

## Written Answers.

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**The following are questions tabled by Members for written response and the ministerial replies as received on the day from the Departments [unrevised].**

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*Questions Nos. 1 to 22, inclusive, answered orally.*

*Questions Nos. 23 to 46, inclusive, resubmitted.*

*Questions Nos. 47 to 53, inclusive, answered orally.*

*Question No. 54 answered with Question No. 52.*

*Question No. 55 answered with Question No. 53.*

### Ministerial Meetings

56. **Deputy Richard Boyd Barrett** asked the Minister for Agriculture, Food and the Marine if he will meet with Iascairí Intíre na hÉireann, a fishermen's organisation representing inshore fishermen; and if he will make a statement on the matter. [40445/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Inshore fisheries form an important part of our overall fishing sector and I am well aware of the wide range of issues which people who are making their living from this type of fishing face on a regular basis. Most of our inshore fisheries are operated by local people who are an integral part of our rural and coastal communities. This type of fishing is an important source of income for many who live around the Irish coastline as it not only provides direct employment but also supplies very important produce to a range of outlets, from retail and restaurants to seafood processing units.

I am not aware of having received a request for a meeting from Iascairí Intíre na hÉireann but I know that members of this group have previously met with Bord Iascaigh Mhara, who are responsible for development of the seafishing sector. BIM staff work closely with all players in the sector to promote the development of the fishing and seafood industries. If the group wish to have further discussions to explore areas of interest or concern with BIM a further meeting can be arranged. Officials from my Department would also be available to meet with a delegation from Iascairí Intíre na hÉireann if there are issues that require further discussion.

### Tax Code

57. **Deputy Colm Keaveney** asked the Minister for Agriculture, Food and the Marine if he has considered taking action to incentivise longer term leases of farm land over the current widespread practice whereby most land offered by rental is in conacre, 11 month rental, a sys-

tem of little value to a progressive farmer working to a business plan; if he plans to seek tax incentives in this area in Budget 2013; and if he will make a statement on the matter. [40440/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Exemption from income tax on the net rental profits arising from the lease of farmland has been available since January 1996 in certain circumstances and with defined limits. The eligibility and reliefs associated with it have been adjusted in a number of budgets since. At present, farmers must be a minimum of 40 years of age or over to be eligible for the relief. The following income exemption rates also apply. €12,000 for leases of 5 – 7 years, €15,000 for leases of 7 – 10 years, and €20,000 for leases of 10 years or more.

The objective of this measure is to provide the leasee with more security of tenure and thereby promote the proper maintenance and development of the land. Most recent figures available from Revenue are for 2009 when there were 2,747 claimants of this relief.

The Department recognises that conacre or short term rental arrangements are not a desirable basis upon which medium or long term farm business planning can be founded upon. Many commercial full time farmers require leased land to achieve the necessary scale and efficiency as purchased land is scarce and expensive. Long term leasing gives such farmers more security of tenure, allowing them to make better longer term investment and planning decisions. The continued availability of this measure is a key element of the Department's policy around addressing the land access and mobility issues faced by farmers and I would urge both farmers and landowners who are engaged in conacre rental arrangements to carefully consider the mutual benefits of switching to a longer term leasing agreement.

The issue of possible tax incentives in Budget 2013 is a matter in the first instance for the Minister for Finance. The taxation measures announced in Budget 2012 reflected the Government's commitment to the agri-food industry and in particular to the expansion planned in the Food Harvest 2020 strategy, and I will be engaging with the Minister for Finance again before the introduction of Budget 2013 in relation to possible taxation measures linked to policy priorities in my Department.

### **Agriculture Schemes Expenditure**

58. **Deputy Brendan Smith** asked the Minister for Agriculture, Food and the Marine the underspend in the agri environment options scheme and the REP scheme to date in 2012; if the full budgeted allocation will be spent; and if he will make a statement on the matter. [40432/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** I would like, first of all, to acknowledge the importance of the agri-environment schemes in environmental terms and also from the point of view of the contribution which they make to farm incomes. These schemes support farmers who choose to deliver environmental goods for the benefit of society as a whole. The fact that I made provision of €243m in the 2012 Vote for my Department for REPS and AEOS, despite a very difficult budgetary situation, demonstrates the strength of both my own and the Government's commitment to environmentally-friendly farming practices. I believe that the schemes enhance the farmer's role as custodian of our countryside while allowing productive farming to continue and are an essential part of our response to the significant environmental challenges of the 21st century.

REPS and AEOS are area based schemes which are co-funded by the EU under the Rural Development Programme 2007-2013 and EU Regulations governing the Schemes must be strictly adhered to. These require that a full and comprehensive administrative check, including

cross-checks with the Land Parcel Identification System, as well as field inspections, must be completed before payment issue. The Commission have made it clear, in the course of audits, that all checks must be passed and eligibility conditions met. This means that a farmer's application must be fully in order, all outstanding documentation provided and queries resolved before payment can be released to him or her. Given these requirements, my officials take considerable care in validating payments while also ensuring that farmers receive their payments as soon as possible.

In overall terms, the situation is that payments are more advanced at this stage than in previous years and I am satisfied that payments are issuing on schedule. I am confident, also, that the full Vote provision of €243m will be spent this year and that there will be no underspend.

Insofar as REPS is concerned, practically all of the remaining 30,000 participants have received their 2011 payment and the last remaining query cases are being dealt with as queries are resolved. Arrangements to commence payments in respect of 2012 are ongoing and I expect that I will be in a position to commence payments earlier than last year and in higher numbers. There are about 14,500 active participants in AEOS, 8,200 in AEOS I and 6,300 in AEOS 2. Practically all of the early backlogs associated with these payments are now resolved. Almost all AEOS I 2010 payments have issued, and nearly 7,000 cases are finalised for 2011. The main issue holding up Year 2 payments are queries associated with capital investment claims and receipts. The Department has contacted all of the farmers where queries have arisen and is dealing with the responses received. Nearly 4,000 AEOS II participants have received their 2011 payment and payments continue to issue as the validation process is finalised. I expect to commence AEOS payments in respect of later in the year and to make a substantial number of payments before year end.

### **Common Fisheries Policy Reform**

59. **Deputy Thomas P. Broughan** asked the Minister for Agriculture, Food and the Marine his key priorities for the process of reforming the common fisheries policy which will more than likely conclude during the Irish Presidency in 2013; and if he will make a statement on the matter. [40049/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The Common Fisheries Policy (CFP) is the fisheries policy of the European Union which was first put in place in 1983 and has been subject to reviews every 10 years. The Commission proposals involve a basic policy regulation, a proposal on the Common organisation of the market (CMO) and a proposal on the European Maritime and Fisheries Fund (EMFF). All the proposals are subject to negotiation and adoption through the co-decision process involving both the EU Fisheries Council and the EU Parliament. The negotiations between the Council, the Parliament and the Commission on agreeing a new basic Regulation are expected to take place during the first half of 2013, during the Irish Presidency.

At the June 2012 Fisheries Council the Danish Presidency secured a Council agreement on General Approach on the basic Regulation and on the Common organisation of the market (CMO). The EU Parliament is also working to deliver its position on each of these proposals at present. I will prioritise securing final agreement between the EU Fisheries Council and the Parliament on all these proposals during the Irish Presidency during the first half of 2013.

Ireland's overarching goal for the new CFP is for a sustainable, profitable and self reliant industry that protects and enhances the social and economic fabric of rural coastal communities dependent on the seafood sector, while balancing these objectives with the need to deliver a

sustainable and eco centred fisheries landscape for future generations.

Key issue and developments arising from the General approach adopted in June include:

- The removal from the Commissions original proposal of the mandatory nature of the proposed system of **Transferrable Fishing Concessions(TFCs)** which I vehemently opposed since the outset and which had the potential to concentrate quotas in the hands of a few powerful European fishing companies. The Commission proposal provides for the continuation of the **Hague Preferences** system under which Ireland gets an enhanced share of certain key stocks on which we are traditionally dependant. While I would prefer their permanent incorporation in Ireland's percentage share, I have not received any support for this arrangement.

- A new compromise approach setting down a definitive timetable for the elimination of **discards** on a phased basis was agreed at Council in June. Plans will be designed to bring the fish stocks above levels capable of producing **maximum sustainable yields (MSY) by 2015**, where possible and for all stocks by 2020. Irelands position on **regionalisation** is to a large degree mirrored by the conclusions of the Common approach where Member States involved in a region would work together, in consultation with the EU Advisory Councils for the region and formulate general recommendations for fisheries conservation and management in the region.

- **Future Funding** - the new European Maritime and Fisheries Fund will be structured around 4 pillars, a) Smart, Green Fisheries, b) Smart, Green Aquaculture, c) Sustainable and Inclusive Territorial Development and d) Integrated Maritime Policy. I am seeking the continuation of aid for seafood processing and aquaculture, as well as for fleet modernisation and restructuring.

*Question No. 60 answered with Question No. 53.*

*Question No. 61 answered with Question No. 52.*

### **Common Agricultural Policy Negotiations**

62. **Deputy Robert Troy** asked the Minister for Agriculture, Food and the Marine the progress that has been made in the common agricultural policy negotiations; and if he will make a statement on the matter. [40436/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Since their publication, the EU Commission's proposals for reform of the CAP have undergone detailed examination at Council Working Groups, the Special Committee on Agriculture and the Council of Agriculture Ministers. At the June Agriculture Council, the Danish Presidency presented a Progress Report outlining the current status of the negotiations. The Cyprus Presidency has continued the negotiating process, with debates at the Agriculture Council as recently as yesterday (24 September) on rural development and market support issues. The proposals are also being discussed in the European Parliament. Earlier in the summer, draft reports from EP rapporteurs on each of the Commission's proposals were published, and about 8,000 amendments proposed by MEPs are currently being processed within the Parliament. A number of these elements will be the subject of substantial discussion and amendment over the coming months, and there will be ongoing contact at informal level between the Presidency, Commission and Council as they are developing their positions.

Negotiations on the new Multiannual Financial Framework (MFF) for the EU budget for the period 2014 to 2020 are being progressed in parallel, primarily through the General Affairs Council, although the final decisions will be taken by the European Council. Many of the

CAP issues, including the key issue of distribution of funds between Member States, are being discussed in the MFF negotiations and will ultimately be agreed as part of these negotiations.

My key concerns as regards the reform proposals arise in four areas. These are the overall CAP funding, the method for distributing CAP funds between Member States, the method for distributing direct payment funds within Member States and the overarching need for simplification in the reformed CAP.

On the budget, the funding proposals in the MFF maintain CAP spending at current levels in nominal terms post-2013. The agriculture heading is the one showing the greatest restraint, and in my view the amount proposed by the Commission is the minimum required. However, there are continuing, and intense, pressures for reductions in the proposed overall EU budget, with obvious implications for proposed CAP allocations. The Irish Government will continue to resist any pressure for reductions in the CAP budget.

As to the allocation of CAP funds between Member States, the current Commission proposals for Direct Payments in Pillar 1 take a pragmatic approach to redistribution and are broadly satisfactory, albeit with some loss to Ireland (estimated at around 1.4%). The Commission has yet to table a specific proposal for allocation of pillar 2 (rural development) funds. I have concerns that the basis on which they propose to do so could reduce our allocation. However I am vigorously defending our Pillar 2 funds, and will continue to do so.

As to the distribution of direct payments within Member States, the Commission proposal is to gradually move towards a system of uniform per hectare payments, or flat rates, by 2019, in each Member State or region of a Member State. Many Member States already have such flat rates or are evolving towards them. I recognise that we cannot continue to base our payments on outdated historic production references. Nevertheless, I have major difficulties with the pace and extent of convergence in the Commission's proposal.

Under a national flat rate, although the overall allocation to Ireland would not change, around 76,000 Irish farmers would gain an average of 86% on their current payments, while around 57,000 would lose an average of 33%. These are average percentages, and some of the gains and losses would be far larger than this. For example, in the extreme case of those on very high payments of over €1000 per hectare, the loss would be well over 70%. In general, the losses would be incurred by more productive farmers. This would have undesirable consequences at a time when Ireland is trying to encourage sustainable intensification in the agri-food sector, as we strive to achieve the objectives in the Food Harvest 2020 strategy.

I have accordingly been pressing for the maximum possible flexibility to be given to Member States to design payment models that suit their own farming conditions. I also want a more gradual, back-loaded transition process. The 'approximation' approach, by which all payments could gradually move towards, but not fully to, the average, is one alternative that I believe should be considered in this regard. The Commission's "pragmatic" proposal for redistribution between Member States is, in effect, an approximation approach and provides a useful precedent. Modelling in my Department suggests that the application of this system to the distribution of funds between farmers in Ireland would lead to much smaller gains and losses to individual farmers than a flat rate system. However the precise level of transfers depends on the details of the methodology used.

I have been very active in seeking allies for this position and I have been making significant progress, particularly with a group of Member States with somewhat similar concerns. However, it should also be understood that a majority of Member States have no difficulty with the idea of flat rate payments, although they have concerns about other aspects of the proposals.

The negotiation process on CAP is a complex and difficult one, but all of my efforts are focused on achieving the best possible outcome for Ireland. These efforts will be continued over the coming months as I continue to build close working relationships and potential alliances with the European Parliament and with Member States. I will also continue to press the Irish position with Commissioner Ciolos - whom I met as recently as last Friday in Dublin - ahead of a determined attempt to reach an agreement during our Presidency in 2013.

### **Fisheries Protection**

63. **Deputy Richard Boyd Barrett** asked the Minister for Agriculture, Food and the Marine his plans regarding the lobster stock numbers; his plans to provide for access to stock in a limited and sustainable way; and if he will make a statement on the matter. [40444/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Analysis of lobster stocks over recent years has shown that lobster stocks are over exploited in many areas around the coast. The catch per pot haul has declined in those areas and while the stock does not appear to be in imminent danger, the reduction in catch rates has resulted in fishermen using more and more pots to maintain their earnings.

Present measures to protect the lobster stock include Council Regulation (EC) No. 850/98, which prescribes a minimum landing size of 85mm for lobster and the Lobster Conservation of Stocks Regulations 2006, which prohibit the catching, landing or sale of v-notched lobsters. The lobster v-notching and live return scheme, operated by BIM and co-funded by the European Fisheries Fund, is a vital national tool in ensuring that many female lobsters caught are v-notched by BIM staff and returned alive to the sea to spawn and contribute to the reproduction of the stock over many years.

My policy for all sea-fisheries is to promote sustainable fishing, good environmental practice and compliance with law. In the case of inshore fisheries, in light of the judgement of the European Court of Justice against Ireland concerning non-compliance with the EU Habitats and Birds Directives, the overriding priority continues to be to bring all inshore fisheries and aquaculture in Natura 2000 sites into full compliance with the EU Birds & Habitats Directives.

The Habitats Directive requires that an appropriate assessment consider the potential impact of the proposed activity on the conservation objectives for each Natura 2000 site affected. Given the national nature of the lobster fishery, almost all of the approximately 90 Natura sites around our coast could be affected. In addition, the Directive requires that the potential impacts on the habitat of a proposed activity be considered in combination with the potential impacts of all other activities or proposed activities in each Natura site, including other fisheries, aquaculture and non-fishing activities.

The resource intensive Natura 2000 compliance project will ultimately lead to appropriate assessment of all of our Natura sites. That multi annual, multi-agency project is continuing to address appropriate assessment of each of our Natura sites in turn. A substantial body of scientific data has been generated over the course of recent years and is now near completion. The project is currently focussed on roll-out of appropriate assessments. Three comprehensive appropriate assessments under the Habitats Directive are already completed, in respect of Castlemaine Harbour County Kerry, Dundalk Bay Co. Louth and Roaring Water Bay Co Cork. Work is at an advanced stage in respect of Lough Swilly Co Donegal and Clew Bay Co Mayo, among others.

## Ministerial Correspondence

64. **Deputy Mick Wallace** asked the Minister for Agriculture, Food and the Marine if his attention has been drawn to the submission of the newly formed United Farmers' Association in relation to reform of the common agricultural policy; and if he will make a statement on the matter. [40442/12]

76. **Deputy Mick Wallace** asked the Minister for Agriculture, Food and the Marine if his attention has been drawn to the proposals for reform of the single farm payment put forward by the newly formed United Farmers Association; and if he will make a statement on the matter. [40443/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** I propose to take Questions Nos. 64 and 76 together.

I received the submission from the United Farmers Association in relation to the reform of the Common Agricultural Policy and reform of the Single Farm Payment late last week. I very much welcome the submission. The current reform of the CAP will set the context and policy framework for the future development of the agricultural sector in Ireland and I am anxious to hear from all stakeholders concerning their proposals for the direction of these reforms.

I am still examining the detailed points made in the submission but I would be happy to provide some preliminary comments at this stage.

I fully accept and can endorse many of the points made in the submission concerning the need for equity, fairness and balance in reform of the CAP. I agree with the concept of full decoupling and the importance of taking into account social and environmental considerations in addition to economic criteria.

My priorities in the negotiations on the reform of the Common Agricultural Policy arise in four key areas. These are the overall level of CAP funding under the EU budget, the method adopted for the distribution of CAP funds between Member States, the method for distributing direct payment funds within Member States, and the overarching need for simplification in the reformed CAP.

In that respect I do have some difficulty with some of the points made in the UFA submission, notably the suggestion to set payments at fixed rate per hectare. I recognise that we cannot continue to base our payments on outdated historic production references. Nevertheless, I have major difficulties with the concept of flat rates of payment per hectare.

Under a national flat rate, although the overall allocation to Ireland would not change, around 76,000 Irish farmers would gain an average of 86% on their current payments, while around 57,000 would lose an average of 33%. These are average percentages, and some of the gains and losses would be far larger than this. For example, in the extreme case of those on very high payments of over €1000 per hectare, the loss would be well over 70%. In general, the losses would be incurred by more productive farmers. This would have undesirable consequences at a time when Ireland is trying to encourage sustainable intensification in the agri-food sector, as we strive to achieve the objectives in the Food Harvest 2020 strategy.

I have accordingly been pressing for the maximum possible flexibility to be given to Member States to design payment models that suit their own farming conditions. The 'approximation' approach, by which all payments could gradually move towards, but not fully to, the average, is one alternative that I believe should be considered in this regard. The Commission's "pragmatic" proposal for redistribution between Member States is, in effect, an approximation

approach and provides a useful precedent. Modelling in my Department suggests that the application of this system to the distribution of funds between farmers in Ireland would lead to much smaller gains and losses to individual farmers than under a flat rate system. However, the precise level of transfers depends on the details of the methodology used.

The negotiation process on CAP is a complex and difficult one, but all of my efforts are focused on achieving the best possible outcome for Ireland. These efforts will be continued over the coming months as I continue to build close working relationships and potential alliances with the European Parliament and with Member States. I will also continue to press the Irish position with Commissioner Ciolos - whom I met as recently as last Friday in Dublin - ahead of a determined attempt to reach an agreement during the Irish Presidency of the European Union in 2013.

### **Marine Tourism**

**65. Deputy Thomas P. Broughan** asked the Minister for Agriculture, Food and the Marine his plans to bring forward proposals to enhance marine tourism opportunities at the six national fishery harbours; and if he will make a statement on the matter. [40048/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** My Department has responsibility for the management and development of the six Fishery Harbour Centres, located at Killybegs, Castletownbere, Dunmore East, Howth, An Daingean and Ros An Mhíl. Located strategically around the coast of Ireland, each of the Fishery Harbour Centres provides a dedicated and essential service for our fishing fleet and its fishermen.

The Fishery Harbour Centres are unique in that they have been set up to provide a dedicated service to the Fishing Industry. It is policy at each Fishery Harbour Centre that priority is always given to the needs of the fishermen and indeed the significant capital investment at the Fishery Harbour Centres has reflected this.

However, in addition to serving the Fishing Industry, they also play an important role in the Irish tourist and marine leisure industry and also provide facilities for the support of passenger and cargo ferries to the islands. There are comprehensive marine leisure facilities at Howth, Dingle and Ros An Mhíl Fishery Harbour Centres which work well alongside the needs of the fishing industry.

My Department will continue to take every opportunity to facilitate and promote marine tourism at the Fishery Harbour Centres subject of course to its compatibility with the needs of fishermen and budgetary constraints.

### **Food Harvest 2020 Strategy**

**66. Deputy Catherine Murphy** asked the Minister for Agriculture, Food and the Marine if he will state, as Chair of the High Level Implementation Group, if it is still his view that Food Harvest 2020 is not a plan or programme as defined in Article 2 of Directive 2001/42/EC and therefore subject to a Strategic Environmental Assessment; if he will explain the reason that it is not considered as such by him in view of the fact that the directive requires an SEA to be carried out on any activity, plan or project that may affect a Natura 2000 site; his views on whether appropriate time was given for the public consultation process of the present environmental analysis process; and if he will make a statement on the matter. [40441/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Since becoming Minister, and as Chair of the High Level Implementation Committee (HLIC) for Food Harvest 2020, I have whole-heartedly embraced the Food Harvest 2020 (FH2020) strategy and I am totally committed to ensuring its success. Coordination of the State contribution to FH 2020 is being overseen by this Committee which includes representatives from Bord Bia, Teagasc, Bord Iascaigh Mhara, Enterprise Ireland, the Environmental Protection Agency, the Department of Public Expenditure and Reform and my Department. The HLIC also engages regularly with various private sector groups with a key role in FH2020. Implementation of many of the key measures needed to achieve the growth figures set out in the report is a matter for private sector actors including industry and individual farmers.

As a high level strategic vision, the Food Harvest 2020 report does not contain implementation plans related to specific sites, including Natura 2000 sites. However, my Department and the HLIC are acutely aware of the need to ensure that appropriate assessment and strategic environmental analysis are considered, in line with the relevant EU Directives, and carried out where required, in the course of achieving the targets set out in the report.

The HLIC committee recognised that the broad strategic targets in the report could be achieved in a variety of ways and determined that an independent environmental analysis should be commissioned of various possible scenarios through which the targets set out in the report could be achieved. The results of this analysis will inform the implementation of measures by all relevant actors, including those in the private sector. An independent team of experienced consultants with expertise in both agriculture and environmental assessment has been procured by my Department to carry out this work. The team has presented a detailed interim report to the HLIC and is due to present its final report by the end of October.

The analysis is in line with the strategic environmental assessment process and includes the likely impacts of achieving the targets, through a number of scenarios, including; biodiversity, flora/fauna, water, including groundwater quality, soil, air quality, landscape and climatic factors including impacts on greenhouse gas emission levels. My Department is considering if the analysis should include an appropriate assessment under the Habitats Directive, and in this regard we are engaged in discussions with the European Commission.

As part of the analysis process my Department has facilitated a public consultation, with details of the consultation posted on my Department's website on 11 May 2012 and advertised in the Irish Independent on 16 May 2012 with a closing date of 28 June 2012 so that submissions could inform the work of the consultants in preparation of the interim report. Following representations from a number of interested parties, my Department extended the closing date to 6 July 2012, representing an eight week consultation period. Any further submissions received after the deadline, are also being forwarded to the consultants to inform their final report.

