The specific purpose of this two-day trip is to ensure that the voice of Irish businesses continues to be heard through the heart of the EU decision-making processes. The European Chamber has extensive experience of lobbying EU decision-makers on critical issues, such as safeguarding Ireland's competitiveness and being pro-actively involved in topics like tax harmonisation and Brexit. We have a wide ranging network of connections across Europe and in 2019 the Chamber will continue to be active in representing the concerns of our members and in lobbying for solutions to Brexit that will not hamper the international business environment.
6. On the social front, the European Chamber has held a number of enjoyable events, such as our ever-popular golf outing at the K Club, which allow our members to build their business network, to make new connections.

Thank you to the Patrons of the European, CRH, Barclays, and Matheson for making all of the above possible.

Jack Golden    Ralf Lissek  
President      Chairman

# New Data Breach and Cyber-Security Incident Reporting Obligations for Businesses

In May 2018, the General Data Protection Regulation ("GDPR") and the Directive on the Security of Network and Information Systems ("NIS") entered into force across the European Union. These pieces of legislation have now been implemented into Irish law<sup>1</sup> and have fundamentally changed the data protection and cyber security regimes in this jurisdiction. The new rules pose challenges for businesses affected by them, in particular companies operating in the financial services and information technology sectors due to their high exposure to data breaches and cybercrime incidents. Of particular importance are developments in the area of notification of incidents, where reporting is now mandatory in many circumstances with fines and criminal penalties applying for failure to report.

The new regime has led to a large increase in the number of data breach notifications that have been filed with the Irish Data Protection Commission ("DPC") over the past few months on foot of the requirement under GDPR to notify certain breaches within 72 hours of becoming aware of them<sup>2</sup>. The provisions of the NIS and the 2018 Regulations, which apply to operators of essential services ("OESs")<sup>3</sup> and digital service providers ("DSPs")<sup>4</sup>, and which impose additional reporting obligations on those companies, are bound to further increase the number of notifications which businesses will be required to make<sup>5</sup>.

Under the new NIS regime, both OESs and DSPs are obliged to report certain incidents to the computer security incident response team ("CSIRT")<sup>6</sup> within 72 hours after becoming aware of them and must also notify the resolution of such incidents within the same timeframe. Failure to notify in either circumstance is a criminal offence and subject to financial penalties. In addition to the threat of criminal sanctions, the CSIRT has the authority to inform the public



of reported incidents, presenting a significant reputational risk to companies.

Failure to report breaches under GDPR is subject to a maximum penalty of €10,000,000 or 2% of worldwide turnover, whichever is higher, while the maximum penalties for failure to notify the CSIRT under the 2018 Regulations range from €50,000<sup>7</sup> to €500,000<sup>8</sup>. These figures underline the importance of compliance with the reporting obligations, particularly given that, in both cases, where offences are proven to have been committed with the connivance or consent of directors or other officers, or where they have been acting with neglect, that director or officer will also be guilty of an offence. This potential personal liability is a material issue for corporate officers. There is an understandable level of confusion amongst business who are struggling to understand whether a

<sup>1</sup>Through the Data Protection Act 2018 ("DPA") and the European Union (Measures for a High Common Level of Security of Network and Information Systems) Regulations 2018 (the "2018 Regulations").

<sup>2</sup>Data Protection Ireland, Volume 11, Issue 4, at page 2.

<sup>3</sup>OESs are businesses operating in the energy, transport, banking, financial market infrastructure, health, water and digital infrastructure sectors.

<sup>4</sup>DSPs are companies that are online marketplaces, online search engines, or cloud computing services.

<sup>5</sup>We have discussed in separate publications the meaning and scope of the OES and DSP categories.

<sup>6</sup>A unit of the Department of Communications, Climate Action and Environment (the "Department").

<sup>7</sup>In the case of the defendant being an individual.

<sup>8</sup>In the case of the defendant being a company.

<sup>9</sup>Article 33(1) GDPR.



notification arises on foot of a security incident and, if so, to which authority or authorities. Generally, the DPC only needs to be informed where there is a data breach that presents a risk to the rights and freedoms of natural persons<sup>9</sup>. On the other hand, the CSIRT needs to be notified by an OES of any incident that has a significant impact on the continuity of the essential service provided, and by any DSP of any incident which has a substantial impact on the digital service it provides.

Companies also appear to be struggling with the question whether they fall into the DSP category. While OESs had to be identified and informed of their status by the Department before 9 November 2018, there is no equivalent process for DSPs and companies must themselves determine whether they fall into this category. This process requires a detailed analysis of the company's business and, potentially, professional advice.

In summary, it is important for businesses to consider the following:

- Whether they are caught by either, or both, of the provisions of the GDPR and the NIS;

- When they need to notify the DPC, the CSIRT, or both; and
- What their cyber security obligations are, in particular in relation to the prevention, detection and remediation of incidents.

Due to the ever-increasing number of data breaches and other cyber-incidents in recent years, companies and their officers would be well advised to ensure they comply with their obligations to avoid fines, criminal sanctions and reputational damage. In summary, the area of data breach management has become a whole lot tougher.

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# Dublin rüstet sich für die Zukunft

Irlands Hauptstadt will für den Einwohnerboom fit werden / Von Torsten Pauly

Dublin (GTAI) – Der Großraum Dublin wächst stark. Neue Stadtviertel, eine Verkehrsstrategie bis 2035, Smart-City-Initiativen und Investitionen in den Umweltschutz sollen dem nun gerecht werden.

Dublin ist nicht nur das politische, sondern auch das kulturelle und wirtschaftliche Zentrum Irlands. Neuesten Angaben zufolge wurden dort 2014 rund 45 Prozent der landesweiten Bruttowertschöpfung erbracht. Damit hat die Stadt entscheidenden Anteil am starken Konjunkturaufschwung. Irlands reale Bruttowertschöpfung war 2017 trotz einer starken zwischenzeitlichen Rezession um 56,4 Prozent höher als 2007.

Dublins Einwohnerzahl ist zwischen 2008 und 2018 um 9 Prozent gestiegen. Inzwischen leben 28 Prozent der irischen Bevölkerung in der Hauptstadt. Zudem befanden sich dort 2015 laut neuesten, offiziellen Zahlen 30 Prozent aller Arbeitsplätze. Das verfügbare Einkommen der Haushalte war um 16 Prozent höher als im Landesdurchschnitt.

Das Wachstum von Wirtschaft und Einwohnerzahl soll anhalten. Das irische Statistikamt erwartet, dass 2031 bis zu 13 Prozent mehr Menschen in Dublin leben werden als 2018. Der für März 2019 terminierte britische Austritt aus der Europäischen Union (EU) könnte den Zuzug von Arbeitskräften nochmals verstärken, denn Dublin gilt als eine der attraktivsten EU-Alternativen zu britischen Standorten.

Dublins Stadtentwicklung jedoch hat mit diesem Wachstum nicht Schritt gehalten. Somit sind die Kaufpreise für Wohnraum dort laut der Gesellschaft zugelassener Gutachter Irland SCSI (Society of Chartered Surveyors Ireland) von 2013 bis 2016 um 65 Prozent und 2017 um weitere 11 Prozent gestiegen. Auch die Mieten für Büros, Läden und Gewerbehallen haben sehr stark angezogen.



Dublins 2016 verabschiedeter Stadtentwicklungsplan bis 2022 sieht 440 Hektar Land zur zusätzlichen Bebauung vor. Von den insgesamt 29.500 Wohnungen sollen 4.600 Einheiten im sozialen Wohnungsbau entstehen.

Das bedeutendste Projekt eines neuen Areals zum Leben und Arbeiten ist die Umwandlung der alten Hafendocks in Büros, Wohnungen, Geschäfte und Freizeiteinrichtungen. Dort siedeln sich unter anderem globale Dienstleistungskonzerne an. Auch die Universität Trinity College errichtet dort einen neuen Campus für 1 Milliarde Euro. Insgesamt 2 Milliarden Euro kostet zudem der neue Stadtteil Cherrywood im Süden von Dublin.

## In den öffentlichen Personennahverkehr fließen 7 Milliarden Euro

Das Verkehrsnetz muss Dublin ebenfalls stark ausbauen. Dabei gibt die Strategie für den Großraum Dublin bis 2035, welche die Nationale Verkehrsbehörde NTA (National Transport Authority) 2016 veröffentlicht hat, dem Ausbau des öffentlichen Personennahverkehrs (ÖPNV) hohe Priorität.

Das mit 3 Milliarden Euro größte Vorhaben ist der Bau der ersten U-Bahnlinie, die ab 2027 Dublins Zentrum mit dem Flughafen und der Gemeinde Swords im Norden der Stadt verbinden soll. Das unter dem Namen "Metro North" fungierende Projekt ist noch im Planungsstadium.

Weitere 2 Milliarden Euro fließen bis 2027 in den Ausbau des DART-Nahverkehrsnetzes, das mit S-Bahnen vergleichbar



ist. Dazu gehört die Beschaffung von umweltfreundlichen Zügen und Signaltechnik, der Bau neuer Umsteigestationen sowie die Elektrifizierung und die Erweiterung von Strecken. Weitere 2 Milliarden Euro sind bis 2027 für die umweltfreundliche Modernisierung der öffentlichen Busflotte vorgesehen.

Auch der Dubliner Flughafen wird für 1,2 Milliarden Euro ausgebaut. Davon sind 320 Millionen Euro für eine neue Landebahn und 900 Millionen Euro für zusätzliche Flugsteigbereiche vorgesehen. Zudem fließen im Seehafen Dublin 230 Millionen Euro in die Modernisierung der Anlagen am Alexanderbecken und in die Vertiefung der Anhrinne von 7,8 Metern auf 10 Meter.

#### **Smart-Dublin-Initiative gegründet**

Die Stadt Dublin und drei umliegende, County genannte Bezirke, haben gemeinsam die Initiative "Smart Dublin" ins Leben gerufen. Diese bündelt Ansätze zur Informations- und Kommunikationstechnologie-basierten Steuerung unter anderem des Verkehrs, der Energienutzung und der Abfallentsorgung. Zum Pilotbezirk für eine Smart-City-Infrastruktur werden die Docklands, das auf den Hafenbrachen entstehende neue Areal zum Leben und Arbeiten.

Irland investiert derzeit in die landesweiten Grundlagen für Smart-City-Lösungen. So sollen 2024 durchgängig intelligente Stromzähler vorhanden sein, der Austausch beginnt 2019. Im Jahr 2017 hat der Anbieter Three Ireland die nationale 100-Megahertz-Frequenz zum Aufbau eines 5-G-Mobilfunkstandards ersteigert. Das entsprechende Netzwerk könnte 2019 oder 2020 installiert sein. Bis 2020 soll es zudem in der ganzen Republik Irland Breitband-Internetanschlüsse geben.

#### **Für die Abwasserbehandlung sind 690 Millionen Euro vorgesehen**

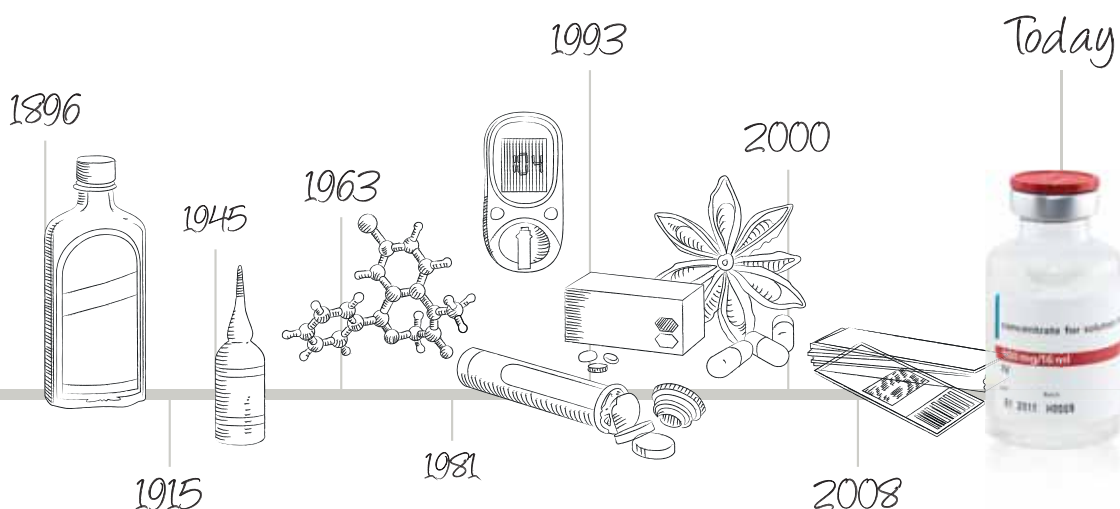
In der Abwasserentsorgung entsteht für 500 Millionen Euro ein zweites Klärwerk an Dublins nördlicher Küste. Zudem wird die bestehende Anlage in Ringsend an der Mündung des Flusses Liffey für 190 Millionen Euro erweitert.

Auch im Gesundheitswesen gibt es Großprojekte. Auf 916 Millionen Euro ist das neue Kinderkrankenhaus veranschlagt, das 39 medizinische Fachrichtungen unter seinem Dach vereinen wird. Diese sind bisher auf mehrere Einrichtungen in Dublin verteilt. Darüber hinaus entsteht eine neue Entbindungsklinik für 295 Millionen Euro.

Weitere Informationen zu Irland finden Sie unter: <http://www.gtai.de/irland>







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# Driving better health for patients through innovation

Ireland is a place where innovation thrives and foreign direct investment finds a home. Thirty years ago, just 5,200 worked in the pharmaceutical industry, which was then largely characterised by basic manufacturing. Now, the originator pharmaceutical companies directly employ 30,000 people working across manufacturing with a big focus on complex biologics as well as working in shared services and commercial operations.

We are part of a globally networked system of innovation. All the leading global pharmaceutical companies have a presence here, including our companies, Bayer and Roche, which are active members of the German-Irish Chamber of Industry and Commerce. These companies and many others are part of Ireland's enterprise ecosystem whose performance is facilitated by the important work of the Chamber.

Over the past ten years, the pharmaceutical industry has invested close to €10 billion in manufacturing and research sites around the country. That represents close to the biggest wave of investment in new biotechnology facilities anywhere in the world. Between 2003 and 2018, the number of biotechnology manufacturing sites jumped from two to twenty.



As Ireland's population ages and medical conditions grow more complex, healthcare will come under increasing pressure to deliver the same, or better, services. The task will be to invest smartly. Through innovation, we can develop therapies that, in the long run, will save the system

money by reducing hospital stays. In the short term, these new medicines, if they are made available efficiently to patients, will change people's lives for the better.

But, as things stand, Ireland is an outlier in Western Europe when it comes to the speed of availability of innovative medicines for patients. The 'Manifesto for Better Health', recently published by the Irish Pharmaceutical Healthcare Association, the industry's representative body, makes the case for a better environment for reimbursement and innovation. Ireland should be in the top seven countries in the EU-28 for speed of access to new medicines. Instead, it is among the slowest. This is now an urgent challenge.

