



An Rialálaí Agraibhia
Agri-Food Regulator



Strategy Statement 2024 - 2026

Promoting fairness and transparency in the agri-food supply chain





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Foreword by the Chairperson

I am pleased to introduce this first strategy statement of An Rialálaí Agraibhia (Agri-Food Regulator), the new independent state body tasked with promoting fairness and transparency in the agri-food supply chain.

An Rialálaí Agraibhia was established by the Minister for Agriculture, Food and the Marine, Charlie McConalogue T.D. on 13th December 2023 under the Agricultural and Food Supply Chain Act 2023. On that same day, Board members of the Agri-Food Regulator were appointed and held their first meeting.



One of the immediate priorities for the Board was the development of a strategy statement for the first three-year period which will inform annual work programmes. In conjunction with the CEO, Niamh Lenehan and her staff, the Board set to work on translating the legislative remit of the organisation into this document, our first strategy statement. This statement outlines the key priorities of the Agri-Food Regulator and sets out a framework for its work as the organisation develops and enhances its capacity and structures over time to effectively execute the functions assigned to it under the 2023 Act.

The Board and staff of the Agri-Food Regulator are very conscious that the mandate of this new office has significant implications for actors in the agri-food supply chain. It is therefore committed, in particular, to actively communicating in a clear and accessible way the role and functions of the Agri-Food Regulator as it carries out its work. In addition, the building of relationships and effective partnerships with stakeholders is important in order to seize opportunities and overcome any obstacles in realising the vision of a fair and transparent agri-food supply chain.

I believe this strategy statement sets out a useful roadmap for both the Agri-Food Regulator and stakeholders for the next three years. Along with the Board, Niamh and all staff, I look forward to the journey ahead.

Joe Healy
Chairperson

Introduction

An Rialálaí Agraibhia (hereinafter referred to as the Regulator) was established by the Minister for Agriculture, Food and the Marine, Charlie McConalogue (Minister) on 13th December 2023 under the Agricultural and Food Supply Chain Act 2023¹ (2023 Act).

The Regulator is required under section 39 of the 2023 Act to prepare and submit to the Minister, a strategy statement in respect of the first three-year period as soon as practicable after establishment day.

This strategy statement outlines the strategic direction of the Regulator for the three-year period 2024 – 2026. It identifies its vision and mission and sets out the key objectives, in addition to outputs and performance indicators upon which progress on meeting these objectives will be assessed.

In preparing this statement, the Regulator is mindful of the need to ensure the most effective and efficient use of available resources. The statement also highlights the key values that will inform the culture of the Regulator as it grows as an organisation and develops and enhances its capacity to promote fairness and transparency in the agri-food supply chain in partnership with stakeholders.

¹ [Agricultural and Food Supply Chain Act 2023](#)



About the Agri-Food Regulator

The Regulator is a body corporate with perpetual succession and a seal. In accordance with section 21 of the 2023 Act, the Minister appointed eight members to the Board of the Regulator, including a chairperson - these are shown in the Appendix.. The executive function is provided by staff headed by Niamh Lenehan, Chief Executive Officer.

Functions

The 2023 Act outlines the functions assigned to the Regulator under the following headings:

- **Fairness and transparency in the agri-food supply chain** - in exercising this function, the Regulator will have regard to the circumstances and needs of the agricultural and food sector, in particular farming, fishing and small food businesses;
- **Information and engagement** - the Regulator will publish analysis of information about price and market data relating to the agri-food supply chain and on contingency issues;
- **Compliance with unfair trading law** - the Regulator is responsible for enhancing understanding of and compliance with agri-food unfair trading law;
- **Enforcement of unfair trading law** - the Regulator is responsible for enforcing agri-food unfair trading law and is the designated Enforcement Authority² as required under Directive EU 2019/633 on unfair trading practices in business-to-business relationships in the agricultural and food supply chain³;
- **Guidelines** - the Regulator may, for the purpose of protecting supplier interests, publish guidelines for buyers about supplier protection and trading practices, whether generally or in a particular trade, business or professional sector;
- **Review of codes** - the Regulator may review codes of practice submitted by a person representing one or more buyers;
- **Information and advice** - the Regulator is responsible for providing advice to the Minister for Agriculture, Food and the Marine about (a) the agricultural and food sector, and (b) agri-food unfair trading law;
- **Consideration of legislation** - the Minister may consult the Regulator regarding proposals for legislation relating to any aspect of fairness and transparency in the agri-food supply chain.