### **Milk Quota Purchases**

67. **Deputy Seamus Kirk** asked the Minister for Agriculture, Food and the Marine his plans to ensure that there will be adequate processing capacity to process the increased milk output expected after the ending of the quota regime in 2015; and if he will make a statement on the matter. [40439/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Food Harvest 2020 is a strategy for the development of the Agri-Food sector drawn up by industry stakeholders, in conjunction with my Department. Specifically within the dairy sector, the stakeholders

identified the abolition of the milk quota regime in 2015 as a real opportunity for the sector to expand. Ireland strongly supported the abolition of the regime, on the basis that quotas were widely regarded by both the Irish dairy industry and market analysts as a brake on the potential of the sector to respond positively to market opportunities.

The setting of the target that the volume of milk produced in 2020 will be 50% greater than that produced in the 2007-2009 baseline period, reflects the confidence of the industry, as represented by the stakeholders on the Food Harvest Committee, in the potential of the sector.

My Department and its agencies are playing their part through the monitoring, and implementation where relevant, of the 55 actions identified by the Dairy Expansion Activation Group's Roadmap as a means to achieving the 50% target; through the provision of support for a Dairy Efficiency Programme which provides for the transfer of critical knowledge within the sector by way of Discussion Groups; through the provision of dairy equipment grants for the upgrading of dairy farms; and through the activities of Teagasc who are playing a critical role in research, development and innovation in the sector and Bord Bia who are engaged in the development of a sustainability model for the Irish dairy sector, as well as the provision of support for the work of ICBF in improving breed quality in the Irish herd. I am confident that milk processors will also play their part, taking appropriate decisions on the basis of viable market assessments, to have in place the necessary processing facility to meet the increased supply. Indeed I am aware that the country's two leading milk processors have recently announced their plans for providing the necessary increased processing capacity.

While we are all aware that the supply management arrangements that currently exist under the Milk Quota regime will no longer apply after 2015, I am confident that the processing industry will work with the milk producers to ensure that the necessary infrastructure is in place to allow a coherent and thriving dairy industry to exploit the undoubted potential in existing and new markets.

### **Genetically Modified Organisms**

68. **Deputy Catherine Murphy** asked the Minister for Agriculture, Food and the Marine if he will state his precise policy in relation to the outdoor field trials of GM potatoes currently underway in County Carlow; the ultimate goal of conducting the research trials; the implications of the trials for Government policy on the use of GM; his view on whether this information is required to be disclosed under the Aarhus Convention which Ireland has recently ratified; and if he will make a statement on the matter. [40472/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Within Ireland the issue of genetic modification is dealt with by three Government Departments, as follows: GM foods come under the Minister for Health and the Food Safety Authority of Ireland; GM feeds and the Coexistence of authorised GM crops alongside non-GM crops rests with the Department of Agriculture, Food and the Marine; while: Approval to trial GM crops or authorise new GM crops for deliberate release into the environment rests with the Environmental Protection Agency and Department of Environment, Community and Local Government; Accordingly, my Department's sole responsibility with regard to the cultivation of GM crops is in relation to coexistence measures in the event that commercial GM crops are grown alongside conventional crops. Given that GM crops are not cultivated commercially in Ireland and are unlikely to be for the foreseeable future, the issue of cultivation and coexistence does not arise at present.

Policy on genetic modification across Government Departments is that Ireland's general

stance at EU level and in international fora should be positive but precautionary, recognising the potential benefits of genetic engineering, while maintaining a fundamental commitment to human safety and environmental sustainability based on scientific risk assessment and management.

The field study being carried out by Teagasc on genetically modified potatoes resistant to late blight is part of a publicly funded EU research project being carried out by a consortium of 22 partners representing 15 EU Member States. The goal of the study is to research the impact of the GM potato on the blight disease itself and on soil organisms, which are essential to maintaining soil health.

The Aarhus Convention recognises the need for increased transparency and greater public participation in decision making. Teagasc are committed to disseminating all their research findings on these trials to the public, and have stated that during the study, the trial site will be accessible to the public for open days and information sessions and that they welcome the participation of all stakeholders.

### **EU Funding**

69. **Deputy Patrick O'Donovan** asked the Minister for Agriculture, Food and the Marine if he has made an application to the European Institute for emergency funding to assist farmers in the aftermath of severe and harsh weather conditions; and if he will make a statement on the matter. [40047/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The European Union Solidarity Fund is aimed primarily at providing funding to Member States in the event of a natural disaster. Following the bad weather this summer, I sought and received EU approval for the advance payment of the 2012 Single Payment. This will enable payment to issue immediately following 15 October and will represent the early payment of some €600 million to farmers.

I also fully appreciate the value and importance of the other scheme payments to farmers and I remain committed to ensuring that the maximum numbers are paid at the earliest possible date, mindful, of course, of the over-riding necessity to ensure compliance with the governing EU requirements.

Payments worth some €154 under the Disadvantaged Area Scheme will begin tomorrow, 26th September. This funding will provide a boost to the rural economy and will benefit all areas of the country. It is too early to estimate at this stage the level of total payments which will be made under this scheme in 2012. REPS payments in respect of 2011 are up to date. A total of €64 million has been paid out to-date and I envisage that by the end of 2012 a further €121 million will be spent. AEOS payments are well advanced and continue to issue as quickly as possible. To date €23 million has been paid and a further €34 million will be paid out before the end of 2012. My intention is to ensure that payments in respect of 2012 are made on the earliest possible date.

The closing dates for spreading of chemical and organic fertiliser have been extended to 30 September and 31 October respectively. This will help farmers to make the most of the grass growing season.

Teagasc have been very active in providing advice and assistance for farmers affected by the bad weather. All Teagasc offices are taking calls from concerned farmers. A series of public meetings are being held across the country in September to address fodder / financial and social

aspects of the weather crisis. Weather clinics were held in all Teagasc offices recently.

### **World Trade Negotiations**

70. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine the degree to which progress can be reported in the context of any World Trade Organisation discussions to the effect that Ireland and Europe's food-producing sectors are given every encouragement to facilitate the effort towards economic recovery; if he is satisfied that sufficient emphasis is placed on the pivotal nature of the sector and its ability to make a major contribution to the economy of this country and Europe in general; and if he will make a statement on the matter. [40387/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The WTO Doha Development Round talks are stalled at present and the prospects for conclusion of an agreement are uncertain at this point in time. Nevertheless, I will continue to maintain pressure to secure an acceptable outcome from these negotiations that does not undermine the development of European and Irish agriculture and food production sectors.

At European level, the future shape of the Common Agricultural Policy will be a key driver for the continued viability and competitiveness of the food industry in Ireland and throughout the EU. In this respect I am pleased that the EU Commission's proposals for reform of the CAP are predicated on the principles of ensuring viable food production, sustainable management of natural resources and climate action as well as balanced territorial development. There is good support among my colleagues in the EU Council of Agriculture Ministers for these objectives and I would be confident that, notwithstanding differences about the details, future EU agricultural policy will recognise and reward the important contribution of the agri-food sector to economic recovery and growth and to sustainable development.

### **EU Funding**

71. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine the emergency assistance available to Ireland from the EU in the event of near disaster scenarios, such as the appallingly wet summer and autumn that has adversely affected farms throughout the country; if he is pursuing all such avenues; and if he will make a statement on the matter. [40050/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The European Union Solidarity Fund is aimed primarily at providing funding to Member States in the event of a natural disaster. Following the bad weather this summer, I sought and received EU approval for the advance payment of the 2012 Single Payment. This will enable payment to issue immediately following 15 October and will represent the early payment of some €600 million to farmers.

I also fully appreciate the value and importance of the other scheme payments to farmers and I remain committed to ensuring that the maximum numbers are paid at the earliest possible date, mindful, of course, of the over-riding necessity to ensure compliance with the governing EU requirements.

Payments worth some €154 under the Disadvantaged Area Scheme will begin tomorrow, 26th September. This funding will provide a boost to the rural economy and will benefit all areas of the country. It is too early to estimate at this stage the level of total payments which will

be made under this scheme in 2012. REPS payments in respect of 2011 are up to date. A total of €64 million has been paid out to-date and I envisage that by the end of 2012 a further €121 million will be spent. AEOS payments are well advanced and continue to issue as quickly as possible. To date €23 million has been paid and a further €34 million will be paid out before the end of 2012. My intention is to ensure that payments in respect of 2012 are made on the earliest possible date.

The closing dates for spreading of chemical and organic fertiliser have been extended to 30 September and 31 October respectively. This will help farmers to make the most of the grass growing season.

Teagasc have been very active in providing advice and assistance for farmers affected by the bad weather. All Teagasc offices are taking calls from concerned farmers. A series of public meetings are being held across the country in September to address fodder / financial and social aspects of the weather crisis. Weather clinics were held in all Teagasc offices recently.

### **Ministerial Meetings**

72. **Deputy Micheál Martin** asked the Minister for Agriculture, Food and the Marine if the Irish Farmers' Association has requested to meet with him; if he intends to do so; and if he will make a statement on the matter. [30309/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Since my appointment as Minister for Agriculture, Food and the Marine, I have met the Irish Farmers Association formally and informally on a regular basis. I meet regularly with the various farm organisations and from time to time with the various Sectoral Committees, as well as attending a broad range of Agri-Food events around the country.

### **Genetically Modified Organisms**

73. **Deputy Martin Ferris** asked the Minister for Agriculture, Food and the Marine his views on the growing of experimental GM crops; and if he will make a statement on the matter. [40384/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Within Ireland the issue of genetic modification is dealt with by three Government Departments, as follows: GM foods come under the Minister for Health and the Food Safety Authority of Ireland; GM feeds and the Coexistence of authorised GM crops alongside non-GM crops rests with the Department of Agriculture, Food and the Marine; while; Approval to trial GM crops or authorise new GM crops for deliberate release into the environment rests with the Environmental Protection Agency and Department of Environment, Community and Local Government;

Accordingly, my Department's sole responsibility with regard to the cultivation of GM crops is in relation to coexistence measures in the event that commercial GM crops are grown alongside conventional crops.

Given that GM crops are not cultivated commercially in Ireland and are unlikely to be for the foreseeable future, the issue of cultivation and coexistence does not arise at present. In relation to the authorisation and use of products consisting of or containing authorised GM ingredients in animal feed, my Department adopts, on the basis of scientific evaluation, a positive but precautionary approach to EU applications for the authorisation of GM ingredients in food and

feed and supports applications which have been deemed to be safe by EFSA.

In regard to the recent approval granted by the EPA to Teagasc, to carry out field trials on a genetically modified potato, with improved resistance to late potato blight, it must be pointed out that these trials do not constitute cultivation of a commercial crop and that under the EPA consent attached to this approval, they will be subject to strict conditions with regular monitoring and reporting to the EPA for compliance.

### **Single Payment Scheme Payments**

74. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine if he has received submissions from the Irish Farmers' Association and other farming organisations requesting earlier payment of all farm supports in view of the difficulties faced by the farming community arising from inclement weather conditions; the extent to which he has or expects to be in a position to respond positively; if he is satisfied regarding the availability of sufficient winter feed throughout the winter; if he will consider approaching the banking sector with a view to achieving a more lenient and understanding approach in the current situation in view of both the climatic and economic condition; and if he will make a statement on the matter. [40386/12]

369. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine if he has had any discussions with the banking sector with a view to addressing issues arising from the extremely inclement weather conditions during the summer such as animal feed shortages and/or inadequate banking support arising from weather and economic factors; if he has received submissions from farming representatives in this regard; the extent to which he expects to be in a position to positively influence the banking sector with a view to meeting the financial accommodation requirements of farmers throughout the winter months; and if he will make a statement on the matter. [40642/12]

376. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine the extent to which he has engaged with farm organisations and the banking sector with a view to alleviating any difficulties arising from inclement weather conditions throughout the year; and if he will make a statement on the matter. [40649/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** I propose to take Questions Nos. 74, 369 and 376 together.

Following the bad weather this summer, I sought EU approval for the advance payment of the 2012 Single Payment. This was approved and will enable payment to issue immediately following 16 October and will represent early payment of €600 million to farmers.

Also I appreciate fully the value and importance of the other scheme payments to farmers and I remain committed to ensuring that the maximum numbers are paid at the earliest possible date, mindful, of course, of the over-riding necessity to ensure compliance with the governing EU requirements. Payments worth some €154 under the Disadvantaged Area Scheme will begin tomorrow, 26th September. This funding will provide a boost to the rural economy and will benefit all areas of the country. REPS payments in respect of 2011 are up to date. A total of €64 million has been paid out to-date and I envisage that by the end 2012 a further €121 million will be spent. AEOS payments are well advanced and continue to issue as quickly as possible. My intention is to ensure that payments in respect of 2012 are paid on the earliest possible date.

Teagasc have been very active in providing advice & assistance for farmers affected by the bad weather. All Teagasc offices are taking calls from concerned farmers. A series of public

meetings are being held across the country in September to address fodder / financial and social aspects of the weather crisis. Weather clinics were held in all Teagasc offices recently.

I am very aware of the difficult situation with regard to winter fodder this year. A survey conducted by Teagasc identified a shortage on many farms, particularly dairy farms and also highlighted that addressing this would require different approaches on each farm. I am delighted that a number of workshops have been conducted by Teagasc where farmers could discuss with an advisor the best solution for their own circumstances.

In addition, I approached Minister Hogan who is responsible for the Nitrates regulations and agreed extensions to the period allowed for spreading of both chemical and organic fertilisers this Autumn to 30 September and 31 October respectively. This is aimed at maximising the opportunity for a farmer to extend the grazing season this Autumn and reduce the winter feed requirement.

My officials are in regular contact with the banking sector with a view to discussing the credit needs of the sector. I am also pleased that a number of banks have recently announced new lending programmes for farmers that take account of the specific needs of the sector. The banks have also attended a number of recent workshops and conferences and are engaging with academics with a view to improving financial training in the sector. I am fully aware that credit is severely limited due to the current global economic situation and my officials will continue to engage with all relevant parties to ensure that adequate credit is made available for the sector.

### **Single Payment Scheme Payments**

75. **Deputy Seamus Kirk** asked the Minister for Agriculture, Food and the Marine the number of farmers who receive more than €1,000 per hectare under the single farm payment; and if he will make a statement on the matter. [40438/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The number of farmers in receipt of payments of over €1,000 per ha under the 2011 Single Payment Scheme was 620.

*Question No. 76 answered with Question No. 64.*

### **Marine Accidents**

77. **Deputy Martin Ferris** asked the Minister for Agriculture, Food and the Marine his views on the investigation into the loss of the *Pere Charles*; and if he will make a statement on the matter. [40383/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The investigation into the loss of the fishing vessel *MFV Père Charles* was carried out by the Marine Casualty Investigation Board, which has the statutory responsibility for investigating marine casualties in Irish waters.

The Board, while independent in the exercise of its functions, operates under the aegis of the Department of Transport, Tourism and Sport, which is the responsibility of my colleague Minister Leo Varadkar, T.D.

### **Harbour Fees**

78. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine with regard to the proposed increase in charges in harbour fees, if he will intervene to ensure that the boatmen who take visitors out to see Fungi the dolphin in Dingle Bay, will not be put out of business because of the proposed increase charges. [23824/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The Fishery Harbour Centres (Rates and Charges) Order 2012 was signed by me on 21st June 2012 and came into effect on the 1st July 2012. The Rates and Charges Order (Statutory Instrument Number 214 of 2012) sets out the fee schedule for the use of the facilities at each of the six Fishery Harbour Centres, at Dingle, Castletownbere, Dunmore East, Howth, Killybegs and Ros a' Mhíl.

In drafting the new Rates and Charges Order my Department was mindful of the need to consider the views of all harbour users. A draft order was published on 30th March 2012 and was the subject of a comprehensive Public Consultation process. I can confirm that a number of submissions were received on behalf of the Dingle Boatmen and that the charges included in the final Rates & Charges order were amended to reflect the concerns raised. The rates set by virtue of the current Rates & Charges Order result in a significant reduction in charges for the majority of the Dingle Boatmen.

### **Legal Matters**

79. **Deputy Timmy Dooley** asked the Taoiseach if he will provide details on the level of expenditure being incurred on the part of the State in hiring solicitors and barristers to undertake State agency work; and if he will make a statement on the matter. [40179/12]

**The Taoiseach:** The Attorney General's Office and the Chief State Solicitor's Office engage external counsel to assist in their legal work on behalf of Government Departments. The Chief State Solicitor's Office sometimes engages external solicitor firms to assist with court cases outside the Dublin area.

The total cost of hiring solicitors and barristers to undertake work for these Offices was €10.415 million in 2011 and was €4.485 million in the first six months of 2012. Fees paid to barristers amounted to €10.268 million in 2011 and to €4.402 million in the first six months of 2012. Fees paid to external solicitors amounted to €0.147 million in 2011 and to €0.083 million in the first six months of 2012.

The total cost of hiring solicitors and barristers to undertake work for the Office of the Director of Public Prosecutions (DPP) was €19.803 million in 2011 and was €9.648 million in the first six months of 2012.

Fees paid to barristers who prosecute cases on behalf of the DPP amounted to €13.501 million in 2011 and to €6.474 million in the first six months of 2012. Fees paid in respect of the local State Solicitor Service amounted to €6.302 million in 2011 and €3.174 million in the first six months of 2012.

### **Cabinet Committee Meetings**

80. **Deputy Catherine Murphy** asked the Taoiseach if he will provide details of the number of times the Cabinet sub-committee on Climate Change has met since its formation, the dates concerned. [40303/12]

**The Taoiseach:** The Cabinet Committee on Climate Change and the Green Economy has met on three occasions:

- 30 June 2011
- 20 December 2011
- 02 May 2012

### Unemployment Levels

81. **Deputy Niall Collins** asked the Taoiseach if he will confirm the latest available unemployment figures at the Tallaght Social Protection Office, Dublin; if he will also provide the comparisons for the same month over the past two years; and if he will make a statement on the matter. [40041/12]

**Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe):** The Live Register series gives a monthly breakdown of the number of people claiming Jobseeker's Benefit, Jobseeker's Allowance and other registrants as registered with the Department of Social Protection. Figures are published for each county and local social welfare office.

The most recent Live Register figures available are for August 2012. The table below contains the numbers signing on in the Tallaght local office on the last Friday of August 2010, August 2011 and August 2012.

It should be noted that the Live Register is not a definitive measure of unemployment as it includes part-time workers, and seasonal and casual workers entitled to Jobseeker's Benefit or Allowance.

#### Persons on the Live Register in Tallaght Local Office by sex and age, August 2010, 2011 and 2012

-	-	August 2010	August 2011	August 2012	Annual Charge August 2011	Annual Charge August 2012	% Change-August 2011	% Change-August 2012
Males	-	-	-	-	-	-	-	-
-	Under 25 years	1,739	1,651	1,468	- 88	- 183	- 5.1	- 11.1
-	25 years and over	5,827	6,551	6,673	+ 724	+ 122	+ 12.4	+ 1.9
-	Total males	7,566	8,202	8,141	+ 636	- 61	+ 8.4	- 0.7
Females	-	-	-	-	-	-	-	-
-	Under 25 years	1,022	1,004	971	- 18	- 33	- 1.8	- 3.3
-	25 years and over	2,562	2,974	3,040	+ 412	+ 66	+ 16.1	+ 2.2
-	Total females	3,584	3,978	4,011	+ 394	+ 33	+ 11.0	+ 0.8
All persons	-	-	-	-	-	-	-	-

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-	Under 25 years	2,761	2,655	2,439	- 106	- 216	- 3.8	- 8.1
-	25 years and over	8,389	9,525	9,713	+ 1,136	+ 188	+ 13.5	+ 2.0
-	Total persons	11,150	12,180	12,152	+ 1,030	- 28	+ 9.2	- 0.2

### Parliamentary Questions Numbers

82. **Deputy Anne Ferris** asked the Taoiseach the progress that has been made in extending the parliamentary question system to any body established by statute or majority funding or ownership by the State as provided for in the Programme for Government; the progress that has been made on furnishing replies to written parliamentary questions during the Dáil recess; and if he will make a statement on the matter. [40044/12]

**Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe):** The Programme for Government sets out an ambitious Oireachtas Reform agenda, which will be implemented over the lifetime of the Government.

The Government has already introduced the first phase of its Dáil Reform programme with a package of reforms which included an additional Leader's Questions session, taken by the Tánaiste on Thursdays; the introduction of Topical Issues Debates; Friday sittings to give TDs the opportunity to introduce their own Bills, thereby enhancing TD's legislative role; and a procedure to allow Deputies raise issues regarding replies to Parliamentary Questions with the Ceann Comhairle, who can refer a matter back to the Minister with a request for further information.

In addition, a new Oireachtas Committee system has been established, which implemented a number of reforms proposed in the Programme for Government to enhance the Committee system, including a reduction in the number of Oireachtas Committees from 25 to 16; the establishment of a system under which Oireachtas Committees are involved at an early stage in the development of legislation before a Bill is published, enhancing the role of TDs and the Committees; and the setting up of an Investigation, Oversight and Petitions Committee, chaired by a member of the Opposition.

Earlier this year, the Oireachtas Committee system was reformed further in light of its operation during the first year. This restructuring included:

- dissolving and reorganising a number of administrative Oireachtas Committees to allow the re-allocation of resources towards Oireachtas Committees dealing with Government Departments;

- the establishment of an Oireachtas Committee on Jobs, to focus solely on this Government priority area; The establishment of an Oireachtas Committee on Agriculture, Food and the Marine, to deal with the increased workload in this area in light of the proposed changes to the CAP; and

- the merger of the role of Chairperson of the Oireachtas Committee on the Good Friday Agreement with that of the Irish Co-Chair of the British-Irish Parliamentary Assembly.

These reforms did not increase the number of Oireachtas Committee Chairpersons.

The Programme for Government also contains a commitment to increase the number of Dáil sitting days by 50%. The number of sitting days has been significantly increased since the

change of Government through the introduction of regular Friday sitting days and by reducing the length of Dáil breaks at Christmas and Easter; after bank holidays; and during the summer. In the Government's first year in office there were 127 Dáil sitting days, compared with 88 Dáil sitting days in the last year in office of the previous Government.

Work on a second set of Dáil reforms is at an advanced stage. The Government Chief Whip has held discussions with the Dáil Whips, the Ceann Comhairle, the Dáil Reform sub-committee of the Dáil CPP, the Chair of the Working Group of Committee Chairs and officials in Leinster House and the second phase of Government's Dáil Reform Programme will be introduced later in the year.

### Ministerial Staff

83. **Deputy Ray Butler** asked the Taoiseach if he will outline in tabular form the annual salary costs of his private and constituency offices in each of the years 2009 and 2010; the same figure for any Minister of State in his Department; and if he will make a statement on the matter. [40045/12]

**The Taoiseach:** The information requested by the Deputy is set out in the table:

Office	2009	2010
Taoiseach's Private Office	€1,590,431	€1,362,762
Taoiseach's Constituency Office	€337,197	€296,497
Government Chief Whip's Private Office	€302,491	€291,882
Government Chief Whip's Constituency Office	€162,473	€130,614
Minister of State for European Affairs' Private Office	€132,405	€127,840

### Disability Numbers

84. **Deputy Willie O'Dea** asked the Taoiseach the number of persons between 16 and 64 years here recorded as having a physical disability; and the number of those who are currently in employment. [40576/12]

**Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe):** According to the Census 2011 results, there were 333,571 persons aged between 16 and 64 years who indicated that they had either a physical or intellectual disability.