Scientific advancements mean that we know more about illness than ever before. This knowledge is being translated



into new ways of treating common conditions. Medical progress has led to a dramatic decline in death rates for diseases such as cancer, HIV, polio and measles. Hepatitis C has virtually been cured by innovative medicines. Today, if diagnosed early, leukaemia can be driven into remission with a once-daily treatment. Vaccines save the lives of over 2.5 million children every year.

This is the dividend of innovation. It's a measure, too, of the value our industry creates for society. Ireland, with the right support from Government, has the opportunity to take part in global leadership in the discovery and development of new cures. Through funds like IMI2 and Horizon 2020, as well as Horizon Europe which is on the way, Ireland should have a role in tackling some of the biggest health challenges that face the world. The sector, with a global footprint and strong local innovation, should be bold enough to reach for these big-ticket, 'moon-shot' targets.

Promising medicines in development have the potential to transform care, helping patients live longer and with a better quality of life. In some cases, medicines could prevent further illness, reduce the need for other treatments or even offer a cure. To really capture the value of innovation, we need better outcomes data. Through *Sláintecare*, the ten-year health strategy, we have the chance to work on data capture. But it must be a frontloaded priority. We cannot afford to wait for a decade. The structuring and use of big data has the potential to revolutionise healthcare. Irish hospitals and healthcare professionals hold a huge volume of historical data. This data, properly mined and applied, could lead to the development of a predictive and preventative approach to medicine. We must leverage it – and fast.

An exciting global wave of medical innovation is breaking around the world. Ireland should be ready to catch it. With the right policy moves matched to industry pioneers, we can have a leadership role in powering patient care through innovation.

**Dr. Itziar Canamasas**, Managing Director, Bayer Limited  
**Mr. Pierre-Alain Delley**, General Manager, Roche Products (Ireland) Limited

# Ibec and Ireland are Strengthening their Ties with Germany

By Marc Coleman



German Irish trade relations have always been important and during 2019 this importance will significantly increase. In 2017, the last full year for which trade figures are available, Ireland exported just over €10 billion worth of goods to Germany or 8.2 per cent of total, up from 6.7% in 2015, compared with €14.5 billion (11.8%) exported to Great Britain. Since becoming part of the single currency in 1998 Ireland's increasing exports to Germany have reflected the increasing diversification of its exports in terms of destination. Brexit is likely to continue if not accelerate that trend and it is possible to envisage Germany surpassing Great Britain as an export destination in the next few years.

So it was particularly appropriate that on September 5th Ibec and the German-Irish Chamber joined forces to welcome a delegation from the strategically important state of North Rhine Westphalia to discuss that important state's potential as a gateway for Irish exporters. As well as NRW. Invest's Head of Business for UK/Ireland Dagmar Wullknitz, the event heard from Aerogen Global Marketing Manager Ross Warner and German Irish Chamber CEO Ralf Lissek. As Germany's most populous state (17 million inhabitants), North Rhine-Westphalia also happens to be geographically closer to Ireland than any other part of Germany and is within 3 hours drive of the key ports of Rotterdam and Antwerp, a significance that was not lost on participants as they discussed Brexit. In October Ibec were well represented at the highly successful IHK Oktoberfest and on December 5th collaboration continued in the form of the Chamber's ICT conference. Ibec has also benefitted from the German-Irish Chambers unique insights into Apprenticeship, with Ralf Lissek last year giving a very welcome presentation to Financial Services Ireland's Apprenticeship Working Group on how Germany's very successful model of apprenticeship works and how it could be adapted to Ireland.

As we adjust to the realities of Brexit and an ever more complex trading environment, Irish business will have to develop its international contacts more fully and Ibec, through its new International Business Development function, is increasingly active in this field. Ibec's relationship with the German Irish Chamber – always very positive – will continue to deepen as a result. Likewise as the EU's only remaining country in which the language of business is English and in which the legal system is common law Ireland, while small, can be an increasingly important link between Germany the UK and US. Next year will see not only see Brexit become a reality but also the election of a new European Parliament, appointment of a new EU Commission and European Council and the selection of a new President of the European Central Bank. All of this points to a year in which closer collaboration between business representative bodies in Ireland and those in larger EU states like Germany will be of paramount importance.

The complementarity of Ibec, as Ireland's (and also one of Europe's) largest business representative body, and the German-Irish Chamber of Commerce, as the only trade association representing joint German-Irish business interests, means that the two organisations have much to benefit from closer mutual collaboration.

Marc Coleman is Ibec Head of International Business Development





# Ireland's Place within the EU: Challenges and Opportunities in 2019

By Gerard Kiely



As 2019 gets underway, we face challenges on many fronts but the European Union continues to shine as a beacon of hope in these increasingly tumultuous times. Emerging from the ashes of two world wars, the European project has proved for seven decades that multilateralism enables countries to cooperate in the pursuit of peace and prosperity. The EU's 500 million citizens now live in the most tolerant, free, and equal society in the world.

Ireland has experienced first-hand the transformative effect of the EU. Since joining in 1973, membership helped to raise social and economic standards to unprecedented heights. Since then, hundreds of thousands of jobs have been created in Ireland; trade increased 90 fold; and Foreign Direct Investment increased dramatically from just €16 million in 1972 to over €30 billion today. Between 1973 and 2014, Ireland received over €72.5 billion from the EU (over €100 billion in today's money), including €54 billion for farmers and rural areas from the Common Agricultural Policy. This helped to create Ireland's successful agri-food export sector.

Ireland continues to benefit from EU membership. Commission President Jean-Claude Juncker created a European Fund for Strategic Investments under which €1.2 billion has been approved to support activities in Ireland, which is expected to trigger €5.2 billion in investments. More generally, people often do not realise the positive impact the EU has on their everyday lives: whether that is clean air and water, social protection, freedom of movement. One small consolation from Brexit is that citizens in Ireland no

longer take the EU's positive impact for granted. According to the latest Eurobarometer survey, a record 85% of Irish respondents said that EU membership is a 'good thing'.

We should also recall that EU membership – and significant amounts of European funding – bolstered the Northern Ireland peace process: this is particularly pertinent given the dangers posed by Brexit to trade and free movement on the island of Ireland. While facing this unprecedented existential threat, Ireland has experienced unwavering support from its fellow EU Member States and the EU institutions: membership makes us stronger.

Brexit also demonstrates an important lesson: we must not be complacent about the status quo. The EU's supporters have to stand up and defend the EU, rather than leave a void for others to fill. This task cannot be left only to the EU institutions: politicians, businesspeople and citizens who understand and support EU integration need to actively explain, promote and defend it. In an era of re-emerging nationalism and gnawing Euroscepticism, we owe it to generations past, present, and future to defend the EU with all our might.

A decade ago, Europe was in deep recession but the economy has now grown for 21 consecutive quarters. However the economic and financial crisis demonstrated the need to deepen the Economic and Monetary Union, to reduce risk across the EU by fixing our banking sector, and to boost investment through new forms of public and private partnerships. Europe's place in the world is a long-term challenge: by 2060, no single European country will have more than 1% of the world's population. Europeans must therefore continue to pool and share their national sovereignty, with the goal of establishing a stronger common sovereignty for all.

The international arena is more divided in 2019 than it was a decade ago. The EU is providing much-needed global leadership in areas such as climate change, free trade, security and migration. The EU is leading the charge on addressing the world's most pressing problems, including by brokering the Paris climate agreement, negotiating a deal with Iran to suspend its nuclear program, reducing the harmful plastic in our oceans and setting data protection standards. The EU demonstrates that responsible global leaders place a value on protecting people's rights and safeguarding the planet.

Looking ahead to the rest of 2019 and beyond, we all need to defend the EU during the many conversations that will happen in the run up to the European Parliament Elections. Europe is too important to leave to other people.

# Brexit and Looking Forward

By Joachim Pfeiffer, Member of German Parliament

Only 100 days before the United Kingdom formally leaves the EU and everything seems to be in play again: hard Brexit, soft Brexit, no Brexit at all? However, it seems certain that not only the British, but also the German economy is suffering from the constant back and forth. In the UK, there is very little left of the initial enthusiasm about the ostensible dividends that Brexit was supposed to bring to benefit the governmental health services. Don't deceive yourself. Brexit, whether orderly or disorderly, will create massive problems and present real challenges to the bilateral relationship and in multilateral contexts. This fact should be faced head on, and at the same time, both sides of the Channel should turn their gaze forward.

Brexit is a lose-lose situation for everyone involved – for economic, financial as well as foreign policy reasons. We can already see that important investment decisions in the UK are not being taken or are being put off because of the unstable situation. For 2018, the British Chamber of Commerce is anticipating BIP growth of only 1.2%, and 1.3% the coming year. Those would be the two worst years since the financial crisis of 2008-2009. The weak pound is driving inflation. The fear of chaos in customs is already up. According to the National Institute of Economic and Social Research, economic output in 2030 could be 4% lower than if the UK didn't go through with Brexit. And the vote on the Brexit agreement negotiated with the EU, which has been postponed to January, won't change anything. On the contrary, it would only leave companies exposed for even longer.

Despite the satisfactory domestic economic situation, German companies are also affected because of their close economic ties to the UK. The United Kingdom is Germany's third most important trading partner. 750,000 jobs here in Germany depend on exports to the UK. Since the Brexit referendum two and a half years ago, German exports to the islands have gone down by 5%. These industrial areas are very interconnected by European value-added chains. In the case of a disorderly Brexit, the German Chamber of Industry and Commerce is now predicting, only for German companies, up to 10 million additional customs

applications per year and over €200 million in additional costs due exclusively to customs bureaucracy. That would be particularly burdensome for domestic pharmaceutical, automotive and engineering companies. To become more independent from customs and border checks, we should consider a new trade route, a sea bridge from Ireland to Rotterdam, for example.



It is also correct to point out that German companies are generally less affected if the pound loses value and growth slows down, according to a current IW (Cologne Institute for Economic Research) survey. The financial sector could even profit slightly. In the best-case scenario, the growth rate would be 0.7%. Based on initial predictions, the direct, negative effects on Germany would be limited.

However, the political consequences are more dramatic. Without the UK, the EU is less assertive, in international negotiations as an example. Specifically, in view of the many areas in need of improvement internationally, such as trade disagreements, climate change, migration and armed conflicts, the EU will have to do without the experienced, conciliatory, balanced British voice. And vice versa, the UK will also notice very quickly that they will have to start again at the back of the queue in international negotiations, for new free trade agreements, for example. Moreover, I see a danger in Brexit causing the UK not only to become disconnected from Europe, but also to grow even weaker due to internal conflicts. The desire of Scotland to become independent and the even murkier situation in Northern Ireland could quickly turn Great Britain into Small England. This could bring about new, previously unthinkable, geopolitical constellations. There is also a Brexit domino effect within the EU that should be avoided. Populist movements from the right and the left that have no love for Europe are spreading like wildfire in many EU member states today.



The lesson of Brexit for EU member states must therefore be to strengthen the EU and multilateral thinking. Only this – not isolation and nationalism with every nation retreating into its own borders – is the key to peace, prosperity and growth in a global world. That's why Europe is and will remain the critical economic factor to playing a role in the world in the future with respect to economic, social, political and cultural issues. Globalization needs a European answer. To do this, Europe has to have the ability to practice world politics – a Europe of global and strategic importance in the world.

Ensuring this ability to take action in world politics begins in our own back yard. Europe must become attractive again for its own citizens. That means a Europe of managers has to go back to being a Europe of creators.

We don't need a paternalistic or over-regulated Europe. For that reason, I am also very doubtful that the many new, sometimes overlapping and contradictory European regulations on the environment, climate, consumer protection, labour protection, gender and other global areas of improvement are actually beneficial to the idea of Europe. The slogan should be "as much community as necessary and as possible".

Europe will have to return to its core areas of focus, especially strengthening and filling out the internal digital and energy markets and the competitiveness of the European economy as well as strengthening future investments in research, development, digitalization, etc.

We also need stronger European integration as regards defence and security policy on topics such as immigration, terrorism and safeguarding the European defence industry.

In conclusion, the Brexit decision has been taken, albeit on the basis of a very distorted perception of reality on the part of many British voters. We now have to look ahead and make the best out of it – for the well-being and safety of all Europeans. We'll soon see how much "exit" is in Brexit. What is certain is that neither the UK nor the European Union can simply stop being neighbours and give up on their close political, economic and cultural ties. The United Kingdom will remain a part of Europe.

The way the separation from the EU is carried out will be decisive in determining whether a solid, trustworthy partnership can succeed in the future.

# Brexit und der Blick nach vorne

von Joachim Pfeiffer MdB

Knapp 100 Tage vor dem formalen Ausstieg Großbritanniens aus der EU scheint wieder alles offen zu sein: Harter Brexit, weicher Brexit, gar kein Brexit? Sicher scheint allerdings zu sein, dass unter dem ständigen Hin und Her nicht nur die britische, sondern auch die deutsche Wirtschaft leidet. Vom anfänglichen Enthusiasmus in Großbritannien über die angebliche Brexit-Dividende, die etwa dem staatlichen Gesundheitsdienst zugutekommen sollte, ist nicht mehr viel übrig. Niemand sollte sich in die eigene Tasche lügen: Sowohl ein ungeordneter als auch ein geordneter Brexit schafft massive Probleme und stellt eine echte Herausforderung im bilateralen Verhältnis und in multilateralen Zusammenhängen dar. Dieser Tatsache gilt es ins Auge zu schauen und gleichzeitig auf beiden Seiten des Ärmelkanals den Blick nach vorne zu richten.

Der Brexit ist eine Lose-Lose-Situation für alle Beteiligten – aus wirtschaftlicher, finanzieller und außenpolitischer Hinsicht.

Bereits jetzt ist zu erkennen, dass wichtige Investitionsentscheidungen in Großbritannien aufgrund des Schwebezustands nicht mehr getroffen beziehungsweise aufgeschoben werden. Für 2018 rechnet die britische Handelskammer nur noch mit einem BIP-Wachstum von 1,2 Prozent, im nächsten Jahr von 1,3 Prozent. Das wären die zwei schlechtesten Jahre seit der Finanzkrise in den Jahren 2008/2009. Der schwache Pfund treibt die Inflation. Die Angst vor Zollchaos ist groß. Laut des National Institute of Economic and Social Research könnte die wirtschaftliche Leistung im Jahr 2030 um vier Prozent kleiner ausfallen als ohne Austritt. Auch die auf Januar vertagte Abstimmung über das mit der EU ausgehandelte Brexit-Abkommen ändert daran nichts. Im Gegenteil, es würde Unternehmen nur noch länger im luftleeren Raum hängen lassen.