² The Unfair Trading Practices Enforcement Authority was established on an interim basis in 2021 at the Department of Agriculture, Food and the Marine pending the establishment of An Rialálaí Agraibhia. The functions vested in the Minister by the European Union (Unfair Trading Practices in the Agricultural and Food Supply Chain) Regulations 2021 (S.I. No. 198 of 2021) transferred to the Regulator on establishment day.

³ Directive (EU) 2019/633 on unfair trading practices in business-to-business relationships in the agricultural and food supply chain

Resources

As per Section 45 of the 2023 Act, the Regulator is funded by the Minister from monies provided by the Oireachtas. Such advances are to be used by the Regulator for the purposes of performing its functions.

The Regulator has an agreed total staff complement of 17. It has three main administrative units:

- (i) Unfair Trading Practices,
- (ii) Price & Market Data Analysis; and
- (iii) Corporate Services.

Context

The establishment of the Regulator fulfils the following commitment in the "Programme for Government: Our Shared Future"⁴:

"Ensure fairness, equity, and transparency in the food chain by establishing a new authority called the National Food Ombudsman (NFO) to enforce the Unfair Trading Practices Directive. This new authority will enforce EU wide rules on prohibited unfair trading practices in the food supply chain and will have powers to enforce this Directive, penalising those who breach regulations. The NFO will have a specific role in analysing and reporting on price and market data in Ireland."

The establishment of the Regulator was also a commitment under "Food Vision 2030 - A World Leader in Sustainable Food Systems", the 10-year strategy for the agri-food sector⁵.

The 2023 Act provides that the Regulator's role is to promote fairness and transparency in the agri-food supply chain and, in doing so, to have regard for the circumstances and needs of the agri-food sector including, in particular, farming, fishing and small businesses.

This function closely aligns to Mission 2 of Food Vision 2030 which relates to "viable and resilient primary producers with enhanced well-being" both by their own actions and initiatives within the agri-food sector as a whole, with Goal 2 of this mission being to "improve the creation and equitable distribution of value".

⁴ Programme for Government: Our Shared Future

⁵ Food Vision 2030 - A World Leader in Sustainable Food System

Actions to Date

Initial preparatory work was undertaken by the interim Unfair Trading Practices Enforcement Authority in order to lay foundations for the Regulator to begin to carry out its work including:

- the identification of appropriate accommodation and the setting up of the office for the Regulator;
- the development of a logo and associated brand guidelines;
- the recruitment of a number of staff;
- the putting in place of appropriate corporate governance structures;
- ongoing stakeholder engagement and the building of professional relationships;
- the development of a website (www.agrifoodregulator.ie) and appropriate social media channels;
- the procurement of external services for the Regulator as appropriate; and
- the development of information resources for stakeholders to outline the role and remit of the Regulator.





Developing the Strategy

This first strategy statement takes into account the Department of Agriculture, Food and the Marine Statement of Strategy 2023-2026⁶ and, in particular, strategic goal three to “provide the optimum policy framework for the sustainable development of the agri-food sector” and related strategic objectives.

The strategy statement has been informed by stakeholder engagement to date, both during the legislative process leading to the passage of the 2023 Act and interactions since the establishment of the Regulator. The practical experiences of the interim Unfair Trading Practices Enforcement Authority in respect of the 2021 Unfair Trading Practices Regulations⁷ were also valuable.