Of these, 105,429 persons stated that they were working for payment or profit in April 2011.

On 1st November 2012, the Central Statistics Office will be publishing "Profile 8 – Our Bill of Health", which will provide more detailed information in relation to health, disability and carers in Ireland from Census 2011.

### Emigration Data

85. **Deputy Willie O’Dea** asked the Taoiseach the number of people that have emigrated since January 2010 to date in 2012; and the percentage of those that were Irish nationals. [40577/12]

**Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe):** The information requested by the Deputy regarding emigration is not available for the period specified, namely from 1 January 2010 to date.

Annual Population and Migration Estimates are published in respect of Mid-April each year and the most recent release showed the number of emigrants from the Republic of Ireland for the 12 month period ending April 2010 was 65,300 and for 2011 was 76,400. The percentage of emigrants that were Irish Nationals was 42.4 per cent and 52.6 per cent respectively.

This data was taken from the CSO’s annual Population and Migration Estimates release. The annual estimates for 2010 and 2011 are subject to revision.

The revised figures will be published on 27th September 2012 along with the emigration estimates for the year to April 2012.

### **Care Services**

86. **Deputy Willie O’Dea** asked the Taoiseach the number of carers recorded here; and the percentage of these caring for more than 15 hours per week. [40578/12]

**Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe):** According to the Census 2011 results, there were 187,112 people who said they provide regular unpaid help for a friend or family member with a long term illness, health problem or disability. 50.8 per cent or 83,376 persons signaled that they provided care for 15 or more hours per week.

On 1st November 2012, the Central Statistics Office will be publishing more detailed information in relation to health, disability and carers in Ireland from Census 2011 in a dedicated report titled “Profile 8 – Our Bill of Health”.

### **Income Statistics**

87. **Deputy Willie O’Dea** asked the Taoiseach the average income of the top 10% of income earners in the population and the bottom 10%. [40580/12]

**Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe):** The Survey of Income and Living Conditions (SILC) in Ireland is a household survey covering a broad range of issues in relation to income and living conditions.

The results for 2010, the most recent year for which SILC data is available, show that the bottom 10% of persons had, on average net disposable equivalised income of €118.16 per week, while the top 10% of persons had €1,128.64 per week on average.

SILC calculates income data on an equivalised basis, i.e. household income is adjusted to take account of household composition and size. Disposable income is defined as gross income less tax and social contributions.

The results of the 2011 SILC are due to be released by the end of November 2012.

**Average equivalised income, by net disposable equivalised income decile 1 and decile**

**10, SILC 2010.**

Decile	Bottom 10%	Top 10%
Decile	€179.98	€746.33

**Average Weekly Equivalised Income**

-	€	€
Total direct income from employment	39.57	1,354.01
Total social transfers	87.97	195.03
Gross Income	127.54	1,549.04
Total Tax and Social Contributions	9.38	420.41
Net Disposable Income	118.16	1,128.64

**State Bodies Expenditure**

88. **Deputy Derek Keating** asked the Taoiseach the number of agencies, authorities, boards, committees, working groups, tribunals, council services, task force agencies and other quangos set up by his predecessor in the previous three administrations; the number that he has abolished since then and the savings that he made on these quangos in tabular form; and if he will make a statement on the matter. [40697/12]

**The Taoiseach:** My Department has been substantially restructured since 2002 with a number of functional areas and staff being transferred to other Departments, including those in relation to Public Service Modernisation and the Information Society. Accordingly, it will not be possible to provide details of all the committees and working groups established by my predecessors. However, I will contact the Deputy shortly with the information requested in relation to committees and working groups insofar as it is available.

The National Economic and Social Development Office (NESDO) is the only agency under the aegis of my Department. It was established under the NESDO Act 2006 and is the body corporate for the National Economic and Social Council (NESC). NESDO has already completed a substantial restructuring programme. Up until 1 April 2010, it had two other constituent bodies, the National Economic and Social Forum (NESF) and the National Centre for Partnership and Performance (NCP) which were dissolved on that date.

This led to substantial savings on both pay and non-pay expenditure, mainly as a result of reduced accommodation, rent, staffing levels and administrative costs. The 2012 Estimate for NESDO is €2,220,000. This is a reduction of over €1.1m on 2010.

My Department also rationalised the work and achieved substantial savings in relation to three other bodies which were formerly within its remit in recent years. The total separate programme funding for the work of the Ireland Newfoundland Partnership and the Active Citizenship Office ceased in 2009 and their work subsumed into the Department. The separate Offices in these areas have been discontinued which has given rise to savings in my Department's Estimates of approximately €356,000 per annum. The National Forum on Europe was closed in 2009 which also gave rise to savings in the Estimates of €360,000.

## Departmental Expenditure

89. **Deputy Derek Keating** asked the Taoiseach the total photography costs for his Department by his two predecessors in the past 10 years in tabular form; and if he will make a statement on the matter. [40699/12]

**The Taoiseach:** The table details expenditure by the Department of the Taoiseach on photography from 2001 to 9th March 2011.

Year	Photography expenditure
2001	€ 9,020
2002	€ 45,624
2003	€ 39,446
2004	€ 27,424
2005	€ 44,814
2006	€ 80,827
2007	€ 64,672
2008	€ 83,398
2009	€ 27,455
2010	€ 24,919
2011	*€ 31,897
Jan - Sept 2012	€7,131

\* This figure includes a number of major events such as the visit of President Obama and the Presidential Inauguration for which professional photography was required and which incurred significant costs.

Increasingly my department utilises its own staff to take photographs in-house, thereby reducing costs. Expenditure to-date in 2012 at €7,136.65 indicates the significant cost reductions achieved by the utilisation of newly developed in-house facilities. The full year figures for 2012 will compare favourably to the costs incurred in 2008 which were €83,398.00.

For major events such as the upcoming Irish Presidency of the European Council and inward state visits my Department will continue to use the services of a professional photographic agency, but costs will be monitored and kept to a minimum.

## Overseas Development Aid

90. **Deputy Eoghan Murphy** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will consider the seven action points put forward by Trócaire in relation to Ireland's presidency of the EU in 2013; and his thoughts on same. [40107/12]

**Minister of State at the Department of Foreign Affairs and Trade (Deputy Joe Costello):** Ireland's EU Presidency offers an important opportunity to lead and influence debate on international development issues, with a credibility based on the strength and effectiveness of our aid programme. In focusing on EU development policy during the Presidency, we will seek to build on the strong focus in Ireland's aid programme on the fight to end hunger and undernutrition and the growing impact of global challenges, including climate change.

The Irish Presidency comes at a crucial period for international development policy, as the international community opens discussion on the framework for global development after

2015, the target date for the Millennium Development Goals. A special political meeting will be held at the United Nations, probably in September 2013, to review progress on the Millennium Development Goals and to begin consideration of the post-2015 development framework.

A key priority for Ireland's Presidency will be to ensure that the EU adopts a strong, coherent position for this Millennium Development Goals event. In working with our partners to guide discussions on the post-2015 development framework we will build on our commitment to eradicate poverty and hunger in the world. We will also work to highlight the important linkages between hunger, nutrition and climate change and to have these linkages recognised for future policy and programming internationally.

We will also work to forge stronger links between humanitarian relief and development aid, based on experience in emergencies in recent years. Drawing on lessons from the Horn of Africa emergency in 2011 and with input from our partners in developing countries, we will explore the practical application of these principles and showcase examples of best practice. We will place particular emphasis on the EU's approach to disaster risk reduction, helping communities to prepare and take action to avert the effects of disasters and emergencies. We plan to hold an informal meeting of EU Development Ministers in Dublin in February 2013, which will be the first opportunity for substantive discussion by Ministers of all these key issues.

I and my officials have been consulting closely with Ireland's development NGOs in preparation for the EU Presidency. The policy document just published by Trócaire is an important contribution to the discussion. I look forward to continuing our dialogue with Trócaire and the other members of Dóchas, the umbrella body for the development NGOs, in the lead-up to and during the EU Presidency.

### **Passport Applications**

91. **Deputy Paul J. Connaughton** asked the Tánaiste and Minister for Foreign Affairs and Trade if it is possible for two Irish citizens (details supplied) in County Galway who had their passports stolen in Bolivia ten days ago, to have new passports granted to them without having to return to here; and if he will make a statement on the matter. [40180/12]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** Whereas it is necessary for the two Irish citizens to complete and submit applications for new passports, it is not necessary that the individuals return to this country to submit the applications. In respect of the individuals involved, application forms can be obtained from The Consulate of Ireland, Pasaje Gandarillas No 2667, Esq. Macario Pinilla, Sopocachi La Paz, Bolivia, Telephone: +591 2 2421408. The Honorary Consul will accept the completed applications and will return the printed passports once received. For the purposes of mitigating against the risk of attempting to steal the identity of the two individuals concerned, some evidence of identity will have to be provided. The Honorary Consul can advise on acceptable evidence.

It should be noted that it will take some time before the new passports are available in the Consulate. If the individuals require to travel at shorter notice then an emergency travel document can be obtained. However, it should be noted that the primary purpose of this document type is to enable those in difficulty to travel home, and, additionally, it is not possible to transit through the United States of America on this document type. The Passport Service has also notified Interpol of the stolen passport details, in this way protecting against travel on these stolen documents.

## **Departmental Staff Numbers**

92. **Deputy Regina Doherty** asked the Tánaiste and Minister for Foreign Affairs and Trade if his Department still grants leave of absence; and if not, the reason this is not considered as a neutral cost saving exercise; and if he will make a statement on the matter. [40597/12]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** The Department of Foreign Affairs and Trade, like other public bodies, is endeavouring to maintain a high standard of service with diminishing financial and staffing resources. In addition to its normal ongoing functions, the Department currently has to manage an unprecedented conjuncture of major international responsibilities against a background of a 12% reduction in its core personnel complement over the past three years. Ireland's current Chairmanship of the Organisation for Security and Cooperation in Europe (OSCE), which has impacted heavily on the workload of staff at headquarters and in many of our Missions abroad, overlaps with the necessary extensive advance preparations for Ireland's 2013 EU Presidency, which will also considerably increase the demands on the Department. Meeting these challenges requires the maximum possible availability of skilled and experienced staff, particularly at middle management and senior levels. While the Department has been granted some temporary additional posts for the OSCE chairmanship and for the EU Presidency, sourcing sufficient suitably experienced staff has presented major challenges.

Under the relevant Department of Public Expenditure and Reform circular, the operation of the career break scheme is subject to the operating requirements of the Department not being adversely affected. Discretionary release of experienced staff, without the ability to replace them, would have a very negative impact on the Department's capacity to deliver on its responsibilities in the period leading up to and during the EU Presidency. Accordingly, the Department concluded last January that it simply had no available alternative but to temporarily suspend the career break facility, other than in the most exceptional circumstances. The position will be reviewed at the end of the Presidency in mid-2013 in the light of the Department's business requirements at that time.

## **Insurance Coverage**

93. **Deputy Nicky McFadden** asked the Minister for Finance the reason the previous background of a driver in driving commercial vehicles is not taken into account when applying for private car insurance (details supplied); and if he will make a statement on the matter. [40319/12]

**Minister for Finance (Deputy Michael Noonan):** At the outset, the Deputy should note that in my role as the Minister for Finance I have responsibility for the development of the legal framework governing financial regulation. The day to day responsibility for the supervision of financial institutions is a matter for the Central Bank which is statutorily independent in the exercise of its regulatory functions. The Central Bank has informed me that the decision to provide any specific form of insurance cover and the price at which it is offered is a commercial matter based on the assessment an insurer will make of the risks involved. The Bank has also indicated that it has no role in relation to issues of pricing or the scope of cover provided by insurance companies. Finally, it should be noted that any person who has an unresolved complaint can refer the matter to the Financial Services Ombudsman for investigation and adjudication.

## Fuel Rebate Scheme

94. **Deputy John McGuinness** asked the Minister for Finance if he has costed the proposal to grant a rebate on diesel to essential users as allowed under EU directive 2003/96/EC; if he plans to introduce such a rebate in view of the pressures being experienced by the haulage industry in particular; and if he will make a statement on the matter. [40129/12]

**Minister for Finance (Deputy Michael Noonan):** As the Deputy is aware a working group was set up between officials of my Department, the IRHA and members of the Oireachtas. This working group had a series of meetings to discuss issues of concern to the haulage industry. I have recently received a submission from the group and I am considering the matters raised.

## Pension Provisions

95. **Deputy Bernard J. Durkan** asked the Minister for Finance the extent to which persons investing in an active managed retirement fund can avail of alternative options in the event of changed circumstances; and if he will make a statement on the matter. [40131/12]

**Minister for Finance (Deputy Michael Noonan):** I understand that the Deputy is referring to a query from a constituent regarding an approved minimum retirement fund (AMRF). AMRFs form part of the options introduced by Finance Act 1999 to provide control, flexibility and choice to certain individuals in relation to the drawing down of benefits from their pension plans. Prior to that Act, any person taking a pension under a defined contribution (DC) scheme or a Retirement Annuity Contract had no choice but to purchase an annuity with their remaining pension pot after drawing down the permissible tax-free lump sum.

The choices which then became available included the existing option to purchase an annuity with those remaining funds, and new options to receive the balance of the pension funds in cash (subject to tax, as appropriate), to invest in an approved retirement fund (ARF) or an Approved Minimum Retirement Fund (AMRF), subject to certain conditions. Access to these flexible options was extended to all main benefits from retirement benefit schemes (other than Defined Benefit arrangements) in Finance Act 2011.

Under the regime the options to

- invest in an ARF, or
- receive the balance of the pension fund in cash (subject to tax, as appropriate)

are subject to conditions. The conditions include the requirements that the individual be over 75 years of age or, if younger, that the individual has a guaranteed level of pension income (“specified income”) actually in payment for life at the time the option to effect the ARF or cash option is exercised. The purpose of the specified income requirement is to ensure, before an individual has unfettered access to their remaining retirement funds via an ARF or by way of the cash option (subject to tax), that they have the security of an adequate guaranteed pension income throughout the period of their retirement.

Finance Act 2011 increased the specified income limit from the previous fixed amount of €12,700 per annum introduced in 1999, and unchanged since that time, to a variable amount equal to 1.5 times the maximum annual rate of the State Pension (Contributory) bringing the specified income limit to €18,000 per annum at present. However, as a transitional measure, Finance Act 2011 allows the previous lower guaranteed income requirement of €12,700 per annum to continue to apply for a period of 3 years from the date that Act was signed into law

(6 February 2011), including for individuals who had retired before that date and who already had an AMRF.

The State Pension (Contributory) would count towards meeting the specified income limit. You should note, however, that only guaranteed pension income paid to the individual in his or her own right can be taken into account for this purpose. Pensions paid directly to the spouse of an individual or pensions/allowances received on behalf of a spouse or dependant may not be included.

Where the minimum specified income test is not met, and an individual does not wish to purchase an annuity, then an AMRF must be chosen into which a “set aside” amount must be invested. The purpose of an AMRF is to ensure a capital or income “safety net” throughout the latter period of their retirement for individuals with pension income below the specified income limit. Prior to Finance Act 2011, the “set aside” amount was fixed at the first €63,500 of the pension fund or the remainder of the fund after taking the tax-free lump sum, if less than €63,500. Finance Act 2011 increased the “set aside” amount to 10 times the maximum annual rate of State Pension (Contributory) – €119,800 at present – or the remainder of the pension fund, after taking the tax-free lump sum, if less. The capital in an AMRF is not available to an individual until he or she reaches 75 years though any income generated by the fund can be drawn down subject to tax. The capital in an AMRF can be used by the owner at any time to purchase an annuity and the AMRF can be changed to an ARF with access to the capital sum (subject to taxation) before the age of 75 where the specified income test is met before that age.

These are the various requirements around the operation of the options at retirement for those with Retirement Annuity Contracts, Personal Retirement Savings Accounts and other defined contribution pension arrangements and the reasons for those requirements. While I am not in possession of all of the relevant personal details of your constituent’s case which would impact on the scope of the options available to your constituent, and subject to that very important caveat, the following options may be available with regard to the AMRF, other than to leave the capital sum until age 75:

- The use of the AMRF funds to purchase a pension annuity.

- If your constituent is in receipt of the State Pension (Contributory), the amount of that pension in payment to him/her in his/her own right (excluding any amount in respect of a dependent) would count towards meeting the annual specified income test which in this case could be €12,700 at this point in time. The funds in the AMRF could be used to purchase a pension annuity equivalent to the difference between the relevant State Pension amount and €12,700. Any remaining funds in the AMRF would then be available as an ARF and could be withdrawn as a lump sum amount subject to income tax at your constituent’s marginal rate.

### **Tax Code**

96. **Deputy John Lyons** asked the Minister for Finance his plans to review the taxation of home heating oil in view of the difficulties consumers are experiencing with increasing costs. [40141/12]

**Minister for Finance (Deputy Michael Noonan):** Ireland, as with other countries, has experienced an increase in fuel prices. This increase is an international phenomenon. Fuel prices are driven by a number of factors including the price of oil on international markets, exchange rates, production costs and refining costs. The rise in oil prices over recent periods reflected additional factors such as geopolitical uncertainty in Northern Africa and the Middle East with

potential supply disruptions.

The Exchequer yield from excise, as excise is set at a nominal amount, does not increase as the price of fuels increase. On the other hand, the yield from VAT per litre of fuel, as VAT is set as a percentage of the price, increases as the price of fuels increase. However, in this regard it should be borne in mind that to the extent that spending in the economy is re-allocated to petrol and other oil products, and away from other VAT liable spending, and to the extent that the overall level of economic activity is reduced by higher oil prices, there may be little or no net gain to the Exchequer.

It should also be noted that businesses are of course entitled to reclaim VAT incurred on their business inputs, including VAT incurred on fuel. For example, VAT incurred on auto-diesel and marked gas oil (MGO or green diesel) used in the course of business is a deductible credit for business in the Irish VAT system. VAT on petrol cannot be deducted/reclaimed. There are no plans for temporary taxation adjustments, as to do so, could lead to significant costs to the Exchequer.

### Tax Yield

97. **Deputy Richard Boyd Barrett** asked the Minister for Finance the amount of tax that hospital consultants with private practices paid on their total income in 2011 and the effective tax rate. [40157/12]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the Revenue Commissioners that the relevant information available is in respect of income tax paid by individuals engaged in specialist medical practice activities. Hospital consultants are classified on tax records as a constituent of specialist medical practice activities and are classified within the same economic sector as certain other health-related services, such as treatment in family planning centers and therefore cannot be separately identified. The income tax for 2010 paid by individuals engaged in specialist medical practice activities amounted to close on €100 million representing an average effective tax rate of 29.7%, which is calculated as the percentage of total tax liability to gross income. It should be noted that gross income is as defined in Revenue Statistical Report 2010. This figure is derived from the details of personal income tax returns filed for the year 2010, the latest year for which the necessary detailed information is available.

You may wish to note that the sector identifier used on the tax records is based on the 4 digit “NACE code (Rev. 2)” which is an internationally recognised economic activity code system. The NACE codes are not essential for the assessment and collection of taxes and duties and the correct allocation and maintenance of these codes is subject to the limit of available resources within the Revenue Commissioners. NACE code classifications on tax records are compiled by reference to the primary area of economic activity reported by individual and corporate taxpayers on their own behalf and the taxes collected are allocated to those codes without reference to the precise economic activity which generated them.

While the accuracy of the NACE codes on tax records is sufficient to underpin broad sector-based analyses there will undoubtedly be some inaccuracies at individual level. This should be borne in mind when considering the information provided. The sector identified for this reply represents the closest equivalent in the NACE code system to the activity mentioned in the question.

### Tax Code

98. **Deputy Gerald Nash** asked the Minister for Finance the position regarding the implementation of further measures announced in Budget 2012 with respect to the treatment of non-residents for tax purposes; the revenue that has been raised from these measures to date; the amount of revenue that he expects these measures to yield; the number of non-residents for tax purposes that these measures have affected according to the most recent figures at his disposal; the number of non-residents; and if he will make a statement on the matter. [40210/12]

**Minister for Finance (Deputy Michael Noonan):** I am assuming that the reference to “further measures announced in Budget 2012 with respect to the treatment of non-residents for tax purposes” refers to the amendment to the Domicile Levy legislation announced in Budget 2012 and implemented in section 136 Finance Act 2012. The Domicile Levy was introduced in Finance Act 2010 and was charged on an individual:

- who in any year is Irish domiciled and an Irish citizen,
- whose worldwide income for the year exceeds €1m,
- whose Irish located property in the year is greater than €5m, and
- whose liability to Irish income tax for the year is less than €200,000.

Where a relevant person has paid income tax that person is entitled to a credit for the tax paid in calculating the amount of the Domicile Levy.

The amendment introduced in section 136 Finance Act 2012 removed the requirement to be an Irish citizen. The effect of this amendment is that persons who meet the other criteria will be liable to the levy whether or not they are Irish citizens. The returns for the tax year 2012 will be the first returns affected by the amendment. These returns are due to be filed on or before 31 October 2013. I am informed by the Revenue Commissioners that no returns in relation to the Domicile Levy for the tax year 2012 have been filed to date. It is not possible at this point to determine how many persons this measure will affect for the tax year 2012.

The only year for which Domicile Levy returns have been filed is the tax year 2010. These returns were due on 31 October 2011. In all, 11 returns have been filed in relation to the Domicile Levy for 2010 and the tax paid was €1,667,011. The levy applies to both resident and non-resident individuals who meet the above criteria. Based on information available to Revenue, eight individuals who filed Domicile Levy returns for 2010 are not resident in Ireland for tax purposes. The number of persons who have filed income tax returns for 2010, the latest year for which figures are available, indicating that they are non-resident is 10,781. Many non-resident individuals who file Irish tax returns would have a foreign domicile and accordingly would not be liable for the Domicile Levy.

The Programme for Government update in March 2012 confirmed the commitment to undertake a consultation process on residence issues in 2012 to inform preparation for further changes in 2013. I launched a public consultation on tax residence rules in May this year, wherein I invited interested parties to make submissions on possible revisions to the current residence rules for the taxation of individuals. This consultation process has now concluded. A total of eight submissions have been received and these will be published in due course, as indicated when the consultation was announced. My officials are considering the submissions and will be advising me on possible further changes as part of the preparations for Budget 2013.

## **Income Statistics**

99. **Deputy Thomas Pringle** asked the Minister for Finance the number of those with an income of €80,000 and more per annum; and the number of those with an income of €100,000 and more per annum. [40247/12]

**Minister for Finance (Deputy Michael Noonan):** I am advised by the Revenue Commissioners that the estimated number of income earners earning more than €80,000 per year, estimated by reference to the income tax year 2012, is 180,100 and the corresponding number earning more than €100,000 per year is 104,600. Numbers are rounded to the nearest hundred. The figures are an estimate from the Revenue tax-forecasting model using actual data for the year 2010 adjusted as necessary for income and employment trends in the interim. They are, therefore, provisional and likely to be revised. It should be noted that a married couple who has elected or has been deemed to have elected for joint assessment is counted as one tax unit.