Trotz der guten hiesigen Wirtschaftslage, sind auch deutsche Unternehmen wegen der engen Wirtschaftsbeziehungen mit UK betroffen. Das Vereinigte Königreich ist für Deutschland der dritt wichtigste Handelspartner. 750.000 Arbeitsplätze hängen hierzulande vom Export nach Großbritannien ab. Seit dem Brexit-Referendum vor zweieinhalb Jahren sind die deutschen Exporte auf die Insel um fünf Prozent zurückgegangen. Über europäische Wertschöpfungsketten sind die Industriestandorte stark miteinander verflochten. Bei einem ungeordneten Austritt rechnet der Deutsche Industrie- und Handelskammertag aktuell allein für deutsche Unternehmen mit bis zu zehn Millionen zusätzlichen Zollanmeldungen pro Jahr und über 200 Millionen Euro an Zusatzkosten nur durch diese



Zollbürokratie. Das wäre insbesondere eine Belastung für hiesige Pharma-, Kfz- und Maschinenbauunternehmen. Um sich von etwaigen Zoll- und Grenzkontrollen unabhängiger zu machen, sollte man daher über eine neue Handelsroute nachdenken, beispielsweise eine Seebrücke, die von Irland nach Rotterdam führt.

Richtig ist aber auch: Von Pfundabwertung und Wachstumsverlangsamung im Vereinigten Königreich sind deutsche Unternehmen insgesamt eher weniger betroffen, so eine aktuelle IW-Umfrage. Der Finanzsektor könnte sogar geringfügig gewinnen; im besten Fall beträgt der Wertschöpfungszuwachs 0,7 Prozent. Die direkten negativen Auswirkungen für Deutschland halten sich also nach ersten Abschätzungen in Grenzen.

Dramatischer sind hingegen die politischen Konsequenzen. Ohne Großbritannien ist die EU weniger durchsetzungsstark, etwa bei internationalen Verhandlungen. Gerade angesichts der zahlreichen internationalen Großbaustellen – ob Handelskonflikte, Klimawandel, Migrationsströme oder bewaffnete Konflikte – wird die EU auf die erfahrene, vermittelnde und ausgleichende Stimme Großbritanniens künftig verzichten müssen. Umgekehrt wird auch Großbritannien schnell merken, dass es sich etwa bei internationalen Verhandlungen, etwa für neue Freihandelsabkommen, künftig zunächst einmal hinten anstellen muss. Darüber hinaus sehe ich die Gefahr, dass sich Großbritannien mit dem Austritt nicht nur von Europa abkoppelt, sondern auch durch innere Konflikte weiter





schwächt. Der schottische Wunsch nach Unabhängigkeit und die noch immer unklare Situation in Nordirland können aus Great Britain im Handumdrehen Small England machen. Dadurch können neue, bisher undenkbbare, geopolitische Konstellationen entstehen. Zudem gilt es, einen Brexit-Domino-Effekt innerhalb der EU zu vermeiden. Populistische, europafeindliche Bewegungen von Links und Rechts schießen in vielen EU-Mitgliedstaaten schon heute wie Pilze aus dem Boden.

Die Lektion des Brexits für die EU-Mitgliedsstaaten muss daher lauten: Stärkung der EU und des Multilateralismus. Darin und nicht in Abschottung und Nationalismus, dem Rückzug in die eigenen Landesgrenzen, liegt in einer globalen Welt der Schlüssel zu Frieden, Wohlstand und Wachstum. Daher ist und bleibt Europa die kritische Betriebsgröße, um in Zukunft eine Rolle in der Welt zu spielen, ob in wirtschaftlicher, sozialer, politischer oder kultureller Hinsicht. Die Globalisierung braucht eine europäische Antwort. Hierzu muss Europa weltpolitikfähig gemacht werden – ein Europa von globaler und strategischer Bedeutung in der Welt.

Die Sicherstellung der Weltpolitikfähigkeit beginnt vor der eigenen Haustür. So gilt es, Europa für seine Bürger wieder attraktiv zu machen. Das heißt, aus dem Europa des Verwaltens muss wieder ein Europa des Gestaltens werden. Wir brauchen kein Europa der Bevormundung oder der Überregulierung. Daher habe ich auch große Zweifel, ob die vielen neuen, sich teilweise überschneidenden und

widersprechenden europäischen Regulierungen im Umwelt-, Klima-, Verbraucherschutz-, Arbeitsschutz-, Gender- und sonstigen Weltbeglückungsbereichen der europäischen Idee wirklich immer dienlich sind. Die Devise muss lauten: So viel Gemeinschaft wie nötig und wie möglich.

Europa muss sich wieder stärker auf seine Kernthemen, vor allem die Stärkung und weitere Vollandung des digitalen und Energie-Binnenmarktes, und die Wettbewerbsfähigkeit der europäischen Wirtschaft konzentrieren, ebenso auf die Stärkung von Zukunftsinvestitionen in Forschung, Entwicklung, Digitalisierung etc. Eine stärkere europäische Integration brauchen wir auch in der Verteidigungs- und Sicherheitspolitik, bei Themen wie Migration, Terrorismusbekämpfung oder Sicherung der europäischen Verteidigungsindustrie.

Fazit: Die Entscheidung zum Brexit ist gefallen, wenn auch auf Grundlage einer stark verzerrten Wahrnehmung der Realität bei vielen britischen Wählern. Nun gilt es, den Blick nach vorn zu richten und das Beste daraus zu machen – für den Wohlstand und die Sicherheit aller Europäer. Wie viel Exit in dem Brexit am Ende steckt, wird sich zeigen. Sicher ist, weder Großbritannien, noch die Europäische Union können ihre Nachbarschaft und ihre enge politische, wirtschaftliche und kulturelle Zusammengehörigkeit einfach aufgeben. Großbritannien bleibt ein Teil Europas. Die Art und Weise, wie die Trennung von der EU vollzogen wird, entscheidet am Ende darüber, ob eine vertrauensvolle und gute Partnerschaft in Zukunft gelingen kann.

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# Employee Incentives for SMEs



Gillian Dully of LK Shields Solicitors explains what types of share schemes or employee incentive arrangements are available to a start-up or a Small to Medium Enterprise (SME) to attract and retain key talent.

## Introduction

The type and size of the business will influence the suitability of a particular type of incentive arrangement. A review of the schemes available for start-ups and SMEs is set out below.

## Types of Schemes

Revenue approved share scheme arrangements (e.g. Save As You Earn Schemes and Approved Profit Sharing Schemes) are tax efficient, but they are generally unsuitable for start-ups or SMEs, because such schemes must be made available to all employees on similar terms. Unapproved schemes do not generally require Revenue approval or equality of treatment of employees and are more flexible for start-ups and SMEs.

## KEEP Share Options

The Key Employees Engagement Programme (KEEP) is a relatively new tax advantageous share option incentive arrangement for SMEs.

Qualifying SMEs may grant KEEP share options to key employees. There is no charge to taxation on the grant of a KEEP share option. Income tax is not payable on the exercise of an option which is a major advantage to KEEP. Capital Gains Tax (CGT) will be charged when the employee disposes of the shares acquired on the exercise of the share option.

There are a number of restrictive conditions that must be satisfied under the KEEP programme which may impact on KEEP's effectiveness for SMEs. The Finance Act 2018 is to amend certain conditions relating to KEEP in an effort to encourage and support SMEs in granting KEEP options to employees.

## Other Unapproved Share Option Schemes

An employer may grant options to acquire shares under an unapproved share option scheme. Generally, income tax becomes payable shortly after the exercise of share options on the difference between the market value at the exercise date and the option price paid on exercise. CGT may also apply

on the disposal of shares acquired on the exercise of a share option. A private company might consider granting both KEEP options and non-KEEP options to maximise the levels of awards of share scheme remuneration to its key employees.

## Restricted, Clogged or Forfeitable Shares

An employer may award employees free or discounted shares up front and income tax and USC are payable based on the market value of such shares. CGT may arise on the disposal of the shares. Where such shares contain genuine restrictions on the sale or transfer then the taxable value of those shares may be abated by up to a maximum of 60% for restrictions of in excess of five years. If the shares are subsequently forfeited the employee may be entitled to a rebate of tax paid.

## Growth or Flowering Shares

An employer may issue shares to employees with limited rights attaching to such shares at the date of issue. The shares will only grow into more valuable shares when certain specified events occur. A business might be able to structure growth or flowering shares so as to minimise income tax arising on the issue of the shares and ensure CGT treatment on the subsequent disposal only.

## Phantom Share Schemes and Long Term Incentive Plans

There are a wide range of employee incentive arrangements that an employer can establish, which do not involve the issue of shares to an employee. These arrangements are essentially a form of bonus arrangement for employees. They are not generally tax efficient, but they are flexible for employers and avoid the issue of shares to employees in the private company.

## Conclusion

As outlined above, there are many employee incentive arrangements available and there is no one size fits all approach. An employer should consider its objectives for establishing a scheme to assist in adopting the most appropriate type of incentive arrangement for its business.

Philip Daly is a Partner in the Corporate and Commercial Department of LK Shields Solicitors. Gillian Dully is an Associate Solicitor in the Corporate and Commercial Department of LK Shields Solicitors who advises on all legal aspects of share plans and employee incentives.



# Driving your Digital Transformation

By Gary O’Callaghan, CEO Siemens and GIC Council Member



Digitalisation is no longer an option for organisations, it is a prerequisite for survival in a digital world. It also presents massive opportunities for those businesses willing to embrace change and digital transformation. It offers opportunities to become more efficient, improve quality, scale faster, gain competitive advantage, and win new customers. Yet, according to a recent survey carried out by Siemens Ireland, almost one third of Irish companies have no strategy for this.



In addition, more than 60 per cent of respondents were unclear of the benefits and more than 70 per cent felt that too much money or effort was required to get to the data they needed.

## The thirst for Data

This is despite the fact that the so-called Internet of Everything (IoE) will be worth up to \$19 trillion by 2022 according to research carried out by Cisco. McKinsey has put the value of IoT and digitalisation to manufacturers at up to \$3.7 trillion by 2025. Furthermore, since 2009 there have been more “things” connected to the internet than people and Gartner has estimated that there are currently more than 9 billion IoT devices in operation around the globe with the number set to grow to 20 billion by 2020.

Siemens Ireland CEO Gary O’Callaghan believes there are three recurring issues that present stumbling blocks on the route to digitalisation: understanding the technologies that are available, addressing concerns about digital skills gaps within an organisation, and building and evaluating the investment case around new business models.

## A “VUCA” world

But doing nothing is not an option for O’Callaghan. “We are living in a VUCA world. It is volatile, unpredictable, complex and ambiguous. Despite this, the digitalisation of Ireland’s



industrial landscape presents a window of opportunity for boosting competitiveness by increasing productivity and enabling Irish companies to achieve greater integration into the global value chain."

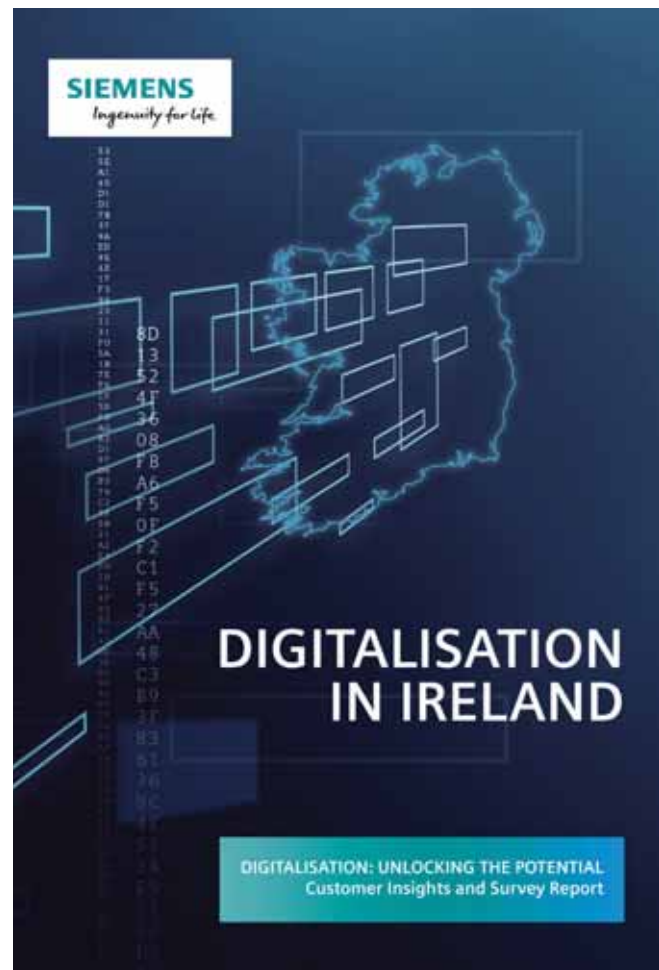
He contends that many companies in Ireland still have a way to go when it comes to implementing a holistic digitalisation strategy and should seek to improve their internal processes, productivity and cooperation with suppliers and customers. "What is needed is a strategy for a digital world", he says

"There is enormous value in data and for this reason, there is an enormous thirst for it. What we are seeing is that some companies in Ireland have already realised the value of that data and are now starting to build their digital enterprise around it. Siemens can help with this".

### New Opportunities

Technologies like data analytics, artificial intelligence, blockchain, augmented reality, and virtual reality are giving new capabilities to analyse, personalise, predict, correct in real time, automate, and reduce risk. These capabilities offer new opportunities to engage customers, empower employees, optimise operations, develop new products and services, and create new business models.

Siemens brings its knowledge and experience to bear in helping customers extract new value from the data they hold and avail of these opportunities.



### Transformation imperative

The results of the survey led Siemens to join forces with IRDG Innovation to hold a major conference on the topic. The conference, held in Dublin's Croke Park, heard from a wide range of speakers from industry, government organisations, and academia, who explored a variety of digitalisation themes. These included the need to view digital transformation as a set of strategies for a digital world rather than as a digital strategy; the fact that digitalisation is as much about people as about technology; the technologies which will be at the heart of the new digital era; the requirement to place the value proposition front and centre in digital initiatives; and how a vibrant digital ecosystem is taking shape here in Ireland.

To download the Siemens report on Digitalisation in Ireland, please go to: <https://www.siemens.com/ie/en/home/company/topic-areas/digitalization>

# Save the date for the German-Irish Chamber Christmas Lunch 6th of December 2019

The German-Irish Chamber of Industry and Commerce would like to invite you to its annual Christmas Lunch on **Friday, the 6th of December** in Dublin.

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# Aareal

# The value of the Ireland Germany Parliamentary Friendship Group

By Senator Gerard Craughwell

As convenor of the Ireland Germany Parliamentary Friendship Group in the Oireachtas, my role is to drive forward and coordinate the activities of the friendship group, and report annually on the activities of the group to the Executive Committee of the IPA Executive Committee. It is a role that I enjoy immensely as it affords a unique opportunity to forge closer links with members of the Bundestag and Senators and TD's in Ireland.