The strategy statement underpins the relevant principles of the National Development Plan 2021-2030⁸ and the National Planning Framework⁹ which combine to form Project Ireland 2040 in addition to Food Vision 2030.

⁶ [Department of Agriculture, Food and the Marine - Statement of Strategy 2023 - 2026](#)

⁷ [2021 Unfair Trading Practices Regulations](#)

⁸ [National Development Plan 2021 - 2030](#)

⁹ [National Planning Framework](#)



Our Vision, Mission and Values

Vision

An agri-food supply chain operating in a fair and transparent way with particular regard for the viability of farming, fishing and small food businesses.

Mission

To act as an independent voice in the promotion of fairness and transparency in business-to-business relationships along the agri-food supply chain through, in particular, overseeing compliance with unfair trading law and proactive engagement with stakeholders on actions to improve transparency.

Values

- **Independence** – we are independent with a commitment to evidence-based decision making and information provision.
- **Collaborative** – we work in partnership with stakeholders in a manner that builds and maintains trust and promotes innovation.
- **Fairness** – we are professional in our behaviour at all times and actively work to instil a culture of integrity and respect in all that we do.
- **Accountable** – we are accountable for our actions and are transparent in how we use the resources available to us.







High Level Key Objectives

There are four key objectives for the next three years which will ensure we focus on delivering in the public interest for stakeholders:

1. Enforcement of agri-food unfair trading law.
2. Improved transparency on the functioning of the agri-food supply chain.
3. Effective communication and engagement with stakeholders in promoting fairness and transparency.
4. Building of organisational capacity with optimal use of resources to deliver an efficient and effective service.

Outputs and Key Performance Indicators (KPIs) will be monitored on an ongoing basis and the KPIs will be used as a metric by the Regulator to measure progress in meeting its key objectives. The Board will regularly assess progress on achieving the KPIs for each objective and will recommend any appropriate actions necessary to ensure achievement of those objectives.

Key Objective 1

Enforcement of agri-food unfair trading law

The Regulator is designated as the enforcement authority under the EU Directive on unfair trading practices. The 2023 Act provides robust investigative and enforcement powers to the Regulator for the enforcement of agri-food trading law with regard to the provisions of the Agricultural and Food Supply Chain (Unfair Trading) Regulations 2023 (S.I. No. 625 of 2023)¹⁰. The Regulator will work to ensure that the framework for implementing its legislative enforcement function is transparent and allows suppliers and buyers to fully understand their rights and obligations.

Actions	Outputs & Key Performance Indicators
Development of overarching regulatory framework (support, monitoring and enforcement)	<ul style="list-style-type: none">■ Regulatory framework for implementing legislative function developed■ Appropriate and effective regulatory measures and controls in operation
Conduct compliance inspections	<ul style="list-style-type: none">■ Procedures developed■ Inspections conducted effectively and efficiently
Ensure annual compliance reports from buyers submitted in line with statutory obligations	<ul style="list-style-type: none">■ Annual compliance reports reviewed■ Composite report produced and best practice / weaknesses identified■ Reports used to inform risk and requirement for focussed / sectoral inspections
Active engagement nationally and internationally	<ul style="list-style-type: none">■ Co-operation with other national regulatory bodies as appropriate■ Participation at appropriate EU Commission meetings■ Engagement in understanding, developing and implementing best practice■ Co-operating across jurisdictions on compliance matters and any investigations as appropriate
Operate a complaints procedure in line with statutory provisions	<ul style="list-style-type: none">■ Complaints are dealt with effectively

¹⁰*S.I. No. 625/2023 - Agricultural and Food Supply Chain (Unfair Trading) Regulations 2023*

Key Objective 2

Improved transparency on the functioning of the agri-food supply chain

The Regulator is responsible for promoting fairness and transparency in the agri-food supply chain. In particular, with the aim of improving transparency, the Regulator is tasked with publishing analysis of information about price and market data relating to the agri-food supply chain. The Regulator may also publish guidelines for buyers following consultation for the purpose of protecting supplier interests.