### Tax Credits

100. **Deputy Thomas Pringle** asked the Minister for Finance the number of those whose annual income is €80,000 and more and who claim a home carer tax credit. [40248/12]

101. **Deputy Thomas Pringle** asked the Minister for Finance the number of taxpayers that claim a home carer tax credit. [40249/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 100 and 101 together.

I am informed by the Revenue Commissioners that the most recent basic data available on the number of taxpayers availing of the home carer tax credit is in respect of the income tax year 2010. There were 77,600 taxpayers availing of the home carer tax credit in 2010, of which 12,800 had a gross income of €80,000 and over.

The numbers availing represent income earners who were in a position to absorb at least some of the tax relief and thereby give rise to an Exchequer cost. They do not include the numbers of potential claimants whose entitlements to other tax reliefs were sufficient to reduce their liability to tax to nil without reference to the specific relief. The numbers availing are rounded to the nearest hundred as appropriate.

The numbers are based on details from tax returns on record at the time the data were compiled for analytical purposes. This was generally based on coverage levels representing in or about 95% of all returns expected. It should be noted that gross income is defined in the Revenue Statistical Report 2010. A married couple that have elected or have been deemed to have elected for joint assessment is counted as one taxpayer.

### NAMA Staff Unauthorised Disclosures

102. **Deputy Pearse Doherty** asked the Minister for Finance in relation to the alleged unauthorised disclosure of information at the National Asset Management Agency by a former employee, the date on which NAMA notified the Office of the Data Protection Commissioner of the alleged unauthorised disclosure; the steps NAMA has taken to minimise the impact of the alleged unauthorised disclosure on its own operations and on those of its debtors. [40283/12]

**Minister for Finance (Deputy Michael Noonan):** I am advised that the unauthorised disclosure was notified to the Office of the Data Protection Commissioner on 12 September 2012. I am advised also that NAMA has instituted legal proceedings against the former employee

and his spouse seeking a number of reliefs, including an injunction to prevent them from using, disclosing and/or dealing with confidential information. NAMA is also seeking a number of Court Orders, including an Order directing the former employee and his spouse to provide a full account on affidavit in respect of all confidential information that either of them has removed from NAMA. This is to include the identity of all persons who have had access to the information or who have been made aware of its existence and/or contents and the identity of all persons to whom the information has been supplied. These proceedings are currently within the jurisdiction of the courts and I am therefore not in a position to discuss them further.

### **NAMA Staff Unauthorised Disclosures**

103. **Deputy Pearse Doherty** asked the Minister for Finance in relation to the alleged unauthorised disclosure of information at the National Asset Management Agency by a former employee, the controls National Asset Management Agency has in place to prevent a recurrence of the alleged unauthorised disclosure of information. [40284/12]

**Minister for Finance (Deputy Michael Noonan):** I am advised that NAMA employs a wide range of measures to prevent unauthorised disclosure of confidential data. These include practical measures such as the deployment of email monitoring technology to prevent email attachments from being forwarded to personal and non-corporate email accounts. IT controls also ensure that data cannot be saved from the NTMA network onto external storage devices, such as USB keys, CDs, etc. I am advised that the Board of NAMA is currently reviewing the findings of a recent investigation by Deloitte and, as part of that review, will assess the implications in terms of NAMA's current data control procedures.

Employees assigned by NTMA to NAMA are bound by a number of statutory obligations in respect of the confidentiality of information to which they have access by virtue of their employment by NAMA. These include obligations imposed under Section 14 (1) of the National Treasury Management Agency Act 1990 and under Section 202 of the NAMA Act 2009. NAMA staff are also subject to the provisions of the Official Secrets Act 1963. Contravention of these statutory obligations constitutes criminal offences and, under Section 7 of the NAMA Act, a person who commits such offences may be liable to a substantial fine or term of imprisonment or both.

### **NAMA Staff Unauthorised Disclosures**

104. **Deputy Pearse Doherty** asked the Minister for Finance in relation to the alleged unauthorised disclosure of information at the National Asset Management Agency by a former employee, the date on which NAMA notified An Garda Síochána; and if statements have been provided to the Gardaí by NAMA; and if so, the number of same. [40285/12]

**Minister for Finance (Deputy Michael Noonan):** I am advised that the unauthorised disclosure was notified to An Garda Síochána on 12 September 2012 and that NAMA has provided, and will continue to provide, all information required by the Gardaí as part of their investigation.

### **NAMA Staff Unauthorised Disclosures**

105. **Deputy Pearse Doherty** asked the Minister for Finance in relation to the alleged un-

authorised disclosure of information at the National Asset Management Agency by a former employee, the steps NAMA has taken to ensure that no potential purchaser of assets associated with its loans, derives any advantage over competing purchasers as a result of obtaining unauthorised commercially sensitive information in relation to NAMA loans. [40286/12]

**Minister for Finance (Deputy Michael Noonan):** I am advised by NAMA that it has instituted proceedings in the High Court against the former employee and his spouse seeking a number of reliefs, including an Order directing the former employee and his spouse to provide a full account on affidavit in respect of all confidential information that either of them has removed from NAMA, including the identity of all persons who have had access to the information or who have been made aware of its existence and/or contents and the identity of all persons to whom the information has been supplied. These proceedings are currently within the jurisdiction of the High Court. NAMA has also sought orders against any of the identified third party recipients.

I am advised that the sale of assets by NAMA debtors and receivers are conducted in line with NAMA Board guidelines, a requirement of which is that disposals are conducted on a competitive basis in accordance with prevailing market practices for the asset class and jurisdiction to which the sale relates. The guidelines require that sales agents prepare a final report and recommendation addressed to the debtor and copied to NAMA, including a summary of the marketing campaign, a list of all parties who expressed interest in acquiring the asset or were contacted during the marketing campaign and a recommendation as to the best price that is reasonably obtainable for the asset.

I am also advised that, in the case of the sale of loans or loan portfolios, it is common practice for NAMA and other loan vendors to establish data rooms which provide extensive information to potential purchasers on loans which are being made available for sale and on the collateral securing them. Potential purchasers must sign non-disclosure agreements before they are allowed to have access to such data. All potential purchasers of NAMA loans have access to the same information for any loan sales transactions being contemplated.

While the review of the unauthorised documentation is still on-going, I am advised by NAMA that the level of information available to potential purchasers is significantly more detailed than any information that might have been included in the recent unauthorised disclosure of data by a former employee of NAMA. Therefore, NAMA does not anticipate that the recent unauthorised disclosure will have a material impact on the prices realised on its loan sales.

### **NAMA Staff Unauthorised Disclosures**

106. **Deputy Pearse Doherty** asked the Minister for Finance in relation to the alleged unauthorised disclosure of information at the National Asset Management Agency by a former employee, if his attention has been drawn to any investigation of the matter at Ernst and Young; when such investigation was initiated; the terms of reference of any investigation; the status and results of any investigation; and the involvement of NAMA in any investigation. [40287/12]

**Minister for Finance (Deputy Michael Noonan):** The deputy may be aware that at the request of NAMA, Ernst and Young initiated their own investigation into this matter; as this inquiry is ongoing it would therefore not be appropriate for me to comment further. However, I understand that there has been full co-operation between NAMA and Ernst and Young in the investigation of this matter.

### **NAMA Staff Unauthorised Disclosures**

107. **Deputy Pearse Doherty** asked the Minister for Finance in relation to the alleged unauthorised disclosure of information at the National Asset Management Agency by a former employee, the controls NAMA has in place to ensure that the provision of loan advisory services by Ernst and Young is not compromised as a result of the alleged unauthorised disclosure of information. [40288/12]

108. **Deputy Pearse Doherty** asked the Minister for Finance in relation to the alleged unauthorised disclosure of information at the National Asset Management Agency by a former employee, the number, original book value, sales status, sales value, sale completion dates of loan portfolios that in relation to which NAMA has engaged Ernst and Young to provide loan advisory services. [40289/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 107 and 108 together.

I understand that there has been full co-operation between NAMA and Ernst & Young in the investigation of this matter.

More specifically to your question, I am advised by NAMA that it has not to date deployed the firm of Ernst & Young as an adviser on potential loan sales transactions.

NAMA further advises that when making an appointment from the loan sales advisory panel, it is normal practice to invite three firms from the framework panel to participate in a mini-tender so as to minimise the transaction cost to NAMA. Before receiving any detailed information relating to the particular transaction involved, firms are required to confirm that they have no conflict of interest. A breach by any firm under this requirement would result in that firm's disqualification from future assignments awarded by NAMA and would clearly give rise to significant reputational issues for the firm concerned.

### **NAMA Staff Unauthorised Disclosures**

109. **Deputy Pearse Doherty** asked the Minister for Finance in relation to the alleged unauthorised disclosure of information at the National Asset Management Agency by a former employee, the number of companies to which Ernst and Young has been appointed as receivers at the behest of NAMA. [40290/12]

110. **Deputy Pearse Doherty** asked the Minister for Finance in relation to the alleged unauthorised disclosure of information at the National Asset Management Agency by a former employee, if he will provide the value of disposals made by Ernst and Young of assets to which NAMA had that company appointed as receiver. [40291/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 109 and 110 together.

I am advised by NAMA that it has appointed Ernst & Young as receiver to 18 separate corporate entities across four NAMA debtor connections. I am advised that, to date, no asset realisations have taken place under these appointments. I understand that Ernst & Young was appointed by a syndicate of banks as administrator to Battersea power station and that NAMA recovered full debt through the sale of this asset.

## **NAMA Qualifying Investor Fund**

111. **Deputy Pearse Doherty** asked the Minister for Finance when the National Asset Management Agency expects to make an appointment for the provision of investment management services for its proposed qualified investments funds, the tender for which was issued on 25 January 2012 with a closing date for bids of 6 March 2012. [40292/12]

112. **Deputy Pearse Doherty** asked the Minister for Finance when the National Asset Management Agency expects to make an appointment for the provision of custodian and fund administration services for its proposed qualified investments funds, the tender for which was issued on 3 February, 2012 with a closing date for bids of 15 March 2012. [40293/12]

113. **Deputy Pearse Doherty** asked the Minister for Finance when the National Asset Management Agency expects to launch its first qualified investment fund; the anticipated value of the QIF; the nature of the assets that will be managed by the QIF; and how the QIF will be marketed. [40294/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 111 to 113, inclusive, together.

I am advised that NAMA, for and on behalf of the QIF, will make an announcement shortly as to the outcome of the tender competitions for investment manager and for custodian and fund administrator.

I am further advised by NAMA that the Qualifying Investor Fund (QIF) is expected to be launched, subject to regulatory approval, at the end of 2012. NAMA advises that the QIF will publish a prospectus which will set out the subscription process for QIF shares. Investment in the QIF will be limited to qualifying investors (as defined by the Central Bank rules).

## **Proposed Legislation**

114. **Deputy Pearse Doherty** asked the Minister for Finance if he has plans to introduce legislation to give effect to so-called Real Estate Investment Trusts in NAMA; and if he has, the timetable for the introduction of such legislation. [40295/12]

**Minister for Finance (Deputy Michael Noonan):** I wish to inform the deputy that the introduction of Real Estate Investment Trusts (REITs) legislation is being kept under review by my Department. I am aware of NAMA's interest in this structure as another option in monetising its portfolio.

## **NAMA Loan Offers**

115. **Deputy Pearse Doherty** asked the Minister for Finance the number of instances in the past 12 months when the National Asset Management Agency has rejected an offer for assets under his control which, firstly, originated from a party the sale to whom the NAMA Act proscribes and secondly, was higher than the price eventually settled on by NAMA; if he will quantify the overall loss to NAMA arising from any such rejections. [40306/12]

**Minister for Finance (Deputy Michael Noonan):** Prospective purchasers of assets controlled by NAMA debtors and receivers are required to sign a declaration under Section 172 of

the Act confirming that they are not a connected party within the meaning of that section and of the NAMA Board's Guidance Note on the Disposal of Real Estate Assets by NAMA Debtors and Insolvency Office Holders which is published on NAMA's website. As this declaration precedes the evaluation and possible approval of any potential bids relating to the sale of assets under the control of NAMA debtors and receivers, the issue raised in the Deputy's question does not arise.

### **NAMA Loan Write-Downs**

116. **Deputy Pearse Doherty** asked the Minister for Finance further to a report in a Sunday newspaper that the National Asset Management Agency has agreed a substantial debt write-down on a loan that was made to a consortium of two companies developing Greystones Harbour, County Wicklow, if the loan in question was in default of any of its covenants including loan-to-value covenants, and if so, the basis on which NAMA agreed to any debt write-down arrangement with one party to the consortium; and the way in which such arrangement sits with section 172 of the NAMA Act [40307/12]

**Minister for Finance (Deputy Michael Noonan):** I am advised that, under Sections 99 and 202 of the NAMA Act 2002 and the normal rules of banking confidentiality, NAMA is precluded from disclosing the details of transactions involving debtors. I am also advised that the media report which has prompted the Deputy's question is inaccurate.

### **Black Economy Issues**

117. **Deputy Thomas P. Broughan** asked the Minister for Finance in view of the ongoing concerns regarding unfair competition for small and medium enterprises from the black economy; if he will consider further measures to ensure that small companies are not undercut by alleged unfair operations by persons in the black economy; and if he will make a statement on the matter. [40459/12]

**Minister for Finance (Deputy Michael Noonan):** I am advised by the Revenue Commissioners that their tax compliance programmes are under constant review to ensure that they are focussed on the areas of greatest risk, including risks from the shadow economy. There is no doubt that shadow/hidden economy activity creates distortions in the economy and competitive disadvantages for compliant businesses. For these reasons, Revenue focuses on deterring shadow/hidden economy activity and non-compliance through its audit and investigation programmes based on risk analysis, use of Revenue powers and their intelligence and information systems. Revenue tackles the problem of the shadow economy through its range of compliance and audit interventions including through targeted special projects. Case interventions are undertaken based on Revenue's assessment of compliance risks, the level of those risks and other relevant information available. Revenue is using a wide range of methodologies to identify those operating in the shadow economy and is deploying the full range of compliance interventions. Activities can include covert surveillance, cold calls to businesses and venues as well as pre arranged aspect queries on specific items. This work is continuing.

The Revenue Commissioner's approach to the shadow economy is underpinned by close consultation and cooperation with the Department of Social Protection. The primary objective of these activities is to uncover either non-declaration or under declaration of income and/or fraudulent DSP claims.

The Deputy will be aware of the continuing strengthening of legislation to provide for a

robust framework within which the Revenue Commissioners may tackle tax and duty evasion, including recent provisions relating to: -

- The making of returns of transactions by merchant acquirers, and other payment settlement entities, to the Revenue Commissioners.
- The more effective investigation of white-collar crime.

Further provisions included a comprehensive package of measures in relation to Excise (Oils) including, requirement for separate licences for auto-fuel traders and marked fuel traders, requirement to have a separate licence for every premises or place at which the fuel concerned is dealt in, and a requirement that a licence must be clearly displayed at the premises or place.

Revenue's tobacco strategy, "Strategy On Combating the Illicit Tobacco Trade (2011- 2013)" was published on the Revenue website in June 2011. This three-year strategy is underpinned by annual action plans.

The strategic level plans include taking steps to ensure that the legitimate trade remains compliant, delivering more effective and visible interventions through enhanced capability and better deployment of Revenue resources. The strategy also include further development of co-operation and intelligence sharing at national and international level, together with a commitment to prosecute all serious cases of tobacco tax evasion and a focus, in partnership with other Government agencies, on reducing the demand for contraband tobacco.

During 2011 Revenue's Customs Service seized a total of 109 million cigarettes in 10,581 seizures. Commercial quantities in maritime freight traffic accounted for 76.4 million cigarettes. Revenue also seized 11,158 kg of tobacco in 2011. In six particular operations, over 19 million cigarettes, 1,344 kg tobacco and 49 vehicles were seized.

Regulations were also introduced in 2011 requiring Government Departments and State Bodies to supply details of payments made to the Revenue Commissioners. I am advised by the Revenue Commissioners that this data is matched to the Revenue records of the various recipients, and is used to profile risk. Similar matching is also carried out using other third party data received by the Revenue Commissioners.

Revenue has a prioritised focus on those sectors that traditionally have been susceptible to shadow activity such as cash businesses. All possible sources of information, including following up on services advertised on TV, radio, local newspapers, Internet, special interest publications are used by Revenue.

The Revenue Commissioners have advised me that in order to inform the approaches they are taking, and help determine where resources may best be deployed, they continue to engage in meetings with trade and representative bodies. The Hidden Economy Monitoring Group provides a forum for the exchange of views on the effectiveness of measures introduced in combating the hidden economy. This group, which is chaired by Revenue, includes representatives from employer and business organisations, trade unions and other Government Departments and agencies. Regional hidden economy liaison groups have been established to facilitate greater local interaction and more immediate responses to insights and issues that may be highlighted.

Revenue investigations have detected the use of computer programmes or electronic devices to alter or conceal sales records. To counteract these risks, legislation was enacted in 2011 providing penalties for the possession, use or supply of automated sales suppression devices known as "zappers" for the purpose of evading tax.

Streetscape programmes, in which every cash business in an area is visited, without prior announcement, have been carried out. While the main focus of real time activity is on businesses that use cash registers, all sectors that have cash receipts are monitored. This includes professionals such as doctors, veterinary surgeons, etc. These operations have also resulted in the registration of previously unregistered persons. 803 such registrations were recorded in the period from January to the end of April 2012.

The results from all the various projects are reflected in the general audit and compliance results from audits, assurance checks, site visits etc. which are published in the Revenue Annual Report.

### **Gambling Legislation**

118. **Deputy Michael Healy-Rae** asked the Minister for Finance his views on correspondence (details supplied) regarding the Betting (Amendment) Bill 2012; and if he will make a statement on the matter. [40466/12]

**Minister for Finance (Deputy Michael Noonan):** It was announced in Budget 2011 that the necessary arrangements are being made to ensure that bets placed on the internet by domestic punters are subject to the same level of betting duty as applies to high street betting shops. This will serve to broaden the tax base and increase betting duty receipts. The Finance Act 2011 provides for the taxation of bets that remote bookmakers enter into with persons in the State. This means, for example, that a business which engages in online bookmaking and which accepts bets from people in this country will be liable for betting duty on those bets, irrespective of where that business is based. The existing betting duty (1%) will be applied to such bets. The Finance Act also provides for the taxation of Betting Exchanges under the new arrangements; however the calculation of the tax will take account of their particular business model, in other words a 15% tax on the commission charged. In addition, excise duties are being applied to the granting and renewal of remote bookmakers' and remote betting intermediaries' licences.

The Betting (Amendment) Bill, which was published in July, will establish the regulatory framework for these licences. The tax changes provided for in the Finance Act can only be implemented once the Betting (Amendment) Bill is enacted.

I am hopeful that by including the high-growth area of the betting sector the tax base from betting will be boosted significantly.

In addition, this measure conveys a positive signal to international betting operations that have expressed an interest in or have already invested in Ireland. A location with an appropriate licensing regime coupled with relatively low taxes provides real investment and employment opportunities in this sector, which ultimately can potentially be beneficial to all concerned. Clearly any betting operations which do choose to invest in Ireland would be subject to all other aspects of the taxation regime such as corporation tax, income tax, VAT etc.

### **Tax Code**

119. **Deputy Pearse Doherty** asked the Minister for Finance the current marginal rate of tax on income earned of more than €100,000 per annum; and the way this rate compares internationally. [40474/12]

**Minister for Finance (Deputy Michael Noonan):** As the Deputy is aware, the marginal tax

rate is described as the tax rate that applies to the last euro of the tax base. The current marginal tax rate on income earned over €100,000 for full PRSI employees is 52% and for self assessed income is 55%. The components of the marginal tax rate are provided in table below:

Marginal tax rate components	PAYE employee full PRSI earning > €100,000	Self assessed income > €100,000
Income Tax	41%	41%
PRSI	4%	4%
Universal Social Charge	7%	10%
	52%	55%

The Deputy may wish to note that the OECD is the best source availability for the purposes of international comparisons. It publishes statistics on the “Taxation of Wage Income” which includes an international comparison of the top marginal tax rates which can be found on their website using the following link: <http://www.oecd.org/tax/taxpolicyanalysis/2506453.xls>

The OECD also has statistics available on their website on top marginal tax rates in respect of 2011 and previous years. These represent the marginal tax rates that are applicable on the average wage in OECD countries. Ireland is ranked joint 10th highest top marginal tax rate at this level of income. International comparison of top marginal tax rates at other income levels is not available on the OECD’s website.

### Budget 2013

120. **Deputy Pearse Doherty** asked the Minister for Finance the amount in carry-over from full-year measures in Budget 2012, which will be included in Budget 2013; if he will provide a breakdown in this amount between expenditure savings and revenue. [40475/12]

**Minister for Finance (Deputy Michael Noonan):** A table giving details of the consolidation required to achieve the General Government deficit targets as set out in the EU/IMF Programme was included in the Medium-Term Fiscal Statement (MTFS) last November. In line with the figures presented in the MTFS, the Government is planning a €3.5 billion adjustment in Budget 2013, consisting of €2.25 billion in expenditure adjustments and €1.25 billion of revenue raising measures. The revenue raising measures will consist of €0.95 billion in new measures and €0.3 billion of a carry-forward from 2012.

As the Deputy is aware, my ministerial colleague Minister for Public Expenditure and Reform Brendan Howlin TD has primary responsibility for expenditure issues. In relation to expenditure, the MTFS shows €2.25 billion in spending adjustments will be part of the budgetary arithmetic for Budget 2013, €1.7 billion of which is related to current expenditure and €0.55 billion related to capital expenditure. I understand that the ongoing impact of policy measures introduced in the Comprehensive Expenditure Report 2012-2014 (CER) is being assessed as part of the ongoing planning to meet the agreed Departmental ceilings for 2013.

### Tax Code

121. **Deputy Pearse Doherty** asked the Minister for Finance the saving that would be made to the Exchequer if the maximum tax-free lump sum available at retirement was reduced from €200,000 to €150,000 [40482/12]

**Minister for Finance (Deputy Michael Noonan):** The following arrangements currently apply to retirement lump sums paid under pension arrangements approved by the Revenue Commissioners. Lump sum amounts up to €200,000 are paid free of tax. They are also paid free of USC. The portion of a lump sum between €200,001 and €575,000 is taxed on a ring-fenced basis at 20%. This means that no tax credits or other tax reliefs can be set against this portion of the lump sum. No USC is chargeable. Any amount of a lump sum in excess of €575,000 is taxed at the individual's marginal rate of tax (credits and other tax reliefs are available). In this instance, USC is chargeable on the excess. These amounts are lifetime amounts with prior lump sums aggregating with later lump sums. I assume from the Deputy's question that he is proposing that retirement lump sums in excess of €150,000 be taxed as outlined above. As there is no general requirement for data on the number of persons who are receiving payments of retirement lump sums of less than €200,000 to be returned to my Department or to the Revenue Commissioners, I am not in a position to provide definitive figures on the Exchequer impact of reducing the tax-free retirement lump sum amount from €200,000 to €150,000.