Parliamentary Friendship Groups exist in all EU National Parliaments and are cross party in composition. Their informal nature allows them to complement the formal diplomatic bilateral relations with the partner state and build strong inter parliamentary links at a working level. We are very grateful to the German Ambassador to Ireland Ms Deike Potzel who facilitates many of our bilateral meetings and exchanges.

The present Ireland Germany Friendship group is now in its third year and there have already been a number of very successful exchange visits and a series of meetings with Committee members in the Bundestag. These provide a very different kind of opportunity for frank exchange to foster a better understanding of key issues as well as deepening existing contacts. It is expressed Irish Government policy to enhance the possibility for intensified parliamentary exchange through the Ireland Germany Friendship Group including the introduction of training programmes for officials and Parliamentarian exchanges along the lines of the existing German-Franco model. It may be very beneficial for German and Irish Parliamentarians to spend a week shadowing a counterpart and attending plenary and Committee meetings along with constituency events and clinics.

One of the great benefits of being a member of the Ireland Germany Group is the way in which it facilitates opportunities for wide ranging dialogue and contact between members of the Oireachtas and German Irish business interests. The role of the German Ireland Chamber of Industry and Commerce is central to this and provides members of the friendship group with access to experts, investors, sector specific conferences and round table events.

If this network was important before, the UK's decision to withdraw from the EU has made the links between Ireland and Germany even more important. While BREXIT will present considerable challenges to both Ireland and Germany as UK trading partners, it will present new



opportunities and exciting avenues for trade between our two countries particularly as part of Enterprise Ireland's *Going Global – Exporting to Germany Guide* initiative. One would also hope that as an English speaking country Ireland will now be even more attractive to German countries currently winding down their operations in the UK.

Over the last few months, I have participated in the exploration of alternatives to the existing UK land-bridge with Ralf Lissek and members of the German-Irish Chamber of Commerce. Living as we do on the periphery of Europe and being the last link in the transport chain to and from Europe, our overdependence on the Channel Tunnel is one of the greatest challenges facing our country in a post BREXIT environment. I will continue to advocate within and outside the Oireachtas for innovative and workable solutions to the UK land-bridge issue. In this the 90th Anniversary year of the commencement of Diplomatic relations between Germany and Ireland, we can celebrate our deepening relationship with Germany at Parliamentary, Federal and EU level and can look forward to further strengthening the vital economic, social, tourism, cultural and political links between our two countries.



# Contributing to the Irish Economy



## How the so called 'bad bank' applied a positive attitude to the Irish recovery

**By Brendan McDonagh,**  
Chief Executive  
Officer, National Asset  
Management Agency



The Irish economic landscape as we enter 2019 is unrecognisable from the fraught context in which NAMA was created, 10 years previously, in 2009. NAMA was established in response to the serious crisis that had arisen in the Irish banking sector in 2008 which led to the Government introducing a number of initiatives in order to try and address the Irish crisis in the midst of a global financial meltdown.

NAMA was given a clear commercial mandate, with the legislatively defined objective *"to obtain the best achievable financial return for the state"* from its acquired assets. The Agency acquired a large balance sheet, with a €74 billion par debt loan portfolio, which was secured by circa 60,000 properties units and comprised approximately 780 debtor connections. While comparison organisations existed in other countries at the time, a bad bank of this scale was unprecedented internationally. For context, in 1992 the Swedish bad bank, Securum, acquired a loan portfolio worth €6 billion.

## Deleveraging the NAMA Loan Portfolio

On establishment, 54% (€17.5bn) of the properties securing the NAMA loan portfolio were based in Ireland, with the remaining €15 billion of secured assets located outside of Ireland, including a number of high-value assets located in Germany. In the early years, as the Irish market saw little sign of recovery, the focus was on deleveraging the overseas portfolio where the market was more buoyant. German-based assets formed part of this strategy with a total asset value €846 million, 85% of which was commercial property. NAMA worked with debtors and insolvency professionals to maximise return from the range of assets located in Germany and, in line with the Agency's wider deleveraging strategy, by 2016 all German based assets had been disposed. At the start of 2019 our residual portfolio is almost exclusively secured by assets located in Ireland.

### German Assets Disposal (€m)

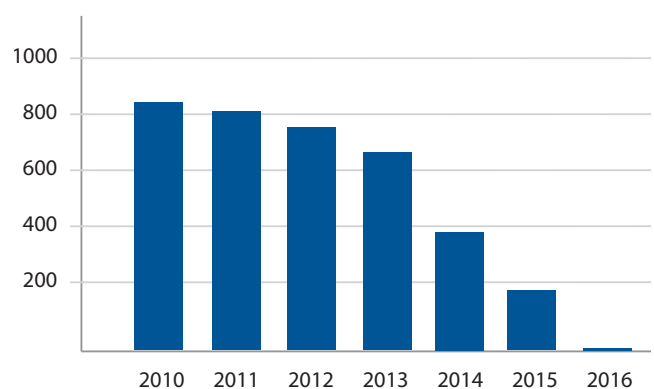


Figure 1: Disposal of German Assets from 2010-2016



### Contribution to the Irish economy

NAMA purchased loans from the Irish banks using €30.2 billion in Government Guaranteed Senior Bonds, therefore creating a contingent liability for the Irish State. NAMA's core objective, from the outset, was to reduce and ultimately redeem this state guaranteed debt and thereby stabilise and reduce any burden on the State's debt costs. In October 2017, three years ahead of schedule, NAMA redeemed the final portion of senior debt therefore eliminating the contingent liability. Despite the early outlook that subordinated debt was unlikely to be repaid, we have already redeemed over €500million of the €1.6bn subordinated debt by the end of 2018.

While achieving this core debt redemption objective was crucially important, making a positive impact on the Irish economy has also been a priority for the organisation reflected in our residential delivery and Dublin Docklands objectives.

### Delivering 20,000 new homes

NAMA has funded, through its debtors and receivers, the delivery of much needed residential property across Ireland, where commercially viable. The timing of this was significant as investment and funding was badly needed to help increase supply in the face of growing demand. To date, we have already directly funded the delivery of over 9,500 residential units with a further 9,500 under construction or with planning permission. A further 3,000+ units have been delivered or are under construction on sites which have been sold by NAMA or where the associated loans have been sold or refinanced.

A further contribution to addressing housing needs was made through identifying suitable properties for social housing from NAMA's secured portfolio. To date, almost 2,500 units have been delivered to local authorities and approved housing bodies. NARPS, a special purpose vehicle, was created in order to streamline delivery. NARPS purchases suitable units from NAMA's debtors and receivers, enabling the funding of remediation works and directly leases them to local authorities and housing bodies. In total over €350 million has been invested by NAMA/NARPs in the remediation and purchase of units for social housing purposes.

NAMA had an initial exposure to 335 unfinished housing estates often referred to, 'Ghost estates'. We have contributed to the completion and improvement of these estates providing significant funding to debtors and receivers for remedial and site completion works, in many cases involving estates in their entirety. By the end of 2018, NAMA has exposure only four unfinished housing estates, across three counties, each with advanced resolution strategies in place.



Before and after images of Aisling, Ennis, Co. Clare

### Driving regeneration

Following the designation of a large part of the Dublin Docklands area with 4.1 m square feet of commercial property and over 2,000 residential units as a Strategic Development Zone (SDZ) a key objective for the Agency has been to facilitate the development and regeneration of the Dublin Docklands. With 75% of the developable land within the SDZ secured to NAMA at the time, we committed to contribute to the Docklands SDZ not only in terms of project funding, but also in bringing confidence, direction and drive to the process. The influx of funding from private investors, as recovery took hold, ensured that NAMA avoided putting taxpayers' money at risk but we are proud to have been able to act as a catalyst for the development and to have generated activity in the Docklands area leading to a remarkable transformation of many formerly derelict sites.

### Remaining objectives

NAMA is on track to deliver a substantial return to the Exchequer; current indications are that €3.5 billion will be repaid to the state when NAMA completes its work, subject to prevailing market conditions. We will use the remaining lifetime of NAMA to continue to facilitate the delivery of as much housing as is commercially possible from our secured sites, finalise our work in the Docklands and to maximise the value of our residual portfolio with the aim of delivering the strongest possible surplus to the Irish Exchequer on completion.

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# North Rhine-Westphalia is firmly on the side of Ireland

by Oliver Krauß



The German-Irish Chamber of Industry and Commerce provides future-oriented services bolstering the friendship between these two countries. The diverse investments in the bilateral relationships function with a good understanding as "the normative power of the factual" with a direct line of sight to the successful patterns of economic integration that introduced the process of European integration in the period after the end of the Second World War.

As the largest state in the Federal Republic of Germany, North Rhine-Westphalia has deep-rooted, friendly relations with the Republic of Ireland. March 17th is firmly established as part of our shared experience, along with June 16th, Heinrich Böll, James Joyce, Samuel Beckett and of course the Irish pubs in our streets and squares. The economic interconnectedness is tightly woven, with trade volume most recently calculated at €2.76 billion.

Solidarity in Europe is the most important national task, with the authority to protect citizens and defend our interests. To that end, the state government of North Rhine-Westphalia, along with significant support from the state parliament, has also stepped in with dynamic partnership and cooperation structures. With this in mind, our state is firmly on the side of Ireland.

Our European community guaranteed peace after the war, as well as wide-ranging prosperity and freedom in the internal markets. The contemporary task of reinforcing one and other in our global age, firmly based in our common values, will require the optimal regeneration of Europe after Brexit. In the words of the Irish prime minister, Taoiseach Leo Varadkar, in Strasbourg on 17 January 2018, in an encouraging address on the future of Europe: We're "going to need to stick together if we are to protect what we have and export our values and world view. A Europe worth building is a Europe worth defending."

The United Kingdom has decided to become a non-member in relation to the EU but nonetheless will remain a friend and important partner on the global stage. Compensation across Ireland's internal border is substantial for stability and order post-Brexit if a desirable reversal of the decision is not reached.

The membership Ireland and the United Kingdom have had in common since 1973 helped limit the unilateral separation in the "Northern Ireland conflict" between the two "guardians". Interactions within the internal market and the customs union have promoted convergence and understanding in everyday situations, a deconstruction of ideology.

Closer ties via "twin tracks" aimed at reducing mutual reluctance. These involved US diplomacy under the Bill

Clinton administration and taking steps towards European unification, with economic integration that preceding political integration, thus creating capable European institutions step-by-step.

Ireland's development into the "Celtic Tiger" used the power of the Community. Under its umbrella, disciplined consolidation was successful after the real estate bubble burst. Over the years, there has also been a change in both reality and perception. Multilateral and European impulses make a decisive contribution to national questions and conflicts are increasingly receding into the background. As regards everyday experiences in Northern Ireland, the violent nature of the conflict has been replaced by cooperation and peaceful coexistence.

Taoiseach Leo Varadkar made a very expressive comparison in his Strasbourg speech: "John Hume spoke many times about the symbolism of the bridge [...], connecting Strasbourg to Kehl just across the border in Germany. [...] Today there is a peace bridge crossing the river Foyle, bringing together the divided communities in John's native city of Derry in Northern Ireland, a bridge the European Union helped to build."

This comparison shows the vitality of daily border transfers. Up to 275 border crossings are the most important passages for the trade channels with the continent, by sea and by land. In 142 areas, the Good Friday Agreement and EU membership provide concrete support for smooth cooperation. In the European Community and the federal structure of the Federal Republic of Germany, North Rhine-Westphalia stands on the side of Ireland with significant support to preserve this "invisible, frictionless border" between the north and the south of Ireland.

The UK's withdrawal has no winners. It makes the Community poorer, and it will not live up to the hopes associated with it. But the renewed balance between Ireland and Northern Ireland that Brexit demands also presents opportunities. Negotiating this requires reconfirming the unifying values of Europe and updating diplomacy. In this context, successful solidarity with the United Kingdom can become a milestone in further developing the European Community as a multilateral project in its external behaviour (as well), forming a direct, bilateral path to its partners and being a pillar for a solid, multilateral world order.

*Oliver Krauß is a member of the parliament of the federal state North Rhine-Westphalia and Spokesperson of the CDU in North Rhine-Westphalia for Europe and International Affairs.*





# Nordrhein-Westfalen steht fest an der Seite Irlands

von Oliver Krauß

Die Deutsch-Irische Industrie- und Handelskammer leistet im Rahmen der Freundschaft unserer beiden Länder wegweisende Dienste. Die vielfältigen Investitionen in die bilateralen Beziehungen wirken im guten Verständnis als „normative Kraft des Faktischen“, in direkter Sichtlinie zu den erfolgreichen Mustern der wirtschaftlichen Integration, die den europäischen Einigungsprozess in der Nachkriegszeit anleiten.

Als größtes deutsches Bundesland hat Nordrhein-Westfalen freundschaftliche, tief wurzelnde Beziehungen zur Republik Irland. Der 17. März ist in unserem Zusammenleben ein fester Begriff, ebenso der 16. Juni, Heinrich Böll, James Joyce, Samuel Beckett und selbstverständlich die Irish Pubs an unseren Straßen und Plätzen. Die wirtschaftlichen Verflechtungen sind engmaschig, das Handelsvolumen belief sich zuletzt auf 2,76 Milliarden Euro.

Der Zusammenhalt in Europa ist wichtigstes nationales Anliegen mit der Legitimation, die Sicherheit der Bürgerinnen und Bürger zu schützen und unsere Interessen zu verteidigen. Dafür tritt auch die nordrhein-westfälische Landesregierung ein, mit großer Unterstützung des Landtags, mit lebendigen Strukturen der Partnerschaft und Kooperation. In diesem Bewusstsein steht unser Bundesland fest an der Seite Irlands.

Unsere Europäische Gemeinschaft hat die Friedensordnung der Nachkriegszeit garantiert, ebenfalls den weitgehenden Wohlstand und die Freiheit im Binnenmarkt. Der zeitgenössische Auftrag, das eine und das andere im globalen Zeitalter zu untermauern, auf gefestigter Grundlage unserer gemeinsamen Werte, verlangt im Zuge der Brexits die optimale Regeneration Europas. Nach den Sätzen, die der irische Premierminister, Taoiseach Leo Varadkar, am 17. Januar 2018 in Straßburg gefunden hat, in einer ermutigenden Rede zu der Zukunft Europas: *We're „going to need to stick together if we are to protect what we have and export our values and world view. A Europe worth building is a Europe worth defending“.*

Das Vereinigte Königreich hat sich gegenüber der EU zur Drittstaatlichkeit entschieden, wird in jedem Fall aber Freund und wichtiger Partner in der globalen Welt bleiben. Der Ausgleich über die irischen Binnengrenzen hinweg ist für eine gute und stabile Nach-Brexit-Ordnung substanziell, wenn es zu einer wünschenswerten Umkehr des Richtungsentscheides nicht kommt.

Die gemeinsame Mitgliedschaft Irlands und des Vereinigten Königreiches seit dem Jahr 1973 hat geholfen, die einseitige Sortierung im „Nordirland-Konflikt“, zwischen beiden „Guardians“, zu begrenzen. Das Miteinander in Binnenmarkt und Zollunion hat die Annäherung und Verständigung im Alltag, die Entideologisierung, gefördert.