Actions	Outputs & Key Performance Indicators
Development of effective stakeholder engagement channels and associated procedures	<p>Robust stakeholder engagement channels in place to:</p> <ul style="list-style-type: none">■ inform the Regulator of the needs of the agri-food sector and in particular farmers, fishers and small food businesses■ obtain data and information from businesses and other stakeholders as necessary to improve transparency■ consult as appropriate regarding the publication of guidelines and / or comment on codes of practice submitted by a buyer/buyers in respect of protecting supplier interests
Analysis of information available publicly on price and market data	<ul style="list-style-type: none">■ Reports published that add value to publicly available information
Seek price and market data information from businesses along the agri-food supply chain which is not publicly available	<ul style="list-style-type: none">■ Analysis of data and information provided by businesses published in aggregate form with insights based on evidence
Active consideration by the Regulator of instances where guidelines for buyers would be appropriate	<ul style="list-style-type: none">■ Guidelines for buyers published

Key Objective 3

Effective communication and engagement with stakeholders in promoting fairness and transparency

The Regulator is committed to supporting compliance with unfair trading law and working in partnership with stakeholders along the agri-food supply chain to increase transparency. Effective communication and engagement are key to building relationships and leveraging the potential of the Regulator's role.

Actions	Outputs & Key Performance Indicators
Build general awareness and understanding of the Regulator's role	<ul style="list-style-type: none">■ Continued development of the Regulator's website and social media channels■ Media campaigns developed and executed■ Development of accessible information resources
Develop a comprehensive stakeholder engagement plan	<ul style="list-style-type: none">■ Stakeholder engagement plan agreed and in operation to inform ongoing work of the Regulator■ Specific media campaign in respect of obligations of 'compliance reporting buyers' under the 2023 Unfair Trading Regulations
Active engagement with policy makers through appropriate structures	<ul style="list-style-type: none">■ Provision of timely information to contribute to policy developments, innovation and legislative improvements in the area of fairness and transparency in the agri-food supply chain■ Compliance with governance requirements

Key Objective 4

Building of organisational capacity with optimal use of resources to deliver an efficient and effective service

The Regulator will strive to build an effective workforce who actively engage with developmental opportunities and a workplace environment that is agile and innovative and appropriate to an organisation with a demanding legislative remit.

Actions	Outputs & Key Performance Indicators
Create the administrative structure to ensure appropriate management and systems are in place	<ul style="list-style-type: none">■ Appropriate policies and procedures in place■ Compliance register established in line with statutory obligations■ Value for money achieved■ Regular reviews conducted on progress with achievement of key objectives■ Compliance with 2016 Code of Practice for the Governance of State Bodies
Effective use of human resources and performance management mechanisms	<ul style="list-style-type: none">■ Staff have clarity in relation to their roles and responsibilities
Proactive and supported engagement by staff and Board with training and development opportunities	<ul style="list-style-type: none">■ Continuous Professional Development opportunities taken■ Expertise acquired over time to build capacity
Use of external expertise where appropriate to build capacity	<ul style="list-style-type: none">■ Seconding and recruitment of expertise and/or procurement as appropriate
Effective use and development of IT infrastructure as the organisation and needs evolve	<ul style="list-style-type: none">■ Appropriate IT infrastructure in place to undertake the Regulator's functions

Appendix

The following Board members were appointed to An Rialálaí Agraibhia on 13th December 2023 by the Minister for Agriculture, Food and the Marine subsequent to a competitive process undertaken by State Boards under the Public Appointments Service.

Name	Term of appointment
Joe Healy (Chairperson)	5 years
Paul Brophy	4 years
Karen Brosnan	5 years
John Comer	5 years
Margaret Dineen	5 years
Elaine Donohue	4 years
Grace McCullen	4 years
Angus Woods	4 years



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