As an exercise that might provide some indication of the scale of the savings involved, it is estimated that just under 2,500 individuals in the public service would be on salaries of over €100,000 and less than €133,500 which, under existing pension scheme arrangements generally applying across the public service, would deliver retirement lump sums of between €150,000 and €200,000. If it is assumed that these individuals would retire in line with retirement trends from the public service in a normal year (about 2.5%), then the additional tax yield from taxing lump sums in excess of €150,000 at 20% could be less than €0.5 m in a full year.

I have no data on which to provide a similar estimate in relation to the private sector. I should point out, however, that one significant difference between public sector and private sector pension schemes is that private sector schemes invariably allow scheme members the option of commuting part of their pension fund for a tax-free lump sum. This option is not available to members of public sector schemes. Depending on the impact of any tax charge on retirement lump sums, the option to commute part of a pension fund may no longer be exercised by private sector pension scheme members or may be exercised in a manner that reduces the value of the lump sum taken to minimise or avoid any immediate tax charge.

### **Film Industry Tax Reliefs**

122. **Deputy Paudie Coffey** asked the Minister for Finance the plans he has to review the film industry's tax regime, an industry that historically has been extremely successful in attracting high profile films and TV productions; if his attention has been drawn to the fact that the Government in the United Kingdom is due to review their tax regime in respect of the film industry which could have a serious competitive impact on the film industry here; and if he will make a statement on the matter. [40483/12]

**Minister for Finance (Deputy Michael Noonan):** The Finance Act 2011 provided for an extension of the film relief scheme to the end of 2015. In that context I believe it is now appropriate to review the scheme in the context of making timely decisions regarding the future of the scheme after 2015. The 2009 Commission on Taxation recommended that film relief should be the subject of regular review. It was last reviewed in 2007. The terms of reference for this Review, which is currently underway, involved the evaluation of the tax expenditure scheme in broad socio-economic and fiscal terms, and are summarised as follows:

- Examination of the costs and benefits of the existing scheme, taking into account displacement/deadweight impacts, and the interplay between this and other tax reliefs;

- The identification of value for money of the scheme to the economy overall;
  - Examination of the international competitiveness context within which the sector operates;
- and
- Recommendations, where and if necessary, for changes that could be made to enhance / maximise the value for money to the tax payer and sustainable job creation and taking digital production and technological advances into account.

Part of the work of the Review also involves an assessment of incentives in a number of competitor jurisdictions including the UK.

Twenty one responses were received following a public consultation process , which ended on 31 August last. These responses can be viewed on my Department's tax policy website (<http://taxpolicy.gov.ie/>).

My Department is currently examining the responses. I would envisage that the results of the review will be published in due course.

### **Commercial Rent Reviews**

123. **Deputy Bernard J. Durkan** asked the Minister for Finance the extent to which tenants of State owned property have request of rent reviews that may be affected by upward only revision; the number of such cases if known; the extent to which it might be intended to address the issue in view of the on-going trading difficulties experienced by the commercial or retailing sectors; if a particular ameliorating solution has been found in such instances; and if he will make a statement on the matter. [40498/12]

**Minister for Finance (Deputy Michael Noonan):** In response to the Deputy's question the Office of Public Works which comes under the aegis of Minister for Public Expenditure and Reform is involved in most purchases and leasing of buildings by the State including buildings leased by my Department.

### **Financial Services Ombudsman**

124. **Deputy Jack Wall** asked the Minister for Finance the number of applications made to the Financial Ombudsman by bank customers relating to banking issues in each of the past three years; and if he will make a statement on the matter. [40527/12]

125. **Deputy Jack Wall** asked the Minister for Finance the number of applications made to the Financial Ombudsman and the number of which the Financial Ombudsman recommended should enter into mediation with their banks; and if he will make a statement on the matter. [40532/12]

126. **Deputy Jack Wall** asked the Minister for Finance the number of requests for mediation refused by the banks when customers had referred their banking issues to the Financial Ombudsman [40535/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 124 to 126, inclusive, together.

Firstly, I must point out that the Financial Services Ombudsman is independent in the car-

rying out of his statutory functions. It would not be appropriate for me to comment on how he performs those functions.

The Financial Services Ombudsman's Bureau has informed me that his office has received the following number of complaints from consumers in relation to banking issues:

Year	Total Number of Complaints	Number of Complaints in relation to Banks
2009	7,619	2,461
2010	7,230	2,381
2011	7,287	2,694
2012 (to 21 September 2012)	5,767	2,296

The number of complaints received by the FSO in relation to the banks has increased each year including to date in 2012.

Mediation, while an integral part of the Financial Services Ombudsman's process, is an informal method of trying to resolve a dispute. It is offered to each party after the internal complaints procedure of a financial services provider (e.g. Bank) has been exhausted by the complainant. There is no obligation on either party to accept the offer of mediation. The Financial Services Ombudsman Bureau has advised me that, in the majority of cases, it is not taken up by either party. The Bureau does not keep a record of refusals by banks to proceed to mediation.

Since the Financial Services Ombudsman commenced processing complaints in 2005, mediation was offered in each case. In 2011, 15 cases were referred to full mediation i.e. where the two parties met with a mediator. I have also been advised that a total of only 23 cases were ever resolved through mediation. If mediation is not taken up by either party or is unsuccessful, the file is sent for investigation and ultimately, adjudication by the Financial Services Ombudsman.

### **Banks Recapitalisation**

127. **Deputy Pearse Doherty** asked the Minister for Finance further to Parliamentary Question No. 283 of 18 September 2012, if he will confirm the cost of the acquisition of Irish Nationwide by IBRC. [40581/12]

**Minister for Finance (Deputy Michael Noonan):** I have been advised that on the 1st July 2011, under the INBS Transfer Order, all of the assets and liabilities of INBS, with certain exceptions, transferred to IBRC. On that date the Group's net assets increased by €638m. No cash consideration changed hands. However the net assets of INBS included cash and cash equivalents of €128m.

### **Banks Recapitalisation**

128. **Deputy Pearse Doherty** asked the Minister for Finance further to Parliamentary Question No. 283 of 18 September 2012, if he will provide a breakdown of IBRC's balance sheet for 2011. [40582/12]

**Minister for Finance (Deputy Michael Noonan):** A breakdown of IBRC's balance sheet is available on page 34 of the IBRC Annual Report and Accounts 2011 which can be accessed at [http://www.ibrc.ie/About\\_us/Financial\\_information/Annual\\_Report/](http://www.ibrc.ie/About_us/Financial_information/Annual_Report/)

### Promissory Note Negotiations

129. **Deputy Pearse Doherty** asked the Minister for Finance further to Parliamentary Question No. 283 of 18 September 2012, if he will clarify the position regarding the interest on the promissory notes, providing a breakdown of the interest which will be submitted by IBRC or if the interest will be passed on to the Central Bank of Ireland; if he will provide a breakdown of the amount and the way that this will happen; and if any of the interest will eventually be returned to the State. [40583/12]

**Minister for Finance (Deputy Michael Noonan):** The Bank, including the former INBS, has been provided with promissory notes to the value of €30.6bn consisting of a number of tranches. Each tranche pays a market based fixed rate of interest which is set on the date of issue and is appropriate to the maturity date of the tranche. The promissory notes pay 10% of the initial principal amount of each tranche annually. Interest to be earned by IBRC on the promissory notes will, over their contractual life, total €16.8 billion. (table attached) As the Deputy is aware IBRC provides details of sale and repurchase agreements with Central Banks in their published accounts. This figure amounts to C €42.3bn as at 30 June 2012 (Interim Accounts). However, as I have already indicated that while there is an implicit link between the current repayment schedule on the Promissory Note and ELA there is no specific repayment schedule, as such, in relation to ELA.

Finally, while not issuing a revised projection the bank remains of the view that there will be a small return to the State at full resolution, given the assumptions currently being used.

Set out in the table is a detailed aggregated schedule of capital repayments and interest payments on the promissory notes:

€bn	Total interest Paid: A	Total Capital Reduction: B	Repayments: A + B	-
31/03/2011	0.55	2.51	3.06	-
31/03/2012	-	3.06	3.06	**
31/03/2013	0.49	2.57	3.06	-
31/03/2014	1.84	1.22	3.06	-
31/03/2015	1.75	1.31	3.06	-
31/03/2016	1.65	1.41	3.06	-
31/03/2017	1.55	1.51	3.06	-
31/03/2018	1.44	1.62	3.06	-
31/03/2019	1.32	1.74	3.06	-
31/03/2020	1.19	1.87	3.06	-
31/03/2021	1.06	2.00	3.06	-
31/03/2022	0.91	2.15	3.06	-
31/03/2023	0.75	2.31	3.06	-
31/03/2024	0.57	1.52	2.09	-
31/03/2025	0.45	0.47	0.91	-
31/03/2026	0.39	0.52	0.91	-
31/03/2027	0.33	0.58	0.91	-
31/03/2028	0.26	0.65	0.91	-
31/03/2029	0.19	0.73	0.91	-
31/03/2030	0.10	0.81	0.91	-

€bn	Total interest Paid: A	Total Capital Reduction: B	Repayments:A + B	-
31/03/2031	0.01	0.05	0.05	-
-	16.8	30.6	47.4	-

\* These numbers may not tot exactly as a result of rounding

\*\* The March 2012 repayment was settled with a long term Government bond.

### Tax Code

130. **Deputy Seán Kyne** asked the Minister for Finance if consideration will be given, in view of the increased challenges a person with a disability faces to obtain employment, to the extension of the revenue job assist tax allowance into a more long term tax allowance which would support persons with a disability in employment; and if he will make a statement on the matter. [40631/12]

**Minister for Finance (Deputy Michael Noonan):** Sections 472A and 88A of the Taxes Consolidation Act 1997 provide for the Revenue Job Assist scheme, which allows qualifying employees, in addition to their normal tax credits, to claim certain income deductions, including additional deductions for qualifying children, for a three year period after taking up employment. The scheme also permits employers to take a double deduction for the salary of the employee when calculating profits for the purpose of taxation. This incentive applies in respect of individuals who have been unemployed for at least 12 months and are in receipt of a specified social protection payment or, who are in a category approved for the purposes of the scheme by the Minister for Social Protection with the consent of the Minister for Finance. Disability benefit and disability allowance are both qualifying payments for the purposes of this scheme.

The scheme is designed to help the long-term unemployed get back into paid employment by helping to ensure that the income earned from that employment is greater than could be obtained by staying on welfare payments. The additional income deductions are gradually reduced over the three year period.

To amend the scheme such that the disabled would retain access to the additional income deductions in perpetuity would go beyond the objectives of the scheme.

I would point out that if an individual is in receipt of certain disability payments, they may be allowed to do work or training and keep their payment or part-payment on the grounds that it is considered rehabilitative or therapeutic.

People with disabilities are, in general, liable to pay tax on their incomes in the same way as everyone else. The tax system does however provide additional tax credits and exempts certain incomes from tax for persons with disabilities of a permanent nature.

Anyone who is permanently incapacitated either physically or mentally, where he or she is unable to maintain himself or herself, may be able to claim one or more of the additional tax credits available. In addition, parents/guardians and persons who care for dependent relatives may also qualify for some of the relevant tax credits, which are set out below:

**Incapacitated Child Tax Credit** - can be claimed by a parent in respect of a child who is permanently incapacitated either physically or mentally from maintaining himself or herself and had become so before reaching 21 years of age or finishing full-time education or full-time training for a trade or profession. (Leaflet No. IT18 - Incapacitated Child Tax Credit )

**Note:** One Parent Family Tax Credit may also be claimed by a single parent (whether widowed, separated, deserted, single or divorced) with an incapacitated child. This credit can be claimed regardless of whether you have already claimed the incapacitated child tax credit. (Leaflet No. IT9 - One-Parent Family Tax Credit)

**Blind Person's Tax Credit** - is due to a person who is regarded as blind. If two people, who are regarded as blind, are married, they can each qualify for this tax credit. (Leaflet No. IT35 - Blind Persons' Tax Credits & Reliefs)

**Employed person taking care of an Incapacitated individual** - an incapacitated person who employs someone to care for himself, herself or a relative can claim for the cost of the employment. (Leaflet No. IT47 - Employed person taking care of an Incapacitated individual)

**Covenants** - relief is available in respect of a properly drawn up Deed of Covenant in favour of a permanently incapacitated individual. However, parents cannot covenant to a permanently incapacitated minor child i.e. under 18 years of age and unmarried. (Leaflet No. IT7 - Covenants to Individuals)

**Medical Expenses Relief** - is available in respect of un-reimbursed nursing home, doctors', hospital and other health expenses. (Leaflet No. IT6 - Health / Medical Expenses Relief)

The following sources of income and gains are exempt from Income Tax and Capital Gains Tax for people with incapacities, provided they are included in their annual return of income:

**Deposit Interest Retention Tax (DIRT)** - if you are permanently incapacitated or over 65 years of age you could be entitled to a refund of DIRT deducted, provided your gross income is exempt from tax or is marginally over the exemption limit. (Leaflet No. IT8 - Tax Exemption & Marginal Relief)

**Leasing of Farmland** - rent from farmland can be exempt if you are permanently incapacitated from carrying on the trade, provided certain conditions are met.

**Payments to or in respect of Thalidomide Persons** Payments made by the Department of Health and Children or the Hilfswerk Für Behinderte Kinder Foundation are exempt from income tax. Also exempt is any income arising from the investment of these payments, for example deposit interest, rental income, dividend income, etc. With effect from 1 January 2004, any gains arising from the disposal of assets acquired with such payments or with such an investment is exempt from Capital Gains Tax.

**Personal Injury Compensation Payments** Certain compensation payments received are exempt from Income Tax. Also exempt is income arising from the investment of such payments, and with effect from 1 January 2004, gains arising on the disposal of assets acquired with such payments or the investment of such payments, provided the aggregate of the gains and income exceeds 50% of the aggregate of the person's total income and gains. The injury must have given rise to a permanent and total mental or physical incapacity which prevents the person from maintaining himself or herself. (Leaflet No. IT 13 - Personal Injury Compensation Payments)

**Compensation payments made by the Hepatitis C and HIV Compensation Tribunal** - are exempt from income tax. Also exempt is income arising from the investment of such payments and with effect from 1 January 2004, gains arising on the disposal of assets acquired with such payments, provided the aggregate of the gains and income exceeds 50% of the aggregate of the person's total income and gains, if the individual is permanently and totally incapacitated from maintaining themselves as a result of the infection.

**Lump Sums** - can be exempt where paid by an employer because of injury or disability. Please see Information Leaflet IT21 - Lump Sum Payments on Redundancy/Retirement for further information.

### **Fuel Prices**

131. **Deputy Michael Healy-Rae** asked the Minister for Finance his views on the cost of fuel (details supplied); and if he will make a statement on the matter. [40700/12]

**Minister for Finance (Deputy Michael Noonan):** Ireland, as with other countries, has experienced an increase in fuel prices. This increase is an international phenomenon. Fuel prices are driven by a number of factors including the price of oil on international markets, exchange rates, production costs and refining costs. The rise in oil prices over recent periods reflected additional factors such as geopolitical uncertainty in Northern Africa and the Middle East with potential supply disruptions. The Exchequer yield from excise, as excise is set at a nominal amount, does not increase as the price of fuels increase. On the other hand, the yield from VAT per litre of fuel, as VAT is set as a percentage of the price, increases as the price of fuels increase. However, in this regard it should be borne in mind that to the extent that spending in the economy is re-allocated to petrol and other oil products, and away from other VAT liable spending, and to the extent that the overall level of economic activity is reduced by higher oil prices, there may be little or no net gain to the Exchequer.

It should also be noted that businesses are of course entitled to reclaim VAT incurred on their business inputs, including VAT incurred on fuel. For example, VAT incurred on auto-diesel and marked gas oil (MGO or green diesel) used in the course of business is a deductible credit for business in the Irish VAT system. VAT on petrol can not be deducted/reclaimed.

There are no plans for temporary taxation adjustments, as to do so, could lead to significant costs to the Exchequer.

### **Apprenticeship Programmes**

132. **Deputy Marcella Corcoran Kennedy** asked the Minister for Education and Skills the plans he has to enable FÁS apprentices complete their apprenticeships when they cannot access work experience and complete the required practical experience; and if he will make a statement on the matter. [40368/12]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** I understand that if a FÁS registered apprentice's employment has been terminated due to insufficient work being available he/she should: Inform FÁS Services to Business immediately of his/her redundant status. Register with the local DSP Employment Services Office for assistance in securing new employment to enable him/her to continue their apprenticeship training. Information regarding employment vacancies can also be accessed by telephoning Jobs Ireland at Freephone 1 800 611 116. Keep FÁS Services to Business informed of all details relating to his/her apprenticeship employment with a FÁS approved employer so that this time may be credited in calculating the finish date of his/her apprenticeship. In addition, in order to assist redundant apprentices to complete their apprenticeships, FÁS has put the following interim measures in place:-1. Apprentices who are made redundant may progress to the next off-the-job training phase of their apprenticeship, in line with current scheduling criteria. 2. FÁS is providing a temporary Redundant Apprentice Placement Scheme, whereby FÁS approved em-

ployers in the public and private sectors will provide redundant apprentices with training and assessment on-the-job at Phase 3, Phase 5 and Phase 7 of their apprenticeships. 3. FÁS has introduced a Competency Determination Mechanism (CDM). This mechanism will provide redundant apprentices who have a time deficit in their apprenticeship with the opportunity to demonstrate their skills and knowledge against the occupational standard for the specified trade over a number of days in a FÁS Training Centre.

### **Schools Building Projects Status**

133. **Deputy Dominic Hannigan** asked the Minister for Education and Skills when the purchase of the site for the new permanent Gael Scoil in Ashbourne, County Meath will be completed; and if he will make a statement on the matter. [40065/12]

134. **Deputy Dominic Hannigan** asked the Minister for Education and Skills the minimum time needed for the planning and construction of a typical eight classroom primary school; and if he will make a statement on the matter. [40066/12]

135. **Deputy Dominic Hannigan** asked the Minister for Education and Skills if he has confidence that the new permanent school for the Ashbourne Gaelscoil, County Meath will be completed and opened in time for the start of the September 2013 school year; and if he will make a statement on the matter. [40067/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 133, to 135, inclusive, together.

My Department has sought the assistance of, and is working closely with, the relevant Local Authority in relation to identifying and acquiring a suitable site for the school to which the Deputy has referred. Due to commercial sensitivities attaching to site acquisitions generally, it is not possible to comment further on the site acquisition aspect of the project at this time. Once a site has been procured, the project will proceed to architectural planning and the appointment of a design team. A building project for an 8 classroom school would be generally expected to take between 30 and 36 months from the time of appointment of a design team to the completion of construction. However, the exact timeframe will be dependent on a number of factors including the granting of planning permission for the proposed building. In the meantime, the school in question will continue to be located in temporary accommodation pending the provision of a new school building.

### **School Accommodation**

136. **Deputy Seán Ó Fearghail** asked the Minister for Education and Skills the recent correspondence he has had with Kildare Vocational Education Committee in relation to the provision of improved second level accommodation at the Curragh Camp; if he has engaged with the Department of Defence on this matter; his strategy for the long term delivery of education at a location (details supplied); and if he will make a statement on the matter. [40074/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I wish to inform the Deputy that my Department has had no correspondence with Kildare Vocational Education Committee or engagement with the Department of Defence in relation to the school to which he refers. There has been a small decrease in enrolments at this school over the past ten years. However, given that the school is in an area which is proximate to areas of growth such as Naas, Kildare, Newbridge and Monasterevin where post-primary provision is being significantly expanded,

my Department's Forward Planning Section has been in contact with the school patron to seek their views on projected enrolments at the school.

### **School Staffing**

137. **Deputy Brendan Griffin** asked the Minister for Education and Skills the position regarding the replacement of a teacher (details supplied) in County Kerry; and if he will make a statement on the matter. [40086/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Arrangements are currently being made for the appointment of a teacher to a post in the visiting teacher service in County Kerry to replace a visiting teacher for hearing impairment who recently retired. The teacher appointed to the position will be a fully qualified teacher with appropriate qualifications and experience.

### **School Transport Provision**

138. **Deputy Mattie McGrath** asked the Minister for Education and Skills the reason a person (details supplied) in County Tipperary has been refused a school bus ticket; if he will review this matter based on the fact that no bus travels from the area in which they live into the school within their catchment area; and if he will make a statement on the matter. [40119/12]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** Changes to the School Transport Scheme for Post Primary children were announced in the 2011 Budget and derived from recommendations in the Value for Money Review of the scheme.

From the commencement of the 2012/13 school year, the use of the Catchment Boundary Area (CB) System ceased as a means of determining eligibility for school transport.

This means that from the 2012/13 school year, school transport eligibility for pupils is determined by reference to the distance they reside from their nearest post-primary education centre having regard to ethos and language.

Existing catchment boundary pupils who are not attending their nearest post primary centre retain their transport eligibility for the duration of their post primary education cycle provided there is no change to their current circumstances.

Siblings of these pupils and other pupils who are not eligible for school transport, may apply for transport on a concessionary basis only in accordance with the terms of the Post Primary School Transport Scheme. Bus Éireann has reported that transport on a concessionary basis can be availed of by the pupil referred to by the Deputy on payment of the school transport charge.

The changes to the Post Primary School Transport Scheme are being applied equitably on a national basis.

### **Adult Education**

139. **Deputy Catherine Murphy** asked the Minister for Education and Skills if any element of the lifestart project is funded by his Department directly; if so, if he will outline the way it is funded, the locations and the amount of funding provided; if there is scope for any further

funding; and if he will make a statement on the matter. [40138/12]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** My Department does not provide funding directly to the Lifestart Project.

My Department funds adult and community education through annual grants to Vocational Education Committees (VECs) under the Adult Literacy and Community Education Scheme (ALCES). VECs deliver courses locally and disburse funds to other local bodies to deliver courses. Decisions on the nature, extent, organisation and location of courses is a matter for individual VECs. In relation to this project, I am aware that both County Offaly and Kildare VECs have provided funding to the Lifestart Project under the ALCES for a number of years. Co Offaly VEC ceased funding at the end of 2011 and I understand that County Kildare VEC has decided to cease funding later this year.

### Site Acquisitions

140. **Deputy Joe Carey** asked the Minister for Education and Skills further to Parliamentary Question No. 31 of 15 March 2012, if he will report on progress on the acquisition of the site as outlined at that time; and if he will make a statement on the matter. [40170/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I can confirm to the Deputy that, further to my earlier reply to him, that the acquisition of a site for a permanent school building for the proposed school referred to by him is currently being progressed by my Department through the Chief State Solicitor's Office in conjunction with the current landowners. When the site has been secured, the building project will be considered for progression in the context of available resources.

### School Breaks Standardisation

141. **Deputy Thomas P. Broughan** asked the Minister for Education and Skills if he will consider reviewing the time-tabling of the primary and post-primary schools' mid-term break to ensure that it doesn't coincide with the annual Halloween celebration; and if he will make a statement on the matter. [40211/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Following extensive discussions, the arrangements for the standardisation of the mid-term, Christmas and Easter breaks for all schools for the school years up to 2013/14 have been agreed with the relevant education partners.