Annäherungen über „twin tracks“ zielten ab auf ein Aufbrechen der wechselseitigen Verweigerung: über die US-Diplomatie

der Bill Clinton-Administration, über das Einlenken in die Schrittfolgen der Europäischen Einigung, mit einer wirtschaftlichen Integration, die der politischen Integration vorausgeht und handlungsfähige europäische Institutionen Zug um Zug schafft.

Die Entwicklung zum „Celtic Tiger“ nutzte die Kraft-Quellen der Gemeinschaft, unter ihrem Schirm gelang die disziplinierte Konsolidierung nach der Immobilienblase. Im Lauf der Jahre kam es darüber hinaus zu einem Wirklichkeits- und Wahrnehmungswandel. Die multilateralen und europäischen Impulse tragen entscheidend dazu bei, dass die nationalen Fragen und Konflikte mehr und mehr in den Hintergrund treten. Als Alltagserlebnis in Nordirland wird die Gewaltförmigkeit des Konfliktes von Erfahrungen der Kooperation und des friedlichen Miteinanders abgelöst.

Taoiseach Leo Varadkar hat in seiner Straßburger Rede einen äußerst beziehungsreichen Vergleich zitiert: *„John Hume spoke many times about the symbolism of the bridge [...], connecting Strasbourg to Kehl just across the border in Germany. [...] Today there is a peace bridge crossing the river Foyle, bringing together the divided communities in John's native city of Derry in Northern Ireland, a bridge that the European Union helped to build.“*

Dieser Vergleich bildet die Lebendigkeit tagtäglicher Transfers ab. Bis zu 275 Grenzübergänge sind wichtigste Passagen für die Handelskanäle mit dem Kontinent, zu See, zu Land. In 142 Bereichen unterbauen das Karfreitagsabkommen und die EU-Mitgliedschaft das reibungslose Miteinander ganz konkret. In der Europäischen Gemeinschaft und der föderalen Ordnung der Bundesrepublik steht Nordrhein-Westfalen mit großem Rückhalt an der Seite Irlands, diese „invisible, frictionless border“ zwischen dem irischen Norden und dem Süden zu bewahren.

Ein Austritt Großbritanniens hat keine Gewinner, er macht die Gemeinschaft ärmer, er wird die damit verbundenen Hoffnungen kaum halten. Aber der erneuerte Ausgleich zwischen Irland und Nordirland, zu dem der Brexit nötigt, hat auch Chancen: Sein Aushandeln erfordert, sich der verbindenden Werte in Europa zu vergewissern und die Diplomatie zu aktualisieren. Der gelingende Schulterschluss mit dem Vereinigten Königreich kann in diesem Sinn Wegmarke werden, die europäische Gemeinschaft als multilaterales Projekt (auch) in ihrem Außenverhalten weiterzuentwickeln: das den direkten, bilateralen Weg zu den Partnern bildet und Säule einer guten multilateralen Weltordnung ist.

*Oliver Krauß ist Mitglied des Landtages von Nordrhein-Westfalen und Sprecher der CDU-Landtagsfraktion von Nordrhein-Westfalen für Europa und Internationales.*

# Ireland: An Update on Recent Tax Reform

By Paddy Stepleton

Over the past 5 years, Ireland introduced a number of reforms both prior to and following the OECD's Base Erosion Profit Shifting reports. Further changes will be introduced over the next 5 years. We have summarised recent changes below;

- Changes were made to Ireland's corporate tax residence rules in Finance (No.2) Act 2013 to prevent Irish incorporated companies from being stateless for tax purposes and in Finance Act 2014 to shut down known structures (such as the so-called 'Double Irish') which were designed to exploit gaps in US anti-avoidance rules.
- Ireland has continuously made changes to ensure the regime is constantly up to date with best practice on tax transparency and exchange of information. Ireland is one of only 24 jurisdictions to have been found to be fully compliant with new international best practice by the Global Forum on Tax Transparency and Exchange of Information. Ireland was an early adopter of the OECD Common Reporting Standard on Exchange of Financial Account Information, and in 2012 Ireland became the 4th country in the world to sign Foreign Account Tax Compliance Act agreement with the USA.
- Ireland commissioned and published a Spillover Analysis, carried out by the independent International Bureau of Fiscal Documentation (IBFD), to examine the impact of the Irish corporation tax regime on developing countries.
- Ireland introduced Country by Country Reporting in Finance Act 2015 and subsequently agreed Directive (DAC4) to ensure a consistent approach across the EU.
- Ireland fully implemented EU Directive (DAC3) to provide for the automatic exchange of information on advance cross-border tax rulings and advance pricing arrangements among all Member States. Ireland is also fully compliant with the BEPS Action 5 requirements on exchange of taxpayer information.
- Ireland was among the group of countries to sign the BEPS Multilateral Instrument. This will see the majority of Ireland's tax treaties updated to be compliant with BEPS standards.
- Ireland agreed two Anti-Tax Avoidance Directives (ATADs) with fellow EU Member States in 2016 and 2017. The ATADs represent binding commitments to implement 3 significant BEPS recommendations into Irish law as well as two additional anti-avoidance measures.
- Ireland agreed an EU Directive (DAC5) to ensure access for tax administrations to information about beneficial owners of companies and other information held for anti-money laundering purposes. Ireland has made necessary tax Regulations to ensure Revenue can access and exchange information on beneficial ownership of companies. Further work is ongoing on implementing the relevant anti-money laundering Directives.
- Ireland agreed an EU Directive (DAC6) to introduce a common mandatory reporting regime for tax advisers and companies where certain transactions are entered



into. Ireland was one of only 3 EU Member States to already have a mandatory disclosure regime in place prior to the agreement of the Directive.

- Ireland agreed the Directive on Dispute Resolution Mechanisms to extend the availability of arbitration when two Member States disagree on how, and where, a taxpayer should be taxed.
- Ireland commissioned an independent expert, Mr. Seamus Coffey, to carry out a thorough review of our Corporation Tax Code and to make recommendations for any reforms that may be needed. This review was published in September 2017 and work commenced on implementing the review's recommendations in Finance Act 2017.
- To update Irish transfer pricing rules, the 2017 OECD Transfer Pricing Guidelines will be incorporated into Irish law and will apply from 1 January 2020.
- As part of Ireland's commitment to implementing ATAD, Budget 2019 (announced October 2019) introduces a new ATAD compliant exit tax regime with effect from 10 October. It will tax certain unrealised capital gains where companies migrate or transfer assets offshore. The rate for the new ATAD compliant exit tax will be set at 12.5%.

- Finance Bill 2018 provides for the introduction of a Controlled Foreign Company (CFC) rules as required by the ATAD with effect from 1 January 2019. These rules seek to tax certain low taxed overseas profits. While these rules may apply an additional compliance burden, given Ireland's low corporate tax rate, CFC rules are not likely to have a significant net impact on the tax profile of Irish based MNCs.

Ireland has managed to implement these reforms while still maintaining a competitive but compliant and transparent tax regime, which contributes to maintaining Ireland's attractiveness as a top destination for FDI business. A key factor in this respect is the certainty of Ireland's 12.5% corporate tax rate which has been continually confirmed as a long-term cornerstone of Irish economic policy.

German headquartered groups have a long history of investing in Ireland to access skilled resources in particular sectors, and even with recent and ongoing reforms, there are no Irish tax reasons that should influence this trend adversely. Particularly considering the availability of the Knowledge Development Box reduced rate of 6.25% and the R&D tax credit regime, Ireland should continue to remain an extremely attractive jurisdiction for German groups seeking to access highly skilled resources in an efficient jurisdiction.

Paddy Stapleton,  
Tax Director, RSM Ireland



# The Cybersecurity Directive and National Transposition in Ireland and Germany

By Laura Keogh

With this Article, we would like to remind readers about the Cybersecurity Directive, known as the NIS Directive 2016/1148, which places notification obligations on applicable entities where a security incident occurs, as well as requirements for the implementation of security measures. This is important to remember in light of the GDPR, as in addition to security and notification obligations under the GDPR, parallel obligations may arise vis a vis cybersecurity requirements.

## The Directive

The NIS Directive came into force on 8 August 2016. Member states were required to transpose the NIS Directive by 10 May 2018.

The NIS Directive forms part of the EU Cybersecurity Strategy, which has the goal of establishing a basic EU-wide standard for digital security. The NIS Directive is significant because it requires operators of essential services (OES) and digital service providers (DSP) to implement measures to protect the network and information systems that they are using and places notification obligations on those entities when a security incident occurs.

## Operators of essential services (OES)

In order for an entity to be categorised as an OES, the entity must:

- Operate in one of the identified sectors: energy, transport, banking, financial market infrastructures, health, drinking water supply and distribution or digital infrastructure sector,
- Provide a service that is essential for the maintenance of critical societal and/or economic activities, and
- Operate a service that depends on network and information systems, which, if impacted, would cause a significant disruption to the provision of the service.

Member states are to identify each OES on their territory; in Ireland it was stated that the national designation would take place before 9 November 2018.

## Digital service providers (DSP)

A DSP is an entity that provides a digital service. A digital service is one that has the following elements:

- A service that is normally provided for remuneration
- Is provided at a distance, (there should be no need for the parties to be simultaneously present)
- Is provided by electronic means, (is sent, transmitted and received via electronic means)
- Is provided at the request of the recipient of the service, and
- Is a service type linked to a:
  - Online marketplace,
  - Online search engine, or
  - Cloud computing service.

However, micro and small enterprises are excluded from the above definition i.e. if the entity employs fewer than 50 people and has an annual turnover (and/or annual balance sheet total) of less than €10 million, then the entity is not considered a DSP vis a vis the Directive.

Member states do not need to identify each DSP, the onus is on the entity itself to determine whether it is a DSP.

## Transposition by Germany

Germany transposed the NIS Directive via the 2015 IT Security Act (pre-dated the Directive) and via the 2017 Implementation Act, which included amendments to the BSI Act and Telecommunications Act.





Entities falling within the scope of the Directive are required to report security incidents to the Federal Office for Information Security (BSI).

If a DSP or OES fails to meet the new requirements, fines of up to €50,000.00 may be imposed.

### Transposition by Ireland

Ireland transposed the NIS Directive in September 2018 via S.I. No. 360 of 2018.

Within Ireland, entities falling within the Directive are required to report security incidents to the National Cyber Security Centre, which is part of the Department of Communications, Climate Action and Environment. The OES and DSP are subject to a 72 hour notice period when an incident occurs and likewise subject to a 72 hour notification requirement when the incident has been resolved.

If a DSP or OES fails to meet the new requirements, criminal fines of up to €500,000.00 may be imposed.

### Notification

OES are required to notify where there are disruptions to their system, which have led or may lead to a failure or significant impairment to the critical infrastructure.

DSP are required to notify where a security incident occurred, which has a significant impact on the digital services provided in the EU. The criteria for what classifies as a significant impact is a high threshold and is detailed within Commission Implementing Regulation (EU) 2018/151 (entered into force 10 May 2018).

The notification obligation does not apply to entities that already have a notification obligation under the Framework Directive 2002/21/EC or Article 19 of the eIDAS Regulation No 910/2014.

Non OES or DSP entities may also notify the relevant authority on a voluntary basis where a security incident impacted their provision of services.

The Directive states that notifications must take place without undue delay. As stated in above, within Ireland this is specified as 72 hours.

### Security standards

OES are required to impose security measures proportionate to the potential risks. The security measures for DSP are set out in Commission Implementing Regulation (EU) 2018/151 (entered into force 10 May 2018). This is not a set of technical measures, but rather specifies the need for policies, risk assessments, and similar security conscious activities.



### Summary

- If an entity is classified as an OES or DSP, there are obligations under the NIS Directive and respective national transpositions
- These obligations include appropriate security standards and an obligation to notify the requisite authority when a security incident occurs

Should you need any assistance with the notification procedure, or any related topics, we would be pleased to help. Please address any queries to [keogh@mhl-law.de](mailto:keogh@mhl-law.de) or [ludwig@mhl-law.de](mailto:ludwig@mhl-law.de) and we will get back to you as soon as possible.

Laura Keogh BL,  
MHL-Law, Munich



# Venue No 5 Fitzwilliam Street



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### Past events held in the Chamber office include:

- Round table business dinner hosted by Siemens
- European Chamber round table lunch with NAMA CEO Brendan McDonagh
- Round table business lunches hosted by the German Embassy (eg. topics included Brexit, IT Sector and housing sector)
- Information seminar hosted by NRW invest
- 'Inspiring change' information evening with Scott McInnes
- Networking event with guest speaker Lynn Temple from Magee
- Evening with Gisbert Kuegler from Ornua
- German wine tasting with the Winequeen of Rheinhessen Anna Goehring

If you have any queries or if you are interested in hearing more about the Chamber as a potential venue for your next upcoming event please do not hesitate to contact:

Helen Dunne, Head of Events and Patronage

Phone: 01-6424-300 or 087 3168343

Email: [helen.dunne@german-irish.ie](mailto:helen.dunne@german-irish.ie)

**Half day rate from €250**



# Let us organise your personalised event in Dublin!

**Did you know that the German-Irish Chamber offers a full event management service?**

- Do you need assistance in organising your next company event?
- Do you have German clients/business partners coming to your Irish office this year and need an interesting programme for them?
- Does your company have an important event planned for this year and need some ideas/suggestions on what kind of event to have?

Helen Dunne (Event Manager) and the DEinternational Team will deliver a top quality event to match your individual requirements and budget.

As a Head of Events & Patronage at DEinternational, the consultancy wing of the German-Irish Chamber of Industry and Commerce, Helen Dunne and her event management team organise more than 50 events annually.

Before joining the chamber Helen worked as a Business Development Manager for a leading Irish incoming tour operator, selling Ireland both as a holiday destination and an ideal location for foreign companies to visit for business. With Helen's expertise, we can offer a full event management service and organise any type of event, no matter how big or small, while keeping costs extremely competitive.

## Unique Selling Point

We can organise a programme for you, your clients, or you colleagues from start to finish – just one invoice. Within that programme, we will arrange business visits with patrons and members of the German-Irish Chamber network tailored to your particular sector/needs. Don't hesitate to contact us with any idea you have in mind!

## Our Service

With over 15 years expertise, Helen guarantees to find the most suitable hotels and catering services for you. We liaise with top-class, experienced and reliable contractors to provide, for example, catering, entertainment, venue and technical equipment. Helen and her team will secure the best possible price for your upcoming event and can guarantee you the best possible price for same. Also note that the Chamber is a non for profit organisation. Your events will be planned, organised and run using the most efficient and highest quality procedures (certified according to ISO 9001:2008). We take your event from the initial idea to the production so you save precious hours of your time. If you are looking for more information, please don't hesitate to contact Helen.