The primary aim of the standardisation of these breaks is to bring certainty and clarity to parents, pupils and schools on the arrangements that will apply for the vacation periods covered by the agreement. Traditionally the week of the mid term break in the first term has been arranged to encompass the October bank holiday Monday. I have no plans to intervene in these arrangements.

### Teacher Training

142. **Deputy Michael Creed** asked the Minister for Education and Skills if he will clarify the position regarding the revised arrangements for teacher training and in particular the impact of the announced changes of students currently pursuing or intent on pursuing courses with

private teacher training colleges; and if he will make a statement on the matter. [40224/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I have accepted the recommendations set out in a report commissioned by the Higher Education Authority (HEA) on the structures of initial teacher education. The purpose of the report, which I requested, was to identify new possible structures to improve initial teacher education in Ireland so that it is comparable with the best in the world. The international panel of education experts who prepared the report recommended that teacher education be provided in six “centres for teacher education”. The new collaborations recommended will mean that a smaller number of publicly funded centres for ITE exist, but that they offer education across multiple sectors from early childhood to primary, to post primary to adult education. These centres will also possess a critical mass in terms of research capacity which is not always possible in smaller institutions.

Only publicly funded HEIs are included in the proposed new collaborations. Private providers of ITE exist outside this framework but are subject to the same accreditation requirements by the Teaching Council. There are no immediate impacts for students presently pursuing or intent on pursuing courses with private teacher training colleges. However, the report also makes various comments and recommendations on matters such as overall teacher supply and I intend to explore these further with the HEA, the Teaching Council, and the initial teacher education providers, as appropriate.

### **School Transport Provision**

143. **Deputy Éamon Ó Cuív** asked the Minister for Education and Skills the financial assistance available for parents towards the cost of transport when they are living in excess of five kilometres from the nearest primary school or from the nearest school transport pick up point; and if he will make a statement on the matter. [40237/12]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** Under the terms of my Department’s Primary School Transport Scheme children are eligible for transport where they reside not less than 3.2 km from and are attending their nearest national school as determined by the Department/Bus Éireann, having regard to ethos and language.

A minimum number of 10 eligible children residing in a distinct locality, as determined by Bus Éireann, are required before consideration may be given to the establishment or retention of school transport services, provided this can be done within reasonable cost limits.

An eligible child for whom no transport service is available may, following an application for transport within prescribed time limits, receive a Remote Area Grant towards the cost of private transport arrangements. This grant is also payable for eligible children who may have to travel 3.2 km or more to or from a designated pick up/set down point.

This grant is payable annually at a fixed daily rate, to each eligible family, regardless of the number of children from the same family, travelling to a particular school. The grant amount, which is distance related, ranges from some €200 to €850 per annum.

### **Vocational Education Committees Amalgamation**

144. **Deputy Noel Harrington** asked the Minister for Education and Skills if he will outline the new structures for the proposed vocational education committees; if he will list the designated chief executive officers for each of the committees; and if he will make a statement on

the matter. [40350/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** In June of 2011, I announced that the Government had approved a revised reconfiguration of the Vocational Education Committees system. The Government decision confirmed that the number of VECs would be reduced to 16 but involves different mergers to those announced by the previous Government. In October 2011 the General Scheme of an Education and Training Boards Bill was referred to the Oireachtas Joint Committee on Jobs, Social Protection and Education. The General Scheme was also published at that time. Following discussions with this Department and relevant stakeholders, the Committee prepared a report which I responded to at a meeting of the Committee on 25 January 2012. The General Scheme was then referred to the Office of the Parliamentary Counsel to the Government for formal drafting. It is hoped that the Bill will be published in the very near future. Also in October 2011, my Department concluded an agreement with SIPTU, the trade union representing the Chief Executive Officers of VECs, on a redeployment scheme for CEOs in the context of the Croke Park agreement. This scheme is being used, in the first instance, for determining the appointment of CEOs to the new Education and Training Boards, following the enactment of the relevant legislation. Arising from the implementation of the scheme, CEO Designates have been assigned to 14 of the 16 new Education and Training Boards. Each CEO Designate will be tasked, in addition to performing the functions appropriate to the grade of CEO within the VEC in which s/he is currently employed, with liaising with the CEOs and Vocational Education Committees of each of the constituent VECs in the proposed new body to maximise cohesion between the constituent VECs prior to establishment day and to facilitate the merger. No additional allowance will be paid for the duration of assignment as CEO Designate. Appointments of CEO of the proposed Education and Training Boards will occur following enactment of the relevant legislation. No assignment of CEO Designate has been made for the Co. Kerry Education and Training Board. Ms Jacinta Stewart, the current CEO in the City of Dublin VEC will be appointed as the CEO of the City of Dublin Education and Training Board following the establishment of the new Board. A list of the education and training boards together with the assigned CEO Designates is contained in the table.

#### CEOs Designate assigned

Education & Training Board	CEO Designate
-	(Name of CEO)
City of Cork and Co. Cork	Mr. George O'Callaghan
Co. Dublin and Dun Laoghaire	Mr. Paddy Lavelle
Co. Kildare and Co. Wicklow	Mr. Sean Ashe
City of Limerick, Co. Limerick and Co. Clare	Mr. Sean Burke
Co. Louth and Co. Meath	Mr. Peter Kierans
City of Waterford, Co. Waterford and Co. Wexford	Ms. Clare McMahon
Co. Cavan and Co. Monaghan	Mr. Martin O'Brien
Co. Donegal	Mr. Shaun Purcell
City of Galway, Co. Galway and Co. Roscommon	Mr. David Leahy
Co. Kerry	No Assignment
Co. Kilkenny and Co. Carlow	Ms. Cynthia Deane
Co. Laois and Co. Offaly	Ms. Anne O'Keeffe
Co. Longford and Co. Westmeath	Mr. Colm McEvoy

Education & Training Board	CEO Designate
Co. Mayo, Co. Sligo and Co. Leitrim	Mr. Seosamh MacDonncha
Co. Tipperary North and South	Ms. Fionnuala McGeever

### Student Grant Scheme Applications

145. **Deputy Jack Wall** asked the Minister for Education and Skills the up to date position regarding an application for an education grant in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [40353/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The decision on eligibility for new student grant applications from the 2012/13 academic year is a matter for the new centralised grant awarding authority, SUSI (Student Universal Support Ireland).

The Deputy will appreciate that in the absence of all of the relevant details that would be contained in an individual's application form and supporting documentation, it would not be possible for me to say whether or not a student should qualify for a maintenance grant.

Officials in my Department have confirmed with Student Universal Support Ireland (SUSI) that documentation was requested from the student on 20 September last. When this documentation has been received, the student will be notified directly of the outcome.

### School Textbooks

146. **Deputy Terence Flanagan** asked the Minister for Education and Skills if he will deal with the following matter regarding school books; and if he will make a statement on the matter. [40360/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I am very conscious that the cost of textbooks is a considerable burden on families. I have met with members of the Irish Educational Publishers' Association and impressed on them the need to limit the cost of textbooks and to avoid placing schools and families in a position where textbooks are altered unnecessarily. The Association agreed a voluntary Code of Practice among their members, which commits them to limiting the publication of new editions and to maintaining editions in print unchanged for at least six years. The publishers also gave assurances that they will sell textbooks to schools at substantial discounts so schools can purchase in bulk to stock textbook rental schemes.

### Schools Building Projects Status

147. **Deputy Paschal Donohoe** asked the Minister for Education and Skills if he will outline the position of a school (details supplied) currently on his Department's school building programme; and if he will make a statement on the matter. [40376/12]

148. **Deputy Paschal Donohoe** asked the Minister for Education and Skills if his attention has been drawn to the fact that his Department is the owner of a property bounded by properties (details supplied); if he will outline his Department's plans for this site; and if he will make a statement on the matter. [40377/12]

149. **Deputy Paschal Donohoe** asked the Minister for Education and Skills if his attention

has been drawn to the fact that the current planning permission for a school (details supplied) has now expired; the plans he has to address this situation; and if he will make a statement on the matter. [40378/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 147 to 149, inclusive, together.

The major building project for the school referred to by the Deputy is at an advanced stage of architectural planning. My Department is actively engaged with the Dublin Docklands Development Authority (DDDA) in relation to the transfer of ownership of the property referred to by the Deputy. When the transfer of the site is complete, the building project for the school will be progressed to final stages of architectural planning which includes the completion of tender Documents.

Planning Permission was granted in June 2008 and remains valid. However, if it proves necessary, the design team may seek an extension to the planning permission. Due to competing demands on the Department's capital budget imposed by the need to prioritise the limited funding available for the provision of additional school accommodation to meet increasing demographic requirements it was not possible to include the project referred to by the Deputy in the 5 year construction programme announced in March. School building projects, including the project referred to by the Deputy, which have not been included in the five year construction programme will continue to be progressed to final planning stages in anticipation of the possibility of further funds being available to the Department in future years.

### **Schools Building Projects Status**

150. **Deputy Michael Colreavy** asked the Minister for Education and Skills if there is a definite timescale for commencement and completion of a new secondary school of Ballinamore, County Leitrim; and if he will make a statement on the matter. [40508/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The school referred to by the Deputy is among eight schools constituting the third bundle of school projects that are earmarked for delivery as part of the Department's overall Schools Public Private Partnership programme of works.

Unfortunately, unanticipated difficulties associated with the current fiscal situation have led to delays in achieving financial close. As a consequence, it has not been possible to conclude the contract with the preferred tenderer as had been originally planned. However, the expectation is that these difficulties will now be overcome later this year with the likelihood that the contract will be in place and the builder on site before the end of the calendar year. I look forward to this situation coming to pass.

### **Schools Building Projects Status**

151. **Deputy Michael Colreavy** asked the Minister for Education and Skills the status of a school (details supplied) and its application for an extension; if the status has changed; and if he will make a statement on the matter. [40509/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The building project for the school referred to by the Deputy is currently at an advanced stage of architectural planning.

My Department recently authorised the project to proceed to Stage 2(b) which includes

planning permission, Fire Cert, Disability Access Cert (DAC) and the preparation of tender documents.

To ensure that every child has access to a school place, the delivery of projects to meet the increasing demographic demands will be the main focus for capital investment over the next 5 years, particularly in those areas where it has been identified that most future demographic growth will be concentrated.

Due to competing demands on my Department's capital budget, imposed by the need to prioritise the limited funding available for the provision of additional school accommodation to meet those increasing demographic requirements, it was not possible to include the project referred to by the Deputy in the 5 year construction programme. Schools, including the one referred to by the Deputy, which have not been included in the five year construction programme, but which were announced for initial inclusion in the building programme will continue to be progressed to final planning stages in anticipation of the possibility of further funds being available to my Department in future years.

### **Teacher Recruitment**

152. **Deputy Regina Doherty** asked the Minister for Education and Skills the initiatives and opportunities that will be coming on stream to give hope to newly qualified teachers as they leave college and seek employment; and if he will make a statement on the matter. [40575/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Circular 31/2011 details a cascade of measures for recruitment of teachers, prioritising unemployed registered teachers over retired registered teachers and registered teachers over unregistered persons.

Each principal must report to his or her board of management on a regular basis on the fact that a list of unemployed registered teachers is being maintained, and the circumstances in which he or she has had to engage a registered teacher in receipt of a pension under a public service pension scheme or an unregistered person.

Also in October last year my Department issued circular 46/2011 which permits schools to participate in JobBridge, the National Internship Scheme. This programme provides work experience placements for interns for a 6 or 9 month period. Interns receive an allowance of €50 per week on top of their existing social welfare entitlement. In the event that a primary teacher, who is conditionally registered with the Teaching Council and who obtains a placement in an internship, can meet the conditions associated with the operation of the primary probationary process as outlined in circular 47/2011, there will be nothing to preclude him or her from applying to be probated. Limerick Education Centre administers the probationary process on behalf of the Inspectorate and applications for the evaluation of professional competence aspect of the probationary process should be addressed to Limerick Education Centre.

### **Departmental Staff Numbers**

153. **Deputy Regina Doherty** asked the Minister for Education and Skills if his Department still grants leave of absence; and if not, the reason this is not considered as a neutral cost saving exercise; and if he will make a statement on the matter. [40594/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I understand the Deputy has clarified that her question is exclusively in relation to career breaks of one year duration or

more.

It is open to an official of my Department to submit an application for a career break in order to rear a child, other domestic purposes (eg care of a sick relative), educational courses, travel abroad or to establish their own business in accordance with the terms of the Department of Public Expenditure and Reform (DPER) circular reference number 18/98 which can be viewed on its website.

In assessing each case my Department will take account of the business needs of the officer's line section in facilitating or rejecting an application. There are 33 officials currently on a career break.

### **Redundancy Payments**

154. **Deputy Regina Doherty** asked the Minister for Education and Skills the reason a person (details supplied) whose special needs assistant contract was discontinued has been told they will not be issued with a P45 or redundancy payment until next year; and if he will make a statement on the matter. [40604/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** P45s are currently being processed for all Special Needs Assistants whose posts ceased on 31st August 2012. The person referred to by the Deputy will receive her P45 this week (i.e. the week commencing Monday 24th September).

A redundancy application in respect of the person referred to by the Deputy has been received by my Department and is currently being processed. It is expected that payment will issue on 25th October 2012.

### **School Funding**

155. **Deputy Anne Ferris** asked the Minister for Education and Skills if he will provide in tabular form the breakdown per private school of the State subsidy for the past 10 years; and if he will make a statement on the matter. [40614/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The information sought is being compiled and will be forwarded directly to the Deputy.

### **Institutes of Technology**

156. **Deputy Seán Kyne** asked the Minister for Education and Skills his views on the strategic partnership recently formed by Galway-Mayo Institute of Technology, Letterkenny Institute of Technology and the Institute of Technology Sligo as an attempt to achieve technological university status. [40626/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** In the document, Towards a Future Higher Education Landscape, published by the HEA in February last, a clear four stage process and criteria was laid out for institutes of technology who wish to apply for designation as a technological university. Having regard to the process that has been put in place to assess proposals for designation as technological universities I do not propose to comment on any potential applications for designation by any group of Institutes of Technology.

## **Bullying in Schools**

157. **Deputy Seán Kyne** asked the Minister for Education and Skills if consideration will be given to the offer from the anti-bullying campaign to provide training in combating and preventing bullying to teachers and school staff free of charge; and if he will make a statement on the matter. [40627/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The Deputy may be aware that an Anti-Bullying Forum was held on Thursday 17th May bringing together a range of experts, support groups and representatives of the schools sector including parents and students.

I was very pleased to open this important Forum and to provide an opportunity to explore with all the relevant stakeholders how best to tackle bullying in schools and to consider what changes or updating of existing practices and procedures are required to achieve this having regard to what is feasible to implement in the current financial climate.

The range of speakers on the day of the Forum included contributions from my Department, Professor Mona O'Moore of the Anti-Bullying Centre, Trinity College, a representative from the Anti-Bullying Campaign and contributors from the school sector from the various perspectives of school principal, parent and pupil. The Forum also gave other stakeholders an opportunity to give their views.

The proceedings of the Forum were broadcast live over the internet and recordings of the day's events can be now viewed by accessing the Anti-Bullying Forum webpage of my Department's website [www.education.ie](http://www.education.ie). The presentations of the various speakers can also be viewed and downloaded from this page.

As a follow on to holding the Forum itself, I invited the stakeholders and any other interested parties, including those unable to attend the event on the day, to submit their views on this important topic to my Department by 29th June 2012. I understand that the Anti-Bullying Campaign has made a submission as have many other interested parties.

The Deputy will also be aware that I recently established a working group to address the issue of tackling bullying in schools. During the course of its work, the working group will be considering the outcomes from the Forum together with the submissions from stakeholders and other interested parties. This includes the submission received from the organisation referred to by the Deputy.

It is intended that the working group will draw upon the expertise of a range of organisations and individuals during the course of its work. I understand that Mr. Sean Fallon of the Anti-Bullying Campaign has already been invited to meet with and make a presentation to the working group.

## **Student Support Schemes Issues**

158. **Deputy Seán Kyne** asked the Minister for Education and Skills if the budgetary amount allocated to the student assistance fund which provides emergency financial support to students in order that they can continue their studies will be maintained this year. [40628/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The allocation of the Student Assistance Fund to approved third level institutions is made by the Higher Education Authority, generally in two instalments. Allocations are based on a combination of Equal Access data and total full-time enrolments in the previous academic year (rather than inclusively on full-time

enrolment data as in previous years). All registered full-time undergraduate and postgraduate students who are attending approved third level courses in the relevant third level institutions are eligible to apply for assistance from the Fund.

The management of the Third Level Access Measure rests with the Higher Education Authority and the allocation of funding for the various access measures, one of which is the Student Assistance Fund, is a matter for the authority. Some €13.2m is available for the TLAM overall. I understand that the HEA is currently finalising the allocation for the Student Assistance Fund and that institutions will be advised shortly of their individual allocations.

### **School Accommodation**

159. **Deputy Peter Mathews** asked the Minister for Education and Skills if there are any plans to build or relocate a school (details supplied) in Dublin 24; and if he will make a statement on the matter. [40696/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I can confirm to the Deputy that my Department is currently considering the position relating to the accommodation needs of the school to which he refers and my officials will be in further contact with the school authority as soon as this process has been completed.

### **Teacher Redeployment**

160. **Deputy Finian McGrath** asked the Minister for Education and Skills the position regarding the special national subsidiary panel in respect of a person (details supplied) [40732/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Each main redeployment panel is created for permanent and CID holding teachers in order to ensure that vacancies in permanent and fixed-term posts are offered in the first instance to these teachers. A secondary and discrete subsidiary of each main redeployment panel, the subsidiary main panel, is created for eligible teachers in fixed term, substitute and part-time posts who meet the relevant eligibility criteria outlined in Circular 0012/2012 which is available on my Department's website.

The arrangements for the subsidiary special national panel allow for the inclusion of eligible post primary trained teachers on the panel to be appointed to certain posts, i.e., in special schools where a proportion of the pupils are of post-primary age and where second level programmes are being provided by the school. The teacher referred to by the Deputy was eligible for the subsidiary special national panel in this context. She is not qualified to teach in a mainstream primary school setting. The teacher has therefore been reinstated on the subsidiary special national panel and retains the right to be offered vacancies for which she is eligible, in special national schools.

### **State Bodies Expenditure**

161. **Deputy Paschal Donohoe** asked the Minister for Public Expenditure and Reform if he will outline if it is still the intention of his Department to merge the Forensic Science Laboratory into the State Laboratory; and if he will make a statement on the matter. [40197/12]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** The proposed measure is one of 46 critical reviews of State bodies which are being undertaken as part of the

Public Service Reform plan, published in November last year. The Department of Public Expenditure and Reform is currently considering the reviews received by Departments.

In relation to critical review No.19 of the Agency Rationalisation Programme, i.e. the review of the merger of the Forensic Science Laboratory into the State Laboratory has been completed. The recommendation of the review will be considered in due course.

### **Land Swaps**

162. **Deputy Joe Higgins** asked the Minister for Public Expenditure and Reform if he will make available from the Office of Public Works all details, including maps, of a land swap between the OPW and Wexford Borough Council; and if he will confirm that this land swap was the same as had been originally arranged in 1992/1993 (details supplied). [40315/12]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes):** In 1994 Wexford Borough Council agreed to transfer land at Crescent Quay/Anne Street, Wexford Town to the Commissioners of Public Works in return for a site at King Street, Wexford Town, owned by the Commissioners.

New Government Offices accommodating a number of Government Departments were constructed on the Crescent Quay/Anne Street site by the Commissioners of Public Works

The legal formalities were finalised and a copy of the Deed of Exchange along with the relevant maps and documentation will be forwarded to the Deputy.

### **Public Procurement Contracts Tenders**

163. **Deputy Seamus Kirk** asked the Minister for Public Expenditure and Reform if his attention has been drawn to the impact which the managed Print Services Framework will have on 300 Buisnesses which are excluded from the tendering process; and if he will make a statement on the matter. [40552/12]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes):** An open competition was held in July 2011 to establish a Framework for the provision of Managed Print Services (MPS) to the public sector. The Request for Tender for MPS was advertised, in accordance with the EC Procurement Directives, on e-Tenders and in the Official Journal of the European Union (OJEU). 15 tender responses were received, of which seven tenderers were selected to be Framework Members. The Framework Agreement for MPS was established on 8 February 2012. The Framework Agreement will be in place for two years, with an option to extend for a further two years.

Four of the successful tenderers are indigenous small and medium enterprises (SMEs) (MJ Flood, Bryan S Ryan, Hibernian Business Equipment and Ergo). The Framework Members have also indicated in their tender submissions that they will use a further 11 indigenous SMEs in the delivery of MPS.

MPS is a unique office print solution, where a supplier provides an all inclusive service based on an on-going per click charge, that includes the provision of print/imaging devices at no capital cost to the public sector body. The supplier, in effect, provides the full infrastructure required for all day-to-day office printing. Research carried out by the National Procurement Service (NPS) has indicated that such an approach gives best value to the Irish public sector.

Some of the smaller suppliers do not have the resources to provide such infrastructure themselves, but they can have roles within the supply networks of the seven Framework Members.

The majority of public sector bodies currently have *ad-hoc* print arrangements in place. A typical Government office has multiple print and imaging devices such as photocopiers, scanners and faxes. These devices can potentially come from a wide range of different suppliers with separate supply and servicing arrangements. The ratio of print devices to staff is often in the region of 1:2 and in some cases as low as 1:1 where a large number of staff have their own desktop printer.

Circular 6/12 specifies that the MPS Framework is mandatory from 1 September 2012. However, it is important to note that this Framework is only mandatory where a public sector body opts for an MPS solution. If a public sector body simply wishes to purchase a printer or a photocopier they do not have to use the MPS Framework. It is a matter for each public sector body to determine which route offers the best value for their organisation.

### **Public Sector Reform Review**

164. **Deputy Patrick O'Donovan** asked the Minister for Public Expenditure and Reform if privilege days still exist in the civil service; if so, if these privilege days date back prior to independence such as a day off to celebrate the Sovereign's birthday and Empire Day; and if he will make a statement on the matter. [40130/12]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** The position is that privilege days no longer pertain in the Civil Service and have been incorporated into the annual leave allowance of civil servants.

In the context of a more integrated public service, as set out in the Public Service Agreement 2010 – 2014, the issue of standardising annual leave arrangements across the public service was agreed between my Department and the Public Services Committee of the Irish Congress of Trade Unions.

The revised annual leave arrangements will see:

- The abolition of historically based local leave arrangements such as for example festival and race days;

- Public service grades with a current annual leave allowance in excess of 32 days will be brought within that maximum commencing from January 2012 to coincide with the annual leave cycle as appropriate;

- All public service personnel will on recruitment or promotion be placed with immediate effect on a new standardised annual leave band with a maximum of 30 days.