*Dear Helen,*

*I just wanted to say a HUGE thank you for organising our entire business trip to Ireland. All of the participants enjoyed the exciting programme that you put together for us including important business meetings with requested companies and in particular sectors as well as the main tourist attractions to see in Dublin and some great restaurant choices.*

*Helen you went well and above your call of duty and were always at the end of the phone if needs be.*

*Thanks again for all your hard work and I would have no hesitation in recommending you to business partners looking to travel to Dublin for their next event.*

*Klaus Wegener,  
Auslandsgesellschaft  
Nordrhein-Westfalen*

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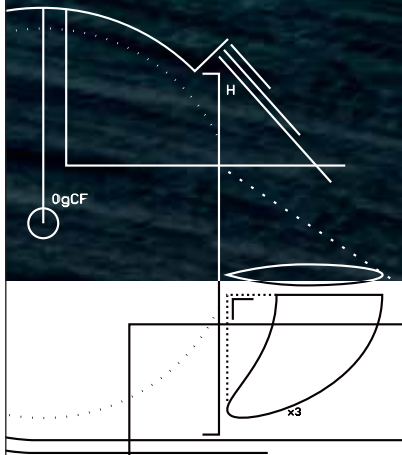
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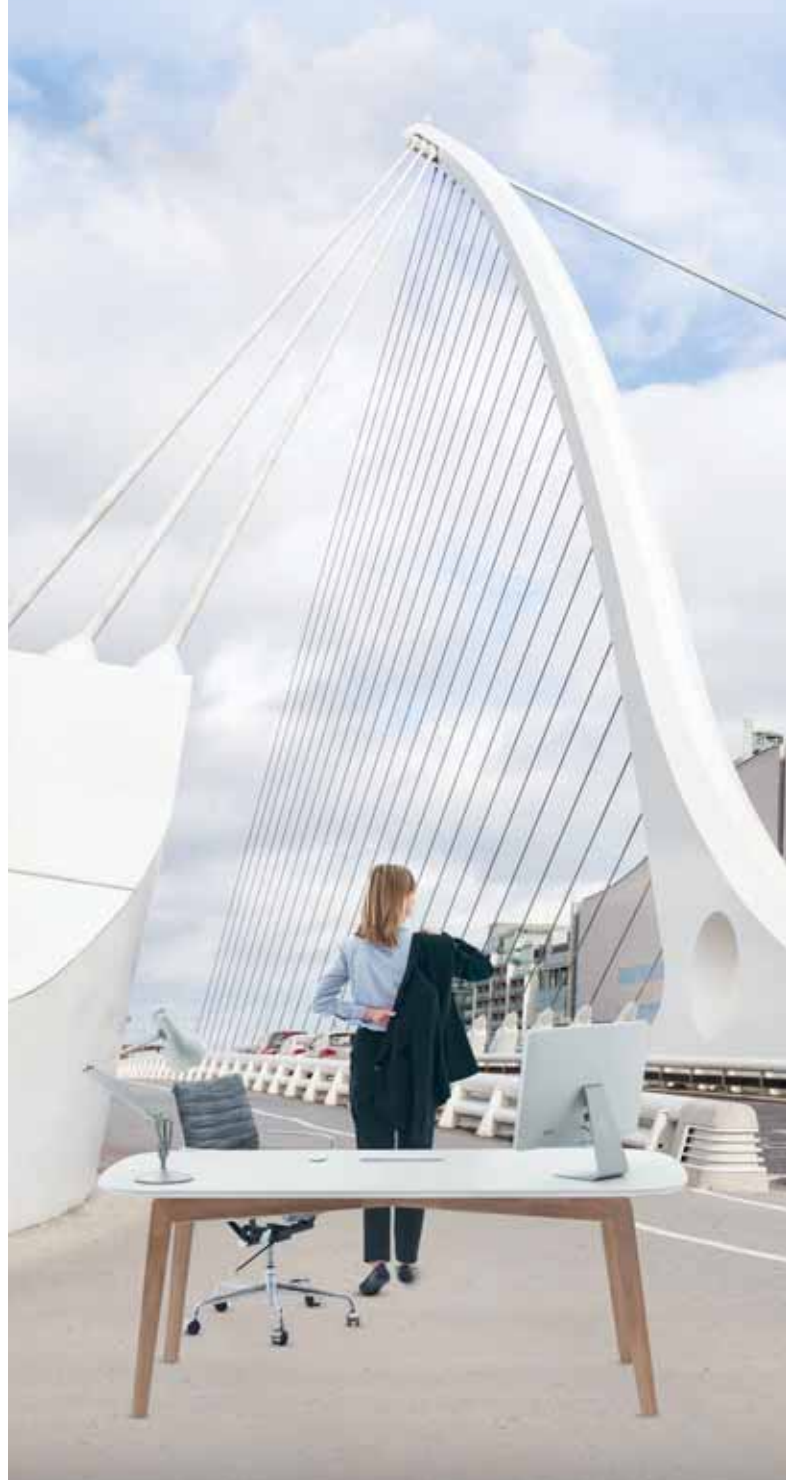
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DEinternational is the service-providing unit of the German-Irish Chamber of Industry and Commerce. Its service spectrum is tailored to assist Irish and German companies to develop a firm foothold in their respective target markets. Detailed information about DEinternational Ireland's services is available online at [www.DEinternational.ie](http://www.DEinternational.ie)

## JUNE

4	International Foreign Trade Day (IBT), Stuttgart Chamber of Industry & Commerce	Free	JG
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## SEPTEMBER

TBC	Trade mission to Ireland Health Management – Medical & Hospital Technology	Free	JG
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## OCTOBER

21 – 24	Trade mission to Ireland Energy Efficiency Wind Energy/Onshore – Offshore	Free	JG
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## NOVEMBER

21	Export Day Bavaria 2019, Munich Chamber of Industry & Commerce	Free	JG
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More events will be added in the coming months.



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## We are here to support you



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Managing Director

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DEInternational is the consultancy wing of the German-Irish Chamber of Industry and Commerce. Its service spectrum is exactly tailored to assist Irish and German companies to develop a firm foothold in their target markets.

*DEInternational ist die Servicemarke der Auslandshandelskammer Irland. Das Dienstleistungsspektrum ist ganz darauf zugeschnitten, deutschen und irischen Unternehmen den Weg in ihre Zielmärkte zu ebnen.*

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- Recruitment



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**Jens Günther**  
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**Ellen McGrath**  
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**Olivia Hausen**  
Head of PR and Lobbying

Olivia has joined DEInternational in October 2018. With many years of experience in Public Relations & Communication, Olivia has taken over not only the PR Department but is also responsible for all on-going lobbying activities.

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# UP TO DATE

## Trade fairs Düsseldorf 2019



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	2019		
viscom*	08.01.–10.01.	www.viscom-messe.com	
ENERGY STORAGE EUROPE	12.03.–14.03.	www.ESExpo.com	
GIFA	25.06.–29.06.	www.gifa.com	
METEC	25.06.–29.06.	www.metec.com	
THERMPROCESS	25.06.–29.06.	www.thermprocess-online.com	
NEWCAST	25.06.–29.06.	www.newcast.com	
tasc	11.10.–12.10.	www.tasc-expo.com	
K	16.10.–23.10.	www.k-online.com	

#### TRADE AND SERVICE

	2019		
PromoTex Expo*	08.01.–10.01.	www.promotex-expo.com	
PSI**	08.01.–10.01.	www.psi-messe.com	
EuroCIS	19.02.–21.02.	www.eurocis.com	
ProWein*	17.03.–19.03.	www.prowein.com	
Flotte! Der Branchentreff*	20.03.–21.03.	www.derbranchentreff.de	
ElectronicPartner*	22.03.–24.03.	www.electronicpartner.com	
BioWest*	07.04.–07.04.	www.biowest.info	
Chefs Culinar*	15.09.–16.09.	www.chefsculinar.de	
Architect@Work*	04.12.–05.12.	www.architectatwork.de	

#### MEDICINE AND HEALTH

	2019		
REHACARE	18.09.–21.09.	www.rehacare.com	
expopharm*	25.09.–28.09.	www.expopharm.eu	
A+A	05.11.–08.11.	www.aplusa.com	
MEDICA	18.11.–21.11.	www.medica-tradefair.com	
COMPAMED	18.11.–21.11.	www.compamed-tradefair.com	

#### LIFESTYLE AND BEAUTY

	2019		
BEAUTY DÜSSELDORF*	29.03.–31.03.	www.beauty-duesseldorf.com	
make-up artist design show*	30.03.–31.03.	www.make-up-artist-show.com	
TOP HAIR - DIE MESSE*	30.03.–31.03.	www.top-hair-international.com	
INTERBRIDE*	04.05.–06.05.	www.interbride.eu/en	

#### LEISURE

	2019		
boot Düsseldorf	19.01.–27.01.	www.boat-duesseldorf.com	
CARAVAN SALON	30.08.–08.09.	www.caravan-salon.de	
TourNatur	06.09.–08.09.	www.tournatur.com	

<sup>1)</sup> Trade visitors and media

\* Only for trade visitors or trade buyers with trade credentials

\*\* Only for PSI members



# TRADE MISSION “ENERGY EFFICIENCY IN THE BUILDING SECTOR” 17TH-20TH SEPTEMBER 2018



In September 2018 the German-Irish Chamber organised a trade mission in the area of Energy Efficiency in the Building Sector.

At the conference on the 18th September five innovative German companies, as well as several German and Irish speakers, covered several aspects concerning the energy efficiency sector.

The conference was officially opened by Elmira Schaltuganow, project manager for the Energy Export Initiative of the Federal Ministry for Economic Affairs and Energy. An overview over the German Energy Solutions Initiative was given by Verena Brennan, manager at energiewaechter GmbH.

Over 40 delegates attended the conference, and a number of successful meetings were organised for the German participants on the 19th and 20th September. The German participants travelled all over Ireland for a number of fruitful meetings with different Irish companies interested or already trading in the sector of energy efficiency.

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# TRADE MISSION: “ELECTRONICS AND ICT EQUIPMENT IN IRELAND” 3RD-6TH DECEMBER 2018, DUBLIN



In December 2018 the German-Irish Chamber organised a trade mission in the area of Electronics and Information and communication technology (ICT) equipment. Eight German companies from this sector visited Ireland to explore business opportunities with potential Irish partners.

The conference included a mix of expert talks and presentations by the German participants. Adam Nabudowicz (DIT)

spoke on 'wireless communication', John Whelan (TCD) spoke on German collaboration with Irish research institutes, and Martin Johnson (DIT Connect) gave an overview of the National Centre for Research.

Over 40 delegates attended and a number of successful meetings were organised for the German participants during their four day visit.



The German companies were able to establish relationships with Irish business partners and clients.

For further information or questions on this project, please contact:

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### Fiskalvertretung für "bwe Energiesysteme GmbH & Co.KG"

Das Unternehmen wurde im Jahr 2000 unter dem Namen "bwe biogas-weserems GmbH & Co. KG" gegründet. Zu diesem Zeitpunkt standen ausschließlich Biogasanlagen im Fokus.

Jedoch haben sich aus dem komplexen Know-how rund um das Thema Biogas starke eigene Kompetenzfelder entwickelt, welche sowohl für Industrie- und Gewerbekunden als auch für Landwirte profitabel sind.

Das schnell anwachsende Spektrum des Unternehmens erforderte so bald eine Anpassung des Firmennamens zu "bwe Energiesysteme GmbH & Co. KG". Der neue Name trat zum 1. Januar 2016 in Kraft.

Mit einfallsreichen Lösungen macht bwe Energiesysteme durch neueste Technik, qualifizierte Mitarbeiter und der Stellung eines Generalunternehmens eine im höchsten Masse wirtschaftliche Produktionsweise möglich.

### Zusammenarbeit mit DEinternational

Die bwe Energiesysteme GmbH & Co. KG bekam den Auftrag für den Bau einer Biogasanlage in Irland.

Aus diesem Grund wandte sich das Unternehmen an DEinternational Irland und diese übernahm daraufhin die Fiskalvertretung für das Unternehmen in Irland.

DEinternational Irland unterstützte bwe Energiesysteme bei der Steuerregistrierung für die Mehrwertsteuer, die Lohnsteuer, die Bauabzugssteuer und bei der Rückerstattung der Bauabzugssteuer.

Bei der Bauabzugssteuer handelt es sich im irischen Steuerrecht um die "Relevant Contract Tax" welche in der

Regel bei allen Verträgen fällig wird, bei denen Bauarbeiten durchgeführt werden.

Letztlich bedeutet dies, dass diese Steuer für 100% des Auftragswertes gelten kann, auch wenn der Montageanteil nur gering ist.

Bei fehlender Meldung oder Nichteinreichung der "Relevant Contract Tax" können Strafen in Höhe von bis zu 35% des Zahlungsbetrages verhängt werden.

Des Weiteren beantragte DEinternational Irland für bwe Energiesysteme die Lohnsteuerbefreiung. DEinternational Irland führte dafür die entsprechende Korrespondenz mit der irischen Steuerbehörde.

Auf diese Weise wurde durch DEinternational Irland sichergestellt, dass die bwe Energiesysteme GmbH & Co. KG alle Anforderungen des irischen Steuerrechts einhielt und alle einbehaltenen Steuern zurückerhielt.



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**BWE ENERGIESYSTEME  
GMBH & CO. KG**





Der Herrenschneidermeister Johann Hinrichs gründete 1954 die Firma Hinrichs in Mittegrobefehn und begann mit der Maßanfertigung von Herrenbekleidung für einen kleinen Kundenkreis.

1970 wurden bereits 200 Hosen täglich produziert. Heute erreicht das Unternehmen mit einer Produktionskapazität von 2300 Hosen täglich eine Gesamtproduktion von mehr als einer halben Million Hosen pro Jahr.

1996 wurde die Marke "Club of Comfort" entwickelt und erfolgreich im Markt platziert. Mittlerweile haben sich die "Club of Comfort"-Hosen auf Rang eins der Hinrichs Produktpalette verschoben, da die Hosen mit einer Fülle von funktionalen Vorteilen ausgestattet sind, die den Gebrauchsnutzen der Hosen komfortabel erhöhen.

Die Exportquote der Produkte beträgt rund 40%, 42 Mitarbeiter sind am Stammsitz in Grobfehn tätig und weitere 234 Angestellte arbeiten im Hinrichs Fertigungsbetrieb in der Slowakei.

## **Zusammenarbeit mit DEinternational Irland**

Die Hinrichs Bekleidungswerk GmbH eröffnete ein Warenlager in Irland, um von dort ausgehend den irischen und britischen Markt optimal beliefern zu können. Aufgrund dessen wandte sich



das Unternehmen an DEinternational Irland und diese übernahm daraufhin die Fiskalvertretung in Irland.

DEinternational unterstützte die Firma Hinrichs bei der Mehrwertsteuerregistrierung und der Einreichung der Mehrwertsteuermeldungen. Dafür führte DEinternational Irland die entsprechende Korrespondenz mit der irischen Steuerbehörde.