### **Departmental Staff Numbers**

165. **Deputy Regina Doherty** asked the Minister for Public Expenditure and Reform if his Department still grants leave of absence; and if not, the reason this is not considered as a neutral cost saving exercise; and if he will make a statement on the matter. [40601/12]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** It is assumed that the Deputy is referring to the Career Break Scheme in the Civil Service, the details of

which are set out in Circular 18 of 1998.

Under the terms of this Circular, Departments have delegated sanction to grant or refuse career breaks. While staff should be facilitated as far as possible, the needs of the work may require that some applications will have to be refused. The operation of the career break scheme is subject to the operating requirements of Departments not being adversely affected or undue additional expenditure being incurred.

### **Employment Rights Issues**

166. **Deputy Seán Crowe** asked the Minister for Jobs, Enterprise and Innovation his plans to introduce new legislative changes in view of the recent High Court judgement involving a migrant worker (details supplied) that was described by the presiding Judge as appalling exploitation and where weaknesses and lack of protections in the Employment Permits Act were highlighted. [40305/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The issue raised by the High Court judgment is one which has important policy and legal implications in the area of Employment Permits and also in terms of Employment Rights.

As Justice Hogan noted in his judgment, “the Oireachtas must, of course, regulate the labour market by specifically deterring illegal immigrants from taking up employment, as failure to do so could have serious medium term implications for both employment and immigration policy”. The relevant provisions of the Employment Permits Acts of 2003 and 2006 hold that where an employee, who was required to hold an Employment Permit, has failed to do so then he or she is guilty of an offence. Furthermore, while an employer may also be guilty of an offence in this matter, Justice Hogan points out that the legislation provides for a defence with regard to an employer but fails to do so with regard to an employee.

As I understand it, this lack of defence affects the courts’ scope to interpret the statutory provisions and compels the court to hold that the legislation has created an absolute offence so far as an employee is concerned. Importantly, Justice Hogan found that it must therefore be taken that the Oireachtas intended that such a non-national employee automatically commits an offence if he or she does not have a work permit irrespective of the reasons for that failure and that this has implications so far as the civil law is concerned in that such a contract of employment must also be taken to be void.

The question that arises for policy makers is to what extent such non-nationals should be dissuaded from working illegally in Ireland by virtue of there being a statutory offence to do so versus to what extent should certain employment rights protect vulnerable migrants who find themselves unwittingly in such employment positions.

The Deputy will recognise that this question requires careful consideration as the applicability of rights in one context can have far reaching consequences beyond that originally intended.

I wish to assure the Deputy that my Department is treating the matter with the utmost importance and that I would expect proposals on the matter within the coming months.

### **Departmental Expenditure**

167. **Deputy Patrick O’Donovan** asked the Minister for Jobs, Enterprise and Innovation if he is able to determine if his Department or any of the other Government agencies under his

remit such as Enterprise Ireland or the Industrial Development Agency have paid for former Government members to undertake courses in the United States of America. [40089/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** My Department has not paid for former Government members to undertake courses in the United States of America.

Expenditure on training by the Agencies under the aegis of my Department is a day-to-day administrative matter for those Agencies in which I have no function. However, I have referred the Question to the Agencies for direct reply to the Deputy.

### **Credit Guarantee Scheme Applications**

168. **Deputy Pearse Doherty** asked the Minister for Jobs, Enterprise and Innovation the actual launch date of the temporary partial credit guarantee scheme which he announced in April 2012; the number of applications received to date under this scheme; and the total value of loans advanced under the scheme. [40280/12]

169. **Deputy Pearse Doherty** asked the Minister for Jobs, Enterprise and Innovation in relation to the temporary partial credit guarantee scheme if he will provide an overview of marketing initiatives undertaken to notify and inform the target audience about the scheme [40281/12]

170. **Deputy Pearse Doherty** asked the Minister for Jobs, Enterprise and Innovation in relation to the temporary partial credit guarantee scheme the expected annual value of the contract with a company (details supplied) for the oversight, management and operation of the scheme; and in relation to the tendering process and appointment of the company, the total number of tenders submitted. [40282/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I propose to take Questions Nos. 168 to 170, inclusive, together.

As the Deputy will be aware, the Credit Guarantee Act 2012 was passed by both Houses of the Oireachtas and signed into law by the President in July 2012. The Act was commenced and came into operation on 30 August 2012. I have now made, with the consent of my colleagues the Minister for Finance and the Minister for Public Expenditure and Reform, a scheme under section 5 of the Act and officials in my Department are working on the final arrangements to launch the scheme. The scheme launch is imminent.

Regarding the cost of the operator, I announced last April that the contract for the practical oversight, management and operation of the scheme was awarded to Maynooth-based company Capita Asset Services following a competitive tendering process. It is expected that the annual cost under the contract will be €199,000.

### **Departmental Agencies Issues**

171. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if he will provide the size and strength of the Industrial Development Agency mission to Australia in terms of funds, personnel and offices. [40296/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The administration of IDA Ireland's overseas offices is a day to day matter for the Agency and is not one for

which I have statutory responsibility.

IDA Ireland has informed me that it has a representative based in Ireland House, Sydney, Australia. The cost associated with the representative and the office is included in the overall expenditure of €10,516,000 incurred in running all of the Agency's overseas offices during 2011. Specific details relating to costs of individual offices are not published as this information is commercially sensitive.

### County and City Enterprise Boards Funding

172. **Deputy Finian McGrath** asked the Minister for Jobs, Enterprise and Innovation the support and advice he can offer to a person (details supplied) in Dublin 5. [40320/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The role of the County and City Enterprise Boards (CEBs) is to provide support for small businesses with 10 employees or fewer in the start-up and expansion phases, to promote and develop indigenous micro-enterprise potential and to stimulate economic activity and entrepreneurship at local level. Business growth and job creation are inherent considerations in the activities of the CEBs.

The CEBs deliver a series of Programmes to underpin this role and can provide both financial and non-financial assistance to a project promoter. The forms of financial assistance that are available, subject to certain eligibility criteria, include Priming Grants, Expansion/Development Grants and Feasibility/Innovation Study Grants. The provision of non-financial assistance can take the form of a wide range of business advice such as Programmes covering Start Your Own Business, Business Management and Mentoring. Due to the Boards unique relationship with their clients and the local business community they can specifically tailor their programmes to meet the evolving needs and requirements of these small enterprises going forward.

The promoter may therefore wish to contact the Chief Executive Officer of Dublin City Enterprise Board, Mr. Greg Swift, to discuss what options may be available to them and their proposed business venture. Dublin City Enterprise Board is located at 5th Floor, O'Connell Bridge House, D'Olier Street, Dublin 2; Phone No: 01 6351144, Fax No: 01 6351811; Email: info@dceb.ie Website: [www.dceb.ie](http://www.dceb.ie).

### Consumer Protection

173. **Deputy Patrick Nulty** asked the Minister for Jobs, Enterprise and Innovation if he has met a delegation from the Consumers Association of Ireland to discuss their funding problems; and if there are any plans for a follow up meeting; and if he will make a statement on the matter. [40372/12]

174. **Deputy Patrick Nulty** asked the Minister for Jobs, Enterprise and Innovation if the Consumers Association of Ireland has made an application for funding for 2012 or 2013; if his Department has evaluated same; and if he will make a statement on the matter. [40373/12]

175. **Deputy Patrick Nulty** asked the Minister for Jobs, Enterprise and Innovation if any public funding has been made available to the Consumers Association for 2012; and if he will make a statement on the matter. [40374/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I propose to take Questions Nos. 173 to 175, inclusive, together.

I met with the Consumers' Association of Ireland on 25th June. The meeting discussed the financial situation of the Association and the possibility of future exchequer funding. I advised the Association that, notwithstanding difficulties it may be experiencing in managing its finances, exchequer support could only be considered where the expending of public funds would represent value for money. The Association advised that it intended to submit a proposal setting out a business case for funding support from the exchequer. The Association has yet to forward a proposal for funding to my Department.

### **Job Creation Issues**

176. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if he will provide each jobs announcement welcomed by his Department since August 2009, the numbers employed by the relevant company at that time, the expected increase in employment at the time of announcement, and the numbers employed in each company at August 2012. [40394/12]

178. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if he will provide each jobs announcement supported by Enterprise Ireland since August 2009, the numbers employed by the relevant company at that time, the expected increase in employment at the time of announcement, and the numbers employed in each company at August 2012. [40396/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I propose to take Questions Nos. 176 and 178 together.

As Minister for Jobs, Enterprise and Innovation, I welcome all announcements concerning the creation of jobs. All press releases relating to job creation issued by my Department's Press Office are available at: <http://www.enterprise.gov.ie/Press-Releases/>.

Details of Enterprise Ireland's job and investment announcements to August 2012, and those of IDA Ireland and Shannon Development, are published on their respective websites – [www.enterprise-ireland.com](http://www.enterprise-ireland.com); [www.idaireland.ie](http://www.idaireland.ie) and [www.shannon-dev.ie](http://www.shannon-dev.ie). However, I should point out that some investment and job creation projects in client companies are not announced by these agencies, for example, in cases where the company involved does not wish this to happen.

The Forfás Annual Employment Survey reports on job gains and losses in companies that are supported by Enterprise Ireland, IDA Ireland and Shannon Development. Data is compiled on an annualised basis. It is not possible to provide information in respect of individual companies as such information is provided by the client companies on a confidential basis and for statistical purposes only.

### **Job Creation Issues**

177. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if he will provide each jobs announcement supported by the Industrial Development Agency since August 2009, the numbers employed by the relevant company at that time, the expected increase in employment at the time of announcement, and the numbers employed in each company at August 2012. [40395/12]

181. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if he will provide for each jobs announcement supported by the Industrial Development Agency

since August 2009, the cost of that support and the cost per additional job realised to the IDA. [40399/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I propose to take Questions Nos. 177 and 181 together.

Details of IDA Ireland's job and investment announcements up to the 19th of September, 2012 are published on the Agency's website – [www.idaireland.ie](http://www.idaireland.ie). It must be remembered that some investment and job creation projects are not announced.

The cost of supporting individual jobs in individual companies is confidential to the client companies. However, the cost per job sustained is available in the IDA Ireland's Annual Reports which are also available on its website. The cost per job sustained is calculated by taking into account all IDA Ireland expenditure to all firms in the period of calculation. Only jobs created during and sustained to the end of each seven year period are credited in the calculations. The IDA Annual Report for 2011 shows that the cost per job sustained fell from €18,989 in the period 1996 – 2000 to €14,202 in the period 2005 – 2011.

The Forfás Annual Employment Survey reports on job gains and losses in companies that are supported by the enterprise development agencies. Data is compiled on an annualised basis and is aggregated at county level. It is not possible to provide information in respect of individual companies as information is provided on a confidential basis for statistical purposes only. The survey shows that in the three year period 2009 to 2011, inclusive, there were a total of 25,908 new jobs created in IDA Ireland's client companies. Details of new jobs created in each of the years in question are shown in the following tabular statement.

**Table showing the Number of New Jobs created in IDA Ireland's Client Companies  
2009 to 2011**

Year	2009	2010	2011
New Jobs Created	5,239	9,075	11,594

*Question No. 178 answered with Question No. 176.*

### **Job Vacancies**

179. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if he will provide a projection of the number of posts that will be filled by recruits from here to the jobs recently announced by Electronic Arts in Galway. [40397/12]

180. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the number of unemployed people with the necessary skills to fill the new posts announced by Electronic Arts in Galway. [40398/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I propose to take Questions Nos. 179 and 180 together.

On 18th September 2012, An Taoiseach, Mr Enda Kenny T.D. announced the creation of 300 new jobs for Electronic Arts' (EA) European Customer Experience Centre of Excellence in Galway. The new jobs are being supported by IDA Ireland. The jobs announced will come on

stream within a 3 to 5 year period, in line with the company's business plan, and will be filled by the appropriately qualified personnel. Building on the foundation of its existing facility, EA will now provide multilingual international customer support and services for its major game titles. EA has stated that the European Customer Experience Centre is a key element of its strategy to serve gamers on a global basis. The company wishes to engage with its worldwide customer base on a 24/7 basis, across all of EA's games and services and in multiple languages in today's fast-moving digital environment. I am delighted that this is another vote of confidence by a major player in the Games Sector in the attractiveness and competitiveness of Ireland as an investment location and in Galway as a location of choice.

*Question No. 181 answered with Question No. 177.*

### **Redundancy Payments**

182. **Deputy Jonathan O'Brien** asked the Minister for Jobs, Enterprise and Innovation his plans to review company law in order to oblige insolvent companies which declare themselves unable to meet their financial obligations to their employees to enter liquidation before employees are forced to apply to the redundancy fund; and if he will make a statement on the matter. [40400/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** If an insolvent company is not put into liquidation and is struck off the Register of Companies for failure to file annual returns, it is open to the Director of Corporate Enforcement, pursuant to section 160(2) (h) of the Companies Act 1990 (as amended) to apply to the High Court for the disqualification of the directors of the company.

The Companies Acts, along with other legislation such as the Social Welfare Acts, grant preferential status to a number of creditors in the winding up of a company. Section 285 of the Companies Act, 1963 sets out a number of preferred debts in relation to the assets of a company in a winding up. These include unpaid wages and salaries of employees due during the four months prior to liquidation and up to a maximum of €3174.35 per employee. Provision is also included in Section 285 for the preferential status of employees' accrued holiday remuneration, sums due in respect of sick pay and pension contributions. I have no plans to review Company Law in this regard.

### **Redundancy Payments**

183. **Deputy Jonathan O'Brien** asked the Minister for Jobs, Enterprise and Innovation his plans to empower the Employment Appeals Tribunal and the Labour Relations Commission, in cases when companies declare themselves unable to pay wages and redundancy owed to employees, to compel the directors to attend hearings and the reason they have not met their employees terms and conditions; and if he will make a statement on the matter. [40401/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The Employment Appeals Tribunal (EAT) and the Labour Relations Commission (LRC) are independent statutory bodies under the aegis of my Department. As independent quasi-judicial bodies, I have no role in the day-to-day exercise of their functions.

The system of industrial relations in Ireland is essentially voluntarist in nature; the LRC cannot compel any party to a dispute to attend a hearing/meeting. The LRC does not have any jurisdiction to adjudicate on disputes in relation to redundancy payments.

The EAT is an independent body bound to act judicially and was set up to provide a speedy, fair, inexpensive and informal means for individuals to seek remedies for alleged infringement of their statutory rights. The EAT has jurisdiction to deal with and adjudicate on disputes under a number of pieces of legislation including the Redundancy Payments Acts 1967 to 1997 and the Protection of Employees (Employers Insolvency) Acts 1984 to 1994. The Redundancy Acts provide that all eligible employees are entitled to a statutory redundancy lump sum upon being made redundant. The latter Act provides for the protection of employees' entitlements in regard to matters relating to pay (e.g. arrears of wages, holiday pay etc.) in the event of the insolvency of their employer. The Act also provides that disputes concerning some of these entitlements may be referred to the EAT.

The EAT currently has the power to compel any person (including the director(s) of a company) to attend a hearing to give evidence and to produce any documents in his/her possession, custody or control, relating to any matter referred to the Tribunal, including complaints referred under the aforementioned legislation. A person who fails to attend a hearing in response to such a notice from the EAT or who refuses to give evidence or to produce any required documents will be guilty of an offence and liable on summary conviction to a fine. The EAT also has the power to take evidence on oath and may administer oaths to persons attending as witnesses. Penalties are prescribed by law for wilful and corrupt perjury by any person convicted in a Court of Law giving false evidence or wilfully or corruptly swearing anything, which is false as a hearing of the EAT.

It is entirely a matter for the Tribunal, having regard to the circumstances of any particular case, to determine whether or not to invoke its powers to compel a witness to attend a hearing in order to give evidence.

I have no plans to introduce legislation amending the existing rules concerning the compellability of witnesses to either the EAT or LRC. However, as you may be aware, I am currently undertaking a root and branch reform of the existing Workplace Relations Bodies. The Reform Programme I have commenced will deliver a two tier Workplace Relations structure by merging the activities of the LRC, the National Employment Rights Authority, the Equality Tribunal and the first instance functions of the EAT and the Labour Court into a new Body of First Instance, to be known as the Workplace Relations Commission (WRC). The appellate functions of the Employment Appeals Tribunal will be incorporated into an expanded Labour Court. Work has commenced on the drafting of a Workplace Relations Bill to give effect to the new two-tier structure. It is intended that Adjudication Officers in the new WRC will also have the power to compel witnesses to attend hearings to give evidence.

### **Departmental Staff Numbers**

184. **Deputy Regina Doherty** asked the Minister for Jobs, Enterprise and Innovation if his Department still grants leave of absence; and if not, the reason this is not considered as a neutral cost saving exercise; and if he will make a statement on the matter. [40599/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** Staff in my Department may apply for unpaid special leave in the form of a career break. A career break may be allowed for domestic, educational, travel or self-employment purposes and may be granted for a period of between six months and five years (three years in the case of self-employment). They may be approved where the normal operating requirements of Departments are not adversely affected and where additional expenditure is not incurred as a consequence.

My Department currently has twenty-six staff participating in the career break scheme.

## **Job Protection**

185. **Deputy Tom Fleming** asked the Minister for Jobs, Enterprise and Innovation if he will, in conjunction with the Industrial Development Agency and Enterprise Ireland intervene in the threatened closure of a company (details supplied) in County Kerry with a view to prioritising necessary supports and assistance to help the company continue to operate; and if all fails, if he will have arrangements made that an alternative employer be secured to replace the jobs that are currently under threat. [40620/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** At a meeting with the management of the company in question on the 13th September 2012, IDA Ireland was informed that the US based parent company had decided to exit the particular market in Europe. The company plans to sell as a going concern their European business interests in this sector which includes the manufacturing plant in Killorglin, Co. Kerry and a sales and R&D facility in Germany. Management confirmed that the plant will close by the end of 2012 with the loss of 30 jobs if a sale is not successfully concluded by then. Staff at the company have been informed of the decision to sell the operation and of the consequence of not being successful in this planned sale. Management will begin a formal process of consultation with staff and unions in the next few days.

As a result of the construction downturn in the US and Europe, the company have decided to consolidate their business units and concentrate on the market for traditional products and markets in the timber frame sector. The construction downturn has led to the Killorglin facility being on a 3 day week for much of the past 3 years. The building and land is owned by the company and IDA Ireland is aware that the company has engaged consultants to market both land and equipment as a going concern. IDA will continue to work with the company in their search for a new owner/purchaser to sustain the facility and staff. IDA will also look for opportunities to market the building through its overseas network.

Job creation is central to our economic recovery and the Programme for Government has job creation at its core. The role of my Department is to ensure that we have the right policies in place that will support and grow our enterprise base in order to facilitate both job creation and job retention. The programmes supported by my Department and its agencies - IDA Ireland and Enterprise Ireland - will be critical in achieving economic growth. These activities will, in turn, create and protect existing jobs in the area.

## **Mortgage Resolution Processes**

186. **Deputy Derek Nolan** asked the Minister for Social Protection the reason the new mortgage advisory service is confined to accountants; her plans to open up the service to financial brokers in view of the fact that they are specifically qualified to provide financial advice and are open to scrutiny by the Central Bank of Ireland; and if she will make a statement on the matter. [40759/12]

232. **Deputy Tom Hayes** asked the Minister for Social Protection the reason the new advisory service for mortgage holders in difficulty has been confined to accountants; and if she will make a statement on the matter. [40455/12]

244. **Deputy Brian Walsh** asked the Minister for Social Protection if she will consider the inclusion of financial brokers in the range of professionals to provide advice through the new advisory service for borrowers in mortgage distress in view of the fact that they are specifically qualified to dispense such advice and are regulated by the Central Bank; and if she will make a

statement on the matter. [40542/12]

252. **Deputy Joe McHugh** asked the Minister for Social Protection if she will provide an update in the role in the new advisory service for mortgage holders in difficulty, of insurance brokers and independent financial advisors that are regulated by the Central Bank of Ireland; if she envisages a role for such businesses to complement the role of accountants that she set out when announcing the new service; and if she will make a statement on the matter. [40574/12]

257. **Deputy Seán Kyne** asked the Minister for Social Protection the rationale for the exclusion of independent financial brokers who are regulated by the Central Bank and operate to a high standard from taking part in the advisory service for persons experiencing mortgage difficulties. [40625/12]

261. **Deputy Olivia Mitchell** asked the Minister for Social Protection if she will clarify the persons who may become a member of the panel of advisers of the new independent advisory service for mortgage holders; if her attention has been drawn to concerns among professions such as financial brokers that they will suffer from loss competitive advantage if they are admitted to this scheme at a much later date; if she will give consideration to immediately admitting such professions which are well regulated and meet the criteria of the scheme; and if she will make a statement on the matter. [40730/12]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 186, 232, 244, 252, 257 and 261 together.

I recently announced a three-phased approach to establishing a comprehensive Mortgage Arrears Information and Advice Service to provide the necessary supports to assist people in mortgage distress. The approach differentiates between mortgage information and mortgage advice. The first two involve the enhancement of the website *www.keepingyourhome.ie* and the establishment of a Mortgage Arrears Information Helpline within the Citizens Information Board both of which focus on the provision of comprehensive mortgage arrears information in particular to people in arrears or pre-arrears.

The third element of the service is the provision of independent financial advice to mortgage holders who are being presented with long term mortgage resolution proposals by their lenders. This advice will be provided by a panel of accountants drawn from members of the main accountancy institutes in Ireland who have agreed to participate and support this independent service.

When a lender is proposing longer-term mortgage resolutions, the lender will advise the borrower to obtain independent financial advice on the proposed arrangement and that, if the borrower wishes to avail of this option, that the lender will pay €250 to an accountant of the borrower's choosing for the provision of this advice.

An operating protocol for the provision of this advice has been agreed between the main recognised accountancy bodies and the lenders. The general scope of the advice will be limited to the borrower's principal private residence.

The advisory framework has commenced with practicing accountants because they already operate within a regulatory regime which includes qualitative oversight by their regulating bodies and in these circumstances it was possible to establish the advisory framework for people with mortgage distress within a relatively short timeframe.

There is nothing to inhibit other financial intermediaries from continuing to give advice on mortgages as requested by borrowers. It is intended to review the operation of the advisory framework in June 2013 at which point other interested parties who meet the criteria in terms of

qualifications, experience, independence, professional indemnity insurance, etc., may be considered for inclusion.

The accountancy bodies have already notified their members about the new service with a view to having the panel in place before the end of September. The panel will be available on a county by county basis and the details will be available on the website *www.keepingyourhome.ie*.

### **Farm Assist Scheme Applications**

187. **Deputy Paschal Donohoe** asked the Minister for Social Protection if it is correct that a pension fund is deemed as income in a means assessment for farm assist in respect of a person (details supplied) in County Mayo in view of the fact that this person will not derive any income from the pension fund for a number of years. [40055/12]

**Minister for Social Protection (Deputy Joan Burton):** The person concerned was assessed with weekly means of €289 derived from farm income of €14.87 and capital of €274 from savings and a pension fund which is available to him currently. The encashment value of his pension fund as of 23 February 2012 was €64,059. This decision was appealed to the independent Social Welfare Appeals Office and the decision was upheld. The Appeals Officer's decision is final in the absence of new facts or fresh evidence.