So konnte durch DEinternational Irland sichergestellt werden, dass alle Anforderungen des irischen Steuerrechts eingehalten wurden.



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Ziehbank, Ziehwerk



Strangpresse, Presswerk

## Fiskalvertretung fuer "Hoesch Schwerter Profile GmbH"

Die Hoesch Schwerter Profile GmbH wurde bereits 1745 in Menden, Nordrhein-Westfalen, gegründet. Der Grundstein am heutigen Standort in Schwerte wurde 123 Jahre später, im Jahre 1868, gelegt. Seit Jahrzehnten stellt das Unternehmen Spezialprofile aus Stahl her. In enger Zusammenarbeit mit einzelnen Unternehmen oder Branchen entwickelt die Hoesch Schwerter Profile GmbH Produkte, die immer ein ganz spezielles Fertigungs- oder Konstruktionsproblem lösen. Mit dem Warmwalzen, Warmstrangpressen und Kaltziehen stehen am Standort Schwerte drei Fertigungsverfahren zur Verfügung. Durch führende Qualitätsstandards, einem hohen Maß an Ingenieur-Know-how, Innovationsfähigkeit und modernen Fertigungsstätten erfüllt das Unternehmen alle Voraussetzungen, um seinen Kunden als kompetenter Entwicklungspartner zur Seite zu stehen.

## Zusammenarbeit mit DEinternational Irland

Aufgrund der Tätigkeiten von Hoesch Schwerter Profile GmbH in Irland, bei denen es sich vor allem um den Handel mit Stahl handelte, war eine Registrierung zur Mehrwertsteuer in Irland notwendig.

DEinternational Irland führte diese für die Hoesch Schwerter Profile GmbH in Irland durch und übernahm die Fiskalvertretung

und unterstützte das Unternehmen bei der Einreichung der Mehrwertsteuer- und Intrastatmeldungen in Irland. Intrastatmeldungen dienen dazu, statistische Daten über den innergemeinschaftlichen Warenverkehr bereitzustellen.

DEinternational Irland führte auch die entsprechende Korrespondenz mit der Steuerbehörde.

Auf diese Weise stellte DEinternational Irland sicher, dass das Unternehmen alle Anforderungen des irischen Steuerrechts einhielt.



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# IBK ELEKTRONIK KAISER



## Fiskalvertretung fuer "IBK Elektronik – Ingenieurbuero Kaiser KG"

Der Tätigkeitsbereich der IBK Elektronik – Ingenieurbuero Kaiser KG erstreckt sich über die Planung, die Entwicklung und die Herstellung bis zum Vertrieb von elektronischen Anlagen und Geräten. Der Schwerpunkt liegt hierbei insbesondere auf Videotechnik, Elektroakustik und Sicherheits- und Automatisierungstechnik.

Der Vertriebsschwerpunkt dagegen richtet sich auf die autorisierte Fachvertretung der Firma BOSCH Security Systems GmbH gegenüber der Industrie, den Behörden, dem Handwerk und den Zulieferern der Elektroindustrie.

Seinen Sitz hat das Unternehmen in Werne in Nordrhein-Westfalen.

## Zusammenarbeit mit DEinternational Ireland – AHK Dublin

Die IBK Elektronik – Ingenieurbuero Kaiser KG erhielt einen Auftrag um als Subunternehmer in Irland zu arbeiten. Daher beauftragte das Unternehmen DEinternational Ireland mit der Fiskalvertretung in Irland.

Dies beinhaltet die Unterstützung bei der Steuerregistrierung und bei der Rückersattung der irischen Bauabzugssteuer "Relevant Contract Tax" (relevante Vertragssteuer).

Bei fehlender Meldung oder Nichteinreichung der "Relevant Contract Tax" können Strafen in Höhe von bis zu 35% des Zahlbetrages verhängt werden.

DEinternational Ireland führte dafür die entsprechende Korrespondenz mit der irischen Steuerbehörde.

Auf diese Weise wurde durch DEinternational Ireland sichergestellt, dass das Unternehmen alle Anforderungen des irischen Steuerrechts einhielt und alle einbehaltenen Steuern zurückerhielt.



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INIT has evolved from a university spin-off in Germany to the world market leader for ITS solutions in public transportations.

Priding itself on being an innovative, reliable and sustainable supplier, INIT is a global company with over 25 subsidiaries and offices around the globe. INIT is the worldwide only supplier that covers the complete range of tasks which companies face to provide their service. With a uniquely integrated system of hard- and software solutions, INIT offers maximum assistance in their complex work.

In addition INIT offers maximum assistance in their complex work.

More than 600 customers rely on INIT's support to manage their daily task including

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INIT has over 35 years of experience in their expertise. This has allowed them to customise and implement their solutions in an extremely successful manner. Combined with the aim to make new technologies quickly available for public transport, this provides the basis for INIT's exceptional performance.

#### Cooperation with DEinternational

INIT started working in Ireland and offered software services, including development and marketing of software and project

management. INIT also intended on opening an office in the Dublin area.

To ensure compliance with Irish regulations INIT contacted DEinternational Ireland for advice.

After an initial meeting DEinternational Ireland advised INIT about the necessary steps to be taken. DEinternational Ireland assisted INIT with registration for tax in Ireland in order to be compliant with the Irish tax laws and local regulations. Once INIT was registered for VAT in Ireland DEinternational assisted with filing VAT returns and answered specific questions concerning VAT.

Furthermore DEinternational assisted INIT in opening an Irish bank account, and in addition to this DEinternational provided the company secretary service in order to comply with Irish company law.



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# PAYE (PAY AS YOU EARN) MODERNISATION

PAYE Modernisation is the biggest change to the operation of employment taxes in Ireland since 1960 when the PAYE system was introduced.

It came into effect on the 1st of January 2019 and is the modification of the current PAYE system. From the 1st of January employers need to calculate and report their employees' pay and deductions as they are being paid.

This should make it easier to deduct and pay at the right time the correct amount of Income Tax (IT), Pay Related Social Insurance (PRSI), Universal Social Charge (USC) and Local Property Tax (LPT). This new system will allow for real time communication between businesses and Revenue that relates to employee pay and tax deductions.

By operating in real-time, Revenue can ensure that the correct tax deduction is being made at the right time for every employee.

The most important changes are:

- The RPN (Revenue Payroll Notification) replaces the copy of the Tax Credit Certificate (P2C). The RPN should be used by an employer for the purposes of calculating the appropriate PAYE deductions for each payroll run.
- The RPN shows:
  - Tax credits
  - IT and USC cut-off points
  - Any previous pay, tax and USC deducted from the 1st of January
  - IT and USC exemptions
  - The amount of LPT to be deducted, if applicable
- There is no longer a requirement to file an annual return Form P35. P35 submissions will be replaced with a submission file returned to Revenue after every payroll run.
- Forms P60, P30, P45 and P46 are abolished.
- Employers are now required to send details of new employees at the beginning of the employment and also to notify Revenue of the date of termination of an employment no later than the date on which the employment ends.
- Revenue will issue a monthly statement to the employer. If the details are

incorrect the employer must amend or correct the underlying payroll data prior to the 14th of the following month and resubmit. On the 14th that statement becomes the statutory return for the previous month.

How do companies prepare:

- Register all employees with Revenue
- Make sure an up to date Tax Credit Certificate (P2C) for employees who started before 2019 is on file
- Check that the Personal Public Service Number (PPSN) for all employees is correct.
- Ensure that payroll data is complete, accurate and up to date
- Ensure that all required information of employee pay, including notional pay, is provided accurately, on a timely basis and in the correct format
- Ensure that a review of all payments subject to PAYE processed outside of payroll is carried out. This must be operated the same way as payroll payments and reported to Revenue on or before making payment
- Ensure that the current Revenue Online Services (ROS) digital certificate is saved

The results and benefits of the changes are an improvement in the accuracy, ease of understanding and transparency of the PAYE system for all participants.

The employees have certainty in the amounts payable to Revenue and are safe in the knowledge they have not over or underpaid in tax.

It is recommended that employers review their payroll processes and practices in order to ensure that the necessary procedures are compliant with the new requirements which come with the PAYE Modernisation.

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# IRISH TAXATION SERVICES



You receive a **better price** with better conditions **from Irish Taxation Services** than from competitors:

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Irish Taxation Services has over 12 years experience in delivering services for Irish, German and multinational clients.

## PAYROLL



- Set up of employee and monthly payroll
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- Calculation of tax reliefs

## TAX SERVICE



- Advice on all tax heads
- Registration for tax and filing of tax returns
- Application for refunds of withholding taxes

## ACCOUNTING



- Monthly bookkeeping and management accounting
- Company secretarial services and compliance
- Preparation and submission of year end accounts

“ We were also grateful for your work regarding payroll accounting and the supervision of the subcontractors as well as your extensive provision of tax advice. (KRONES AG) ”

More than 120 clients have already availed of our tax services with great success. These clients include:

Irish Ferries, Horgans Delicatessen, Zueblin Ireland, Sisk, Bennett, Evonik Performance, Hoesch Schwerter Profile GmbH, LES GmbH, Dairygold, Glasmalerei Oidtmann, UTW GmbH, etc.



Patrick Bamming has worked as a consultant for all tax and legal queries for the last 12 years.



Mary Levey has more than 10 years experience with accounting and payroll for SMEs and multinational companies in Germany and Ireland.



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Visit us at [irishtaxation.ie](http://irishtaxation.ie)



Robot Energy Limited is a young beverage company from Spain which creates the highest quality beverages to global markets.

They offer a wide range of beverages with a fresh, refreshing taste and the drink named after the company "Robot Energy" is not only another clone of energy drinks, but it is a different breed with the aim of having the best taste. Quality is Robot Energy's priority.

They create special recipes individually for the client in order to satisfy each of them.

Robot Energy also supports and participates in several sports events.



**Cooperation with DEinternational Ireland**  
DEinternational Ireland appointed a "company secretary" in Ireland for Robot Energy. A "company secretary" is responsible for ensuring that the company complies with its obligations to the commercial register.

Furthermore the address of DEinternational Ireland has been registered as the official company address.

DEinternational also gave Robot Energy tax advice including tax registration for VAT and corporation tax and submission of tax returns.

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**ROBOT ENERGY LIMITED**





### Select Roofing

Select Roofing was established in 2001 and since then has rapidly grown to be one of the leading roofing companies in Ireland.

The company has progressed to provide a wide range of services to commercial markets. The company diversified over the years and is now the parent company of three others in the Select Group – Select Access, Select Flooring and Lightning Protection Ireland.

Select Roofing has the experience and the expertise to provide perfect roofing solutions and they provide main contractor and also sub-contractor service.

This can be seen in a wide variety of projects they have been working on, including work for Tullamore Distillery, for the National Gallery of Ireland and for the Central Bank of Ireland. Thus Select Roofing has had a role in the completion of Dublin's skyline. They are also engaged in the Pharma and Data Centre Industry.

### Cooperation with DEinternational

Because Select Roofing received an offer from Germany they contacted DEinternational Ireland to ensure compliance with German regulations.

As the construction site was in Germany the work carried out was subject to German VAT and the

German construction withholding tax (Bauabzugssteuer), which is comparable to the Irish Relevant Contract Tax (RCT). The German construction withholding tax is 15% and therefore 20% lower than the highest RCT rate of 35% in Ireland.

Select Roofing engaged DEinternational Ireland to register the company for VAT in Germany, to file the monthly VAT returns and to apply for the exemption of German construction withholding tax. In this way DEinternational ensured that the company complied with all the requirements of German tax law.



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# IRLANDS PERSONALMARKT



## Irlands Personalmarkt

Irland hat sich immer mehr zum Wirtschaftsstandort erster Wahl für viele multinationale Unternehmen etabliert. Mehr als 1.200 ausländische Unternehmen haben sich für Irland als Hauptsitz entschieden. Besonders in den Bereichen Software, Elektronik, Gesundheitswesen, Pharma, Finanzen sowie internationale Dienstleistungen ist der Wettbewerb so hoch wie nie. So nutzen unter anderem 9 der



10 größten Softwareunternehmen und Pharmakonzerne sowie 15 der 25 größten Finanzunternehmen Irland als europäische Zentrale ihrer Wirtschaftsaktivitäten. Dublin, Cork und Galway sind dabei die beliebtesten Standorte.

## Irland als Karrierechance

Wer als qualifizierte Arbeitskraft nach Irland kommt, hat in der Regel keine Schwierigkeit, einen Job zu finden. Mit einer Arbeitslosigkeit von nur etwa 4 % liegt Irland deutlich unter dem EU-Durchschnitt. Zugleich locken die modernen, innovativen Konzerne mit internationaler Ausrichtung viele Investoren an. Hohe Chancen bei der Jobsuche haben vor allem Techniker, Ingenieure und IT-Spezialisten, aber auch Marketing- und Finanzexperten, Berufstätige im Gesundheitswesen, Forscher im Bereich Biologie, Pharmazie und Chemie sowie Verkaufsberater und Callcenter-Mitarbeiter. Irland bietet nicht nur freie Stellen, sondern auch gute Konditionen im Hinblick auf Weiterbildungsmöglichkeiten und internationale Vernetzung.



## Traumjob dank Recruitment-Service von DEInternational

Sie haben noch Fragen und möchten weitere Informationen? Bitte wenden Sie sich an: [recruitment@german-irish.ie](mailto:recruitment@german-irish.ie) oder Telefon: + 353 (0) 1 6424 300

Autorin: Franziska Weiß



Sytorus was founded by a multidisciplinary team in 2013 due to a growing demand for data protection solutions. From small beginnings, Sytorus has rapidly grown to become a leading provider of data protection solutions across the globe. Privacy Engine, developed in 2015 and launched into the market in January 2016, has become the most comprehensive tool for data protection practitioners.

With offices in Dublin, London, Stockholm and Frankfurt, Sytorus has quickly grown throughout Europe, helping companies implement compliance. Privacy Engine is deployed in over 40 jurisdictions, in multiple languages and across hundreds of companies, from SME to Enterprise.

#### **Cooperation with DEinternational**

In 2018 Sytorus started working with DEinternational.

Sytorus decided to establish a German company with limited liability (GmbH). For this several steps are necessary, including drafting a memorandum of association and paying a share capital of €25,000. In addition to this, DEinternational's external partner made an appointment with a notary public in Germany in order to notarise the documents and to make

sure that they were registered in the commercial register.

To ensure that Sytorus was compliant with German tax law and local regulations while setting up in Germany, DEinternational Ireland assisted Sytorus with registrations for tax in Germany.

Sytorus also availed of DEinternational Ireland's taxation services including tax registration, payroll and accounting.



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In May 2018 Oscar Weil GmbH reached out to us seeking to find suitable retailers to sell their Trollull cleaning products in Ireland. The Trollull products include steel wool, stove glass cleaners, CeraBrite hob cleaner and glass cleaner.

- DE International contacted its network of members and business partners in the DIY and Hardware sector on behalf of Oscar Weil.
- The acquisition was made based on a short list made by Oscar Weil.
- Gregor Grüb of Oscar Weil met with Barry McLoughlin of McLoughlinRS on 3 July 2018. McLoughlinRS was particularly interested in the CeraBrite and Stove Cleaner. McLoughlinRS also interested in selling the Stove Cleaner under its own name.
- A meeting between McLoughlinRS, the distributor for Woodies DIY met with the German-Irish Chamber on 5 July 2018. The following were

the outcomes of the meeting: McLoughlinRS delivers to the chains "Woodies DIY", "Dunnes" and "Dairygold Co-op Stores" as an exclusive distributor. The Stove cleaner will be distributed under McLoughlinRS' own label. Although McLoughlinRS is a supplier of steel wool to Woodies, less interest was shown in the products.

- As a result, a great partnership has been established between Oscar Weil GmbH and McLoughlinRS.

#### Company Profile Oskar Weil GmbH

The family owned business Oscar Weil GmbH has production, storage, sales and distribution under one roof and is therefore able to provide a full range of steel wool products from one source. Oscar Weil is a supplier with knowledge through experience and excellent reliability. The German market and quality leader offers you in every degree of fineness premium quality steel wool and innovative cleaning products.



The company is already exporting to several countries, including Ireland and wants to expand its business relationships with its brand Trollull.

For more information please contact:  
Marketing Department  
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+353 1 6424-300  
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OSCAR WEIL GMBH



# SELLING GOODS WITHIN THE EU – VAT IMPLICATIONS FOR MAIL ORDER SALES

## Mail order sales to private customers

Irish companies selling goods to private customers in other EU countries might have to charge the VAT of the country where the customer is living.

Once the VAT of another country has to be charged, the company has to register for VAT, file the VAT return, pay the VAT to the local authorities and comply with the VAT regulations of that country.

If an Irish company sends goods to private customers in every EU country it might have to report to 28 different tax authorities, in 24 different languages.

The obligation to charge the VAT rate of the country where the customer is living, depends on the total annual sales of a company to that country. Every country has a different annual threshold for the VAT registration (see table below). Once a company exceeds the threshold, the company has to register for VAT in that country and comply with the local VAT regulations.

If a company doesn't exceed the threshold, it either has to charge the VAT of the country where it is established or it can elect to register for VAT in the country of the customer.

Ireland has with 23 % a relevant high standard VAT rate compared to most other EU countries like Germany, France and Spain. In the EU only the Scandinavian countries, Croatia and Hungary have a higher VAT rate than Ireland (see table).

Attention should also be given to the different VAT rates in each country. While in Ireland the 0 % VAT rates applies to most printed products like books, in Germany most books are liable to the reduced German VAT rate of 7 %.

Example:

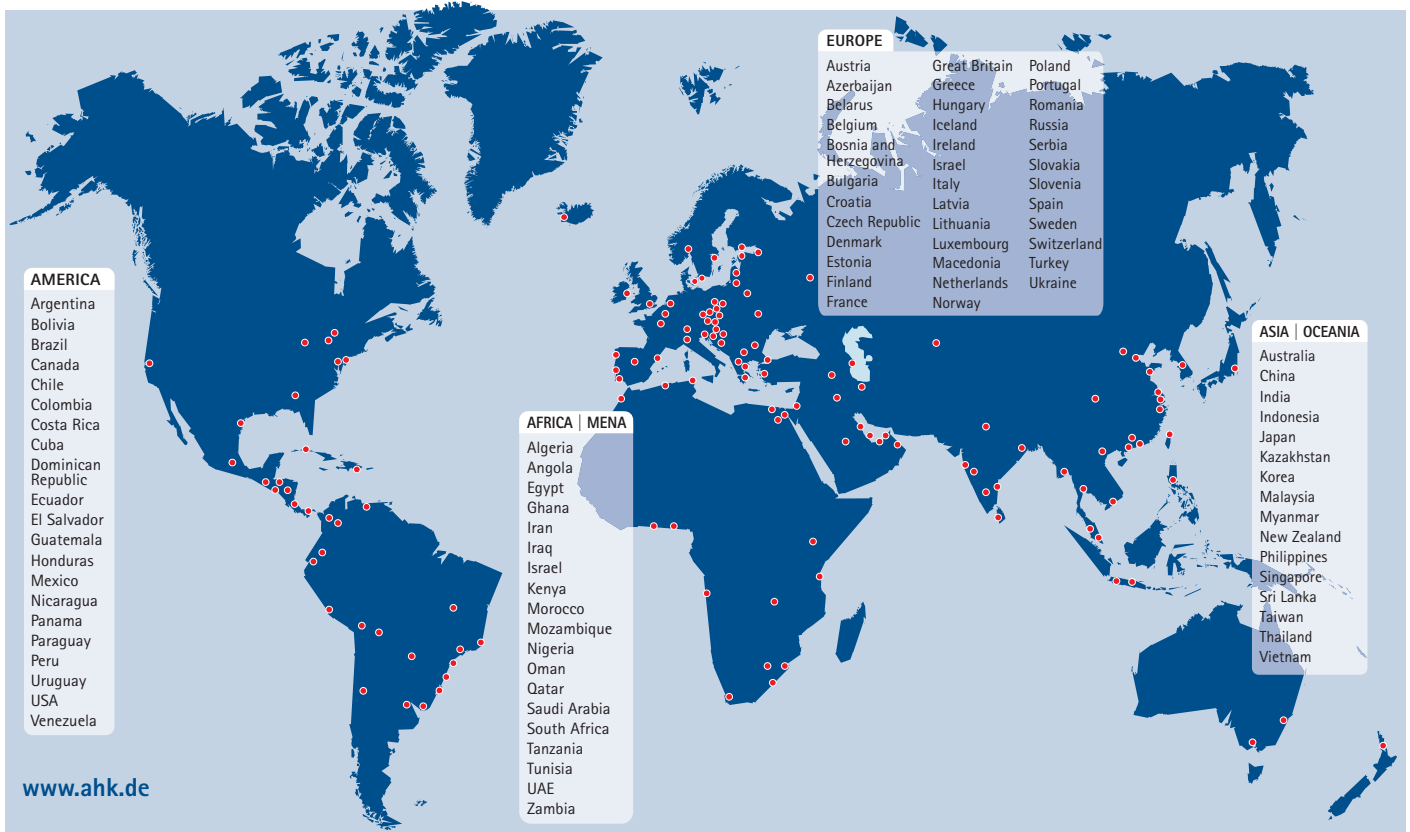
An Irish book shop sells books to its customers in Germany. Up to the German threshold of €100,000 per year the book shop doesn't have to charge German VAT. It therefore doesn't have to charge VAT, as the books are subject to the 0 % VAT rate in Ireland. Once the threshold of €100,000 is surpassed the German reduced VAT rate of 7 % has to be charged to the customers in Germany.

However, should the Irish book shop send goods to private customers in Austria, the Austrian threshold of €35,000 per year applies. Once the annual sales to private customers in Austria exceed €35,000, the company needs to charge Austrian VAT.

The supply thresholds and standard VAT rates vary between the 28 EU member states as follows:

(April 2018)

EU country	Amount in Euro	Standard VAT rate in %	EU country	Amount in Euro	Standard VAT rate in %
Austria	35,000 EUR	20	Italy	35,000 EUR	22
Belgium	35,000 EUR	21	Latvia	35,000 EUR	21
Bulgaria	35,791 EUR *	20	Lithuania	35,000 EUR	21
Croatia	36,291 EUR *	25	Luxembourg	100,000 EUR	17
Cyprus	35,000 EUR	19	Malta	35,000 EUR	18
Czech Republic	44,873 EUR *	21	Netherlands	100,000 EUR	21
Denmark	37,595 EUR *	25	Poland	37,859 EUR *	23
Estonia	35,000 EUR	20	Portugal	35,000 EUR	23**
Finland	35,000 EUR	24	Romania	25,305 EUR *	19**
France	35,000 EUR	20	Slovak Republic	35,000 EUR	20
Germany	100,000 EUR	19	Slovenia	35,000 EUR	22
Greece	35,000 EUR	24 **	Spain	35,000 EUR	21**
Hungary	35,000 EUR	27	Sweden	31,390 EUR *	25
Ireland	35,000 EUR	23	United Kingdom	80,197 EUR *	20
* converted from home currency			** VAT rate might vary depending on region		

**AHK**German  
Chambers of Commerce  
Worldwide Network

### Mail order sales to businesses

For mail order sales between companies in the EU a simplification applies for most transactions. Such sales are subject to the reverse charge procedure which usually applies for the sale of goods between VAT registered companies in the EU.

The EU created the concept of reverse charging VAT in order to simplify trade within the single market. When a transaction is subject to the reverse charge procedure, the recipient of the goods reports both their purchase VAT and the supplier's sale VAT in their VAT return. As a consequence the seller doesn't have to register for VAT in the country of the supplier.

### DEinternational support

DEinternational has offices in every EU country which can support Irish companies with registering for VAT, comply with local VAT regulations and to pay and file the VAT on time.

Irish companies selling goods to other EU countries, can contact the DEinternational office in Dublin in order to get information about the VAT regulations in that country.



#### Contact:

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# TRUSTED TRADER AEO - AUTHORISED ECONOMIC OPERATOR



## Authorised Economic Operator (AEO) – Simplified Customs Procedures for Traders

The AEO concept was developed as a response to the World Trade Centre attacks in the US in September 2001.

Companies can become an AEO in order to speed up their customs procedure for transports to non- or through non-EU countries. While the take up has been limited so far, Brexit might give the AEO a new significance given that 53% of the Irish exports to Europe are via the land bridge through the UK.

The EU established its own AEO scheme in January 2008. The European Union Commissioner commented that "Traders who voluntarily meet a wide range of criteria work in close cooperation with customs authorities to assure the common objective of supply chain security are entitled to enjoy benefits throughout the EU".

### Applying for AEO status

Any company established in the EU who is part of the international supply chain and is involved in customs activities can apply for an AEO status. The conditions for an AEO status apply to all businesses regardless of size. Manufacturers, exporters, warehouse-keepers, clearance agents, carriers and importers may all apply for an AEO status.

In order to become an AEO companies need to apply for the status and this involves undergoing a self-assessment questionnaire. This process is important to evaluate the companies' procedure and to ensure they meet the criteria. The

office of the Revenue Commissioner in Ireland gives further guidelines on steps to be taken to become an AEO.

The main Revenue criteria for an AEO status involve:

- Obtaining an Economic Operator Registration and Identification system number (EORI)
- Completing an application form and self-assessment questionnaire
- Evaluation of application which involves a visit to the premises covered by the application

Benefits of being an AEO include:

- Being recognised worldwide as a safe and compliant business partner in international trade
- Mutual recognition of AEO programmes under Joint Customs Cooperation agreements, which would result in a faster movement of goods through third country borders
- Easier access to simplified procedures
- Priority treatment if physical controls are conducted
- Waiver of comprehensive guarantee

DEinternational is organising courses on becoming an AEO in 2019. For more details or to book a course please contact:

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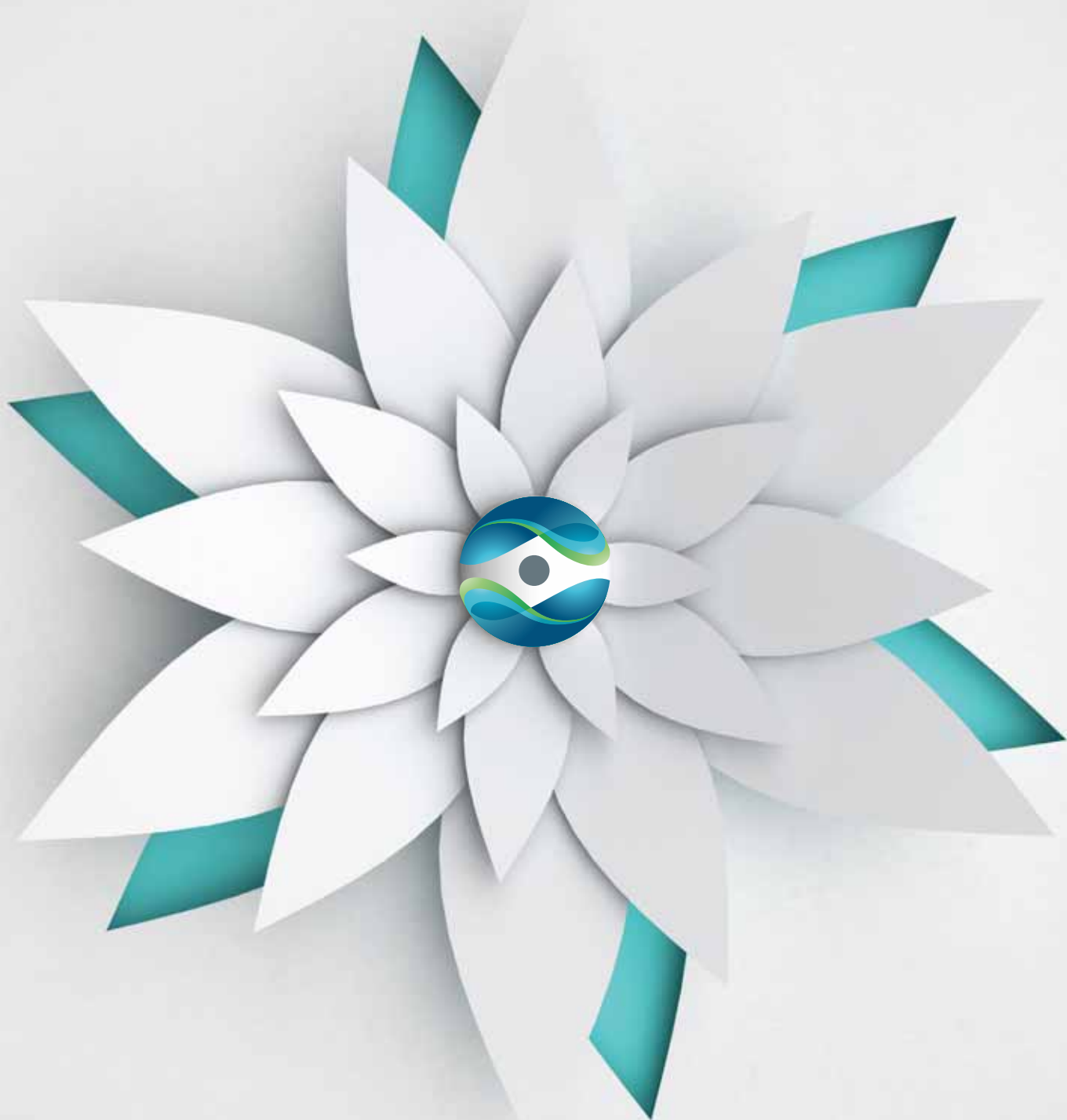
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\* Based on BOI analysis of publically available information relating to FDI companies setting up in ROI, 2018.

\*\* Based on BOI analysis of independent industry statistics 2018.





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