### **Carer's Allowance Applications**

188. **Deputy John O'Mahony** asked the Minister for Social Protection when a person (details supplied) in County Mayo will receive a decision on their application for carer's allowance; and if she will make a statement on the matter. [40072/12]

**Minister for Social Protection (Deputy Joan Burton):** I confirm that the department is in receipt of an application for carer's allowance from the person in question. The application will be processed as quickly as possible and when a decision is made the person concerned will be notified directly of the outcome.

### **Illness Benefit Appeals**

189. **Deputy Seán Ó Fearghaíl** asked the Minister for Social Protection if she will expedite an appeal on an application for illness benefit in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [40080/12]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that the appeal from the person concerned was examined by a Medical Assessor of the Department of Social Protection who was of the opinion that he was capable of work. He appealed this decision on 20th January 2012 and in that context he was examined by another Medical Assessor who also expressed the opinion that he was capable of work.

In the light of this, it was decided to afford the person concerned an opportunity of setting out the complete and up to date grounds of his appeal and to furnish any further medical evidence that he wished to submit in support of his appeal. He did this and the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of were sought on 14th June 2012. When received, the appeal in question will be referred to an Appeals

Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

### Domiciliary Care Allowance Review

190. **Deputy Brendan Griffin** asked the Minister for Social Protection when the review group on domiciliary care allowance is due to report back; if she will reassure recipients of domiciliary care allowance who are worried about the implications of any possible cuts to domiciliary care allowance; and if she will make a statement on the matter. [40084/12]

**Minister for Social Protection (Deputy Joan Burton):** The working group is due to report on the review of the domiciliary care allowance scheme by the end of December 2012.

The group's terms of reference include the review of the following; the policy objectives of the scheme, the administrative, medical assessment and appeals processes and the medical guidelines for the scheme. The group has also been asked to liaise with the Advisory Group on Tax and Welfare in the context of their review of DA/DCA issues and incorporate any relevant findings into the administrative arrangements for the DCA scheme and having considered these issues, to recommend whether any legislative changes are required in relation to the scheme and whether the current operation of the scheme needs further refinement to meet the overall policy objectives.

It would not be appropriate to comment on the potential recommendations of the group until they have completed their work and their report has been duly considered. The Deputy should note that no individual customer eligibility reviews will be undertaken while the review of the scheme is ongoing.

### Disability Allowance Application Numbers

191. **Deputy Jim Daly** asked the Minister for Social Protection the number of recipients of disability allowance for each of the past twenty four months in tabular form; and if she will make a statement on the matter. [40088/12]

**Minister for Social Protection (Deputy Joan Burton):** The information requested by the Deputy is in the tabular statement.

-	January	February	March	April	May	June	July	August	September	October	November	December
2012	102,698	102,750	102,896	102,851	103,100	103,212	103,123	103,026	-	-	-	-
2011	101,348	101,514	101,647	101,613	101,605	101,759	102,042	102,263	102,331	102,571	102,674	102,866
2010	-	-	-	-	-	-	-	-	101,042	101,040	101,156	101,111

### National Internship Scheme Numbers

192. **Deputy Michael McCarthy** asked the Minister for Social Protection if her attention has been drawn to the fact that a job advertised under the JobBridge programme (details supplied) could be wrongly interpreted as a full-time paid position upon initial examination, if this

is acceptable and should be rectified; and if she will make a statement on the matter. [40117/12]

**Minister for Social Protection (Deputy Joan Burton):** JobBridge, the National Internship Scheme, provides internship opportunities of either 6 or 9 months for unemployed individuals on the Live Register, in organisations operating in the private, public and community voluntary sectors. Internship opportunities can vary significantly spanning many occupations/disciplines from high skill specialist placements to lower skilled general placements. The principal aim of internships advertised is to provide interns with an opportunity to keep close to the labour market while gaining valuable experience in a working environment and thus enabling them to increase the knowledge and skills required to explore a new career path or enhance their career prospects and build their confidence through work experience.

The scheme has made significant progress to-date. Our records indicate that a significant proportion of individuals have progressed into employment across various occupations/ disciplines on completion of their internship placements. To ensure that both the host organisation and intern are abiding by the spirit and the rules of the scheme, the JobBridge team are involved in the continuous monitoring of internships. This involves the regular review of monthly compliance reports and the conducting of random monitoring site visits to facilitate discussions with both parties to the Internship.

All internships advertised on the JobBridge website clearly state “This is an internship. An allowance of €50 per week will be paid in addition to your current social welfare payment. See eligibility criteria above.”

### **Social Welfare Appeals Status**

193. **Deputy Peter Mathews** asked the Minister for Social Protection if her attention has been drawn to the fact that a person (details supplied) in Dublin 16 is waiting six months on a social welfare appeal; if she will ensure that they receive a decision shortly; and if she will make a statement on the matter. [40151/12]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 22 March 2012. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on 24th April 2012 and the case has been referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

### **Appointments to State Boards**

194. **Deputy Dominic Hannigan** asked the Minister for Social Protection if she will outline in tabular form the number and percentage of women and men on State boards under the aegis of her Department in each of the past seven years; if she will provide the most up to date figures available regarding the number and percentage of women and men on State boards under the aegis of her Department in 2012; and if she will make a statement on the matter. [40154/12]

**Minister for Social Protection (Deputy Joan Burton):** The State boards currently under the aegis of the Department of Social Protection are the Citizens Information Board, the Social Welfare Tribunal and the Pensions Board. Other State boards which were under the aegis of the Department during the period in question were the Combat Poverty Agency (now integrated within the Department's Social Inclusion Division) and the Family Support Agency (now under the aegis of the Department of Children and Youth Affairs).

When filling vacancies on the boards of bodies under the aegis of the Department, every effort is made to comply with the target of having at least 40% of each gender represented on a board.

The information sought by the Deputy is set out in the tables.

Citizens Information Board (formerly Comhairle)

Year	Number of people serving on the Board	Male	Female	Male%	Female%
24-9-2012	12	7	5	58	42
31-12-2011	15	7	8	47	53
31-12-2010	15	8	7	53	47
31-12-2009*	5	3	2	60	40
31-12-2008	15	9	6	60	40
31-12-2007	15	9	6	60	40
31-12-2006	13	9	4	69	31
31-12-2005	17	11	6	65	35

\* 10 Vacancies on 31 December 2009

The Pensions Board

Year	Number of people serving on the Board	Male	Female	Male%	Female%
24-9-2012	15	8	7	53	47
31-12-2011	16	9	7	56	44
31-12-2010	16	9	7	56	44
31-12-2009*	17	9	8	53	47
31-12-2008	17	9	8	53	47
31-12-2007	16	8	8	50	50
31-12-2006	17	9	8	53	47
31-12-2005	17	9	8	53	47

Social Welfare Tribunal

Year	Number of people serving on the Board	Male	Female	Male%	Female%
24-9-2012	5	4	1	80	20

31-12-2011	5	4	1	80	20
31-12-2010	5	4	1	80	20
31-12-2009	5	4	1	80	20
31-12-2008	5	4	1	80	20
31-12-2007	5	4	1	80	20
31-12-2006	5	4	1	80	20
31-12-2005	5	4	1	80	20

Combat Poverty Agency\*

Year	Number of people serving on the Board	Male	Female	Male%	Female%
31-12-2008	13	9	4	69	31
31-12-2007	12	9	3	75	25
31-12-2006	15	9	6	60	40
31-12-2005	15	7	8	47	53

\* The Combat Poverty Agency integrated with the Office for Social Inclusion within the Department of Social Protection with effect from 1 July 2009 and the board was discharged.

Family Support Agency\*

Year	Number of people serving on the Board	Male	Female	Male%	Female%
31-12-2009	8	3	5	37	63
31-12-2008	11	4	7	36	64
31-12-2007	12	4	8	33	67
31-12-2006	12	4	8	33	67
31-12-2005	12	4	8	33	67

\* Responsibility for the Family Support Agency transferred to the Department of Community, Equality & Gaeltacht Affairs on 1 May 2010 and is now under the aegis of the Department of Children and Youth Affairs.

### Redundancy Rebates

195. **Deputy Joe Carey** asked the Minister for Social Protection the position regarding an employer redundancy rebate application in respect of a person (details supplied) in County Clare; and if she will make a statement on the matter. [40181/12]

**Minister for Social Protection (Deputy Joan Burton):** A redundancy rebate claim for the employer concerned has recently been awarded. Payment will be issued by cheque shortly.

### Rent Supplement Scheme Applications

196. **Deputy Terence Flanagan** asked the Minister for Social Protection the position regarding rent allowance in respect of a person (details supplied) in Dublin 1; and if she will make a statement on the matter. [40183/12]

**Minister for Social Protection (Deputy Joan Burton):** The person concerned has lodged an application for Rent Supplement indicating that he has access to his child and is paying rent of €850.00 monthly. The child's housing need is met by his primary carer. The person concerned does not, have any qualified children related to his Jobseeker's Allowance claim and, therefore, does not have an entitlement to Rent Supplement in respect of a two bedroom property, nor an entitlement to have the appropriate maximum amount of rent that applies to a one parent family with one child applied in this case. The appropriate rent limit for the person concerned is €475 per month.

### **Pension Provisions**

197. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when a person (details supplied) in County Kildare will qualify for state pension; and if she will make a statement on the matter. [40184/12]

**Minister for Social Protection (Deputy Joan Burton):** The Department is unable to provide forecasts for people in relation to their possible future State pension (transition/contributory) entitlements, or to comment on individual pension planning enquiries.

The person concerned has not reached pension age. He has been furnished with a copy of his social insurance record as currently held by the Department, together with a guide which explains how entitlement to a State pension (transition/contributory) is currently assessed and which should assist him in calculating what his future State pension entitlements may be.

The Department's website, [www.welfare.ie](http://www.welfare.ie), also provides a comprehensive suite of information in relation to State pension entitlements, including a range of frequently asked questions and answers.

### **Student Support Schemes Issues**

198. **Deputy Eric Byrne** asked the Minister for Social Protection if a person (details supplied) in Dublin 10 will be given permission to finish their course work on placement; and if she will make a statement on the matter. [40189/12]

**Minister for Social Protection (Deputy Joan Burton):** The Department has no record of the person concerned undertaking course work on placement.

### **Social Welfare Appeals Status**

199. **Deputy Pat Breen** asked the Minister for Social Protection when a person (details supplied) in County Clare will be facilitated; and if she will make a statement on the matter. [40198/12]

**Minister for Social Protection (Deputy Joan Burton):** Further to my response to Parliamentary Question No. 746 on 18th September 2012, I am advised by the Social Welfare Appeals Office that there is no update to the information given previously.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

### **Domiciliary Care Allowance Applications**

200. **Deputy Pat Breen** asked the Minister for Social Protection when a decision on a domiciliary allowance will issue to a person (details supplied) in County Clare; and if she will make a statement on the matter. [40200/12]

**Minister for Social Protection (Deputy Joan Burton):** Following a review of the medical evidence in this case, the person concerned was found to be eligible for the domiciliary care allowance. The claims is in payment and all arrears due have issued.

### **Domiciliary Care Allowance Appeals**

201. **Deputy Pat Breen** asked the Minister for Social Protection when a decision on a domiciliary care scheme will issue to a person (details supplied) in County Clare; and if she will make a statement on the matter. [40201/12]

**Minister for Social Protection (Deputy Joan Burton):** An application for domiciliary care allowance (DCA) was received on the 21st May 2012. This application was referred to one of the Department's Medical Assessors who found that the child was not medically eligible for DCA. A letter issued on the 17th July 2012 refusing the allowance. The person concerned subsequently lodged an appeal against this decision.

As part of the appeal process, the case has been forwarded to another of the Department's Medical Assessors for further consideration, including a review of any new information supplied. Upon receipt of the Medical Assessor's opinion, the case will be further examined and will be forwarded for consideration by the Appeals Office, if necessary.

### **Carer's Allowance Applications**

202. **Deputy John O'Mahony** asked the Minister for Social Protection when a person (details supplied) in County Mayo will receive a decision on their application for carer's allowance; and if she will make a statement on the matter. [40217/12]

**Minister for Social Protection (Deputy Joan Burton):** I confirm that the department is in receipt of an application for carer's allowance from the person in question. The application will be processed as quickly as possible and when a decision is made the person concerned will be notified directly of the outcome

### **Carer's Allowance Applications**

203. **Deputy John O'Mahony** asked the Minister for Social Protection when a person (details supplied) in County will receive a decision on their application for carer's allowance; and if she will make a statement on the matter. [40222/12]

**Minister for Social Protection (Deputy Joan Burton):** I confirm that the department is in

receipt of an application for carer's allowance from the person in question. The application will be processed as quickly as possible and when a decision is made the person concerned will be notified directly of the outcome

### **Pension Provisions**

204. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if a person (details supplied) in County Kildare qualifies for old age pension; and if she will make a statement on the matter. [40230/12]

**Minister for Social Protection (Deputy Joan Burton):** It is not possible for a person to qualify for State pension (contributory) on the basis of their spouse's PRSI record.

The person concerned does not satisfy the qualifying conditions for State pension (contributory) which applied on the date that she reached pension age (66):

- have entered insurable employment before attaining the age of 56 years.
- have at least 156 paid contribution weeks since entry into insurance, from employment or self-employment.
- have a yearly average of at least 48 paid and/or credited full-rate contributions from 1979 to the end of the tax year preceding her 66th birthday, or
- have a yearly average of at least 10 paid-credited contributions from the date of her entry into insurable employment, to the end of the tax year preceding her 66th birthday (to qualify for the maximum rate, a yearly average of 48 is required).

The person concerned, according to the records of the Department, has a yearly average of 4 contributions from 1952 to 1996. She does not therefore satisfy the qualifying conditions for State pension (contributory) as outlined, and her claim was disallowed on this basis.

Section 110 (1)(a) of the Social Welfare Consolidation Act 2005 stipulates that in order to be eligible for a State pension (contributory), at least one year's self-employment contributions must be paid prior to the person reaching pension age. The person concerned had applied to this Department, in 2010, for recognition of a commercial partnership with her husband and recognition of the partnership has been granted. All outstanding PRSI was paid by the person concerned in November 2010 which was after her 66th birthday. In this case, as all of the self-employment contributions due were paid after the person concerned reached the age of 66 years, and insufficient class S PRSI had been paid by her husband to cover both of their liabilities for at least one single tax year prior to her 66th birthday, the person concerned does not satisfy the first eligibility condition as outlined above.

It is noted that the person concerned has not made application for a Widow(er)'s and Surviving Civil Partner's Contributory Pension. An information leaflet and claim form for this pension has been sent to her. Should she decide to apply for this pension, on receipt of the completed claim form, her entitlement to pension will be fully examined and she will be notified of the outcome without delay.

### **Long-Term Illness Scheme Applications**

205. **Deputy Pat Deering** asked the Minister for Social Protection the reason persons with

Fibromyalgia, despite submitting all relevant medical paperwork, are been refused on the basis of a desk assessment. [40231/12]

**Minister for Social Protection (Deputy Joan Burton):** Fibromyalgia is accepted as a certifiable medical condition. Eligibility to the various illness related schemes is determined by its severity and expected duration.

The medical assessment is made in accordance with the Department's evidence based medical guidelines/protocols.

All medical evidence submitted is taken into consideration in assessing eligibility for the various illness related schemes.

### **Social Welfare Overpayments**

206. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the way it has occurred that an alleged overpayment was made in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [40235/12]

**Minister for Social Protection (Deputy Joan Burton):** Following a review of this case an overpayment was assessed as it was established that the person concerned had failed to notify the Department of a change in her circumstances.

### **One-Parent Family Payment Applications**

207. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when one parent family allowance will be paid in the case of a person (details supplied) in County Kildare; if she will review the decision to cease payment under this scheme; and if she will make a statement on the matter. [40243/12]

**Minister for Social Protection (Deputy Joan Burton):** The one parent family application of the person concerned is being processed, and she will be informed of the outcome once this process is completed. The person concerned submitted a written request to have her previous one parent family claim closed, and the Department have no plans to carry out a review of the decision to close that claim.

### **Invalidity Pension Appeals**

208. **Deputy John O'Mahony** asked the Minister for Social Protection when a person (details supplied) in County Mayo will receive a decision in relation to their application for invalidity pension; and if she will make a statement on the matter. [40244/12]

**Minister for Social Protection (Deputy Joan Burton):** I am advised by the Social Welfare Appeals Office that an Appeals Officer having fully considered all the available evidence allowed the appeal of the person concerned by way of summary decision. The person concerned was notified of the Appeals Officer decision on 19th September 2012.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

## **Child Benefit Payments**

209. **Deputy Thomas Pringle** asked the Minister for Social Protection the number of recipients of child benefit who are also in receipt of a social welfare payment, including family income supplement, and the percentage that they compose of the child benefit budget. [40245/12]

210. **Deputy Thomas Pringle** asked the Minister for Social Protection the number of the child benefit budget allocated to those who are not recipients of social welfare payments, including family income supplement. [40246/12]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 209 and 210 together.

The information requested by the Deputy is not routinely collated by my Department. However, I am informed that on the 31st of December 2011, there were 597,333 families in receipt of child benefit. There 263,515 families in receipt of qualified child increases across the various social welfare schemes administered by the Department of Social Protection on that date and 28,876 families in receipt of Family Income Supplement on that date.

These data show that approximately 51% of families who receive Child Benefit are not in receipt of a social welfare payment.

## **Carer's Allowance Applications**

211. **Deputy John O'Mahony** asked the Minister for Social Protection when a person (details supplied) in County Mayo will receive a decision on their review application for carer's allowance; if this case was assessed by a medical assessor; and if she will make a statement on the matter. [40250/12]

**Minister for Social Protection (Deputy Joan Burton):** I confirm that the department is in receipt of an application for carer's allowance from the person in question. In June of this year the person concerned submitted additional medical evidence in support of the application. This medical evidence is awaiting further assessment by a medical assessor. Once the medical assessment has been completed the application a deciding officer will make a full decision. The application will be processed as quickly as possible and when a decision is made the person concerned will be notified directly of the outcome.

## **Pension Provisions**

212. **Deputy Patrick O'Donovan** asked the Minister for Social Protection the number of women applicants who applied unsuccessfully for the State contributory pension and were refused a pension based on changes to rules that were introduced this September.; and if she will make a statement on the matter. [40273/12]

**Minister for Social Protection (Deputy Joan Burton):** The change in relation to State pension (contributory), introduced in legislation from 1st September 2012, sets out a wider graduation of yearly average bands and corresponding pension rates. The aim of this change is to ensure that the rate of pension payment is more closely related to the level of social insurance contributions a person has paid (including credited contributions, where applicable) over their working lives.

This change only applies to State pension (contributory) claimants whose 66th birthday falls on/after 1st September 2012, and who satisfy the qualifying conditions and are awarded this pension. There have been no disallowances of claims for State pension (contributory) arising from the 1st September 2012 change as outlined, either for male or female applicants.

### **Redundancy Payments**

213. **Deputy Tom Hayes** asked the Minister for Social Protection when a redundancy payment will issue to a person (details supplied) in County Tipperary who submitted their claim approximately two months ago; and if she will make a statement on the matter. [40276/12]

**Minister for Social Protection (Deputy Joan Burton):** An application for a redundancy lump sum payment in respect of the person concerned has recently been authorised and payment will issue shortly directly to the person's bank account.

### **Domiciliary Care Allowance Appeals**

214. **Deputy Patrick O'Donovan** asked the Minister for Social Protection the position regarding a review of a domiciliary care allowance in respect of a person (details supplied) in County Wexford; when a decision will be made; and if she will make a statement on the matter. [40330/12]

**Minister for Social Protection (Deputy Joan Burton):** An application for domiciliary care allowance (DCA) was received from the person concerned on the 8th June 2012. This application was referred to one of the Department's Medical Assessors who found that the child was not medically eligible for DCA. A letter issued on the 25th July 2012 refusing the allowance. The person concerned subsequently lodged an appeal against this decision.

As part of the appeal process, the case has been forwarded to another of the Department's Medical Assessors for further consideration, including a review of any new information supplied. Upon receipt of the Medical Assessor's opinion, the case will be further examined and will be forwarded for consideration by the Appeals Office, if necessary.

### **Social Welfare Benefits Waiting Times**

215. **Deputy Thomas P. Broughan** asked the Minister for Social Protection the current waiting time for an application for jobseeker's benefit; the number of applicants currently waiting for their jobseeker's benefit application to be processed; and if she will make a statement on the matter. [40331/12]

216. **Deputy Thomas P. Broughan** asked the Minister for Social Protection the current waiting time for an application for jobseeker's allowance; the number of applicants currently waiting for their jobseeker's allowance application to be processed; and if she will make a statement on the matter. [40332/12]

220. **Deputy Thomas P. Broughan** asked the Minister for Social Protection the current waiting time for an application for one parent family payment; the number of applicants currently waiting for their one parent family payment application to be processed; and if she will make a statement on the matter. [40336/12]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 215, 216 and 220 together.

Processing times vary across schemes because of both the volume of applications and the differing qualification criteria. For example, means assessments are required for all of the social assistance schemes and customers must also satisfy the habitual residence condition. In the case of the insurance based schemes, it may be necessary to ascertain details of foreign insurance records. It should also be noted that many factors outside the Department's control can impact upon claim processing times, for example, the supply of relevant information by the customer, employers or other third parties.

The average processing time for claims decided in August 2012 was 2.3 weeks for jobseekers benefit, 4.5 weeks for jobseekers allowance and 12.2 weeks for one parent family payment. This is the average time nationally and there are fluctuations between offices.

The number of claims pending decision at week ending 16 September was 6,523 jobseekers benefit, 22,753 jobseekers allowance and 3,625 one-parent family payment.

### **Social Welfare Benefits Waiting Times**

217. **Deputy Thomas P. Broughan** asked the Minister for Social Protection the current waiting time for an application for mortgage interest supplement; the number of applicants currently waiting for their mortgage interest supplement application to be processed; and if she will make a statement on the matter. [40333/12]

223. **Deputy Thomas P. Broughan** asked the Minister for Social Protection the current waiting time for an application for rent supplement; the number of applicants currently waiting for their rent supplement application to be processed; and if she will make a statement on the matter. [40339/12]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 217 and 223 together.

There are currently approximately 90,000 persons in receipt of rent supplement and 17,000 in receipt of mortgage interest supplement, for which the Government has provided a total of €487 million in 2012.

A key objective of the transfer of the Community Welfare Service from the Health Service Executive to my Department on 1st October 2011 was to provide a streamlined, consistent and enhanced service to the customer. The process of integration is on-going and significant progress has already been made with a unified service, the National Employment and Entitlements Service, now in the process of being delivered in four offices. The service provided in relation to processing mortgage interest and rent supplement applications is also subject to ongoing review.

The timescale for determining applications for rent and mortgage interest supplements is dependent, among other things, on the availability of the required information, such as details of the applicant's income, bank statements etc. In addition, some aspects of the application are inevitably time consuming and delays can occur where investigations such as home visits or third party evidence are required. Delays can also arise if the applicant is slow to respond to requests for additional information.

Statistics are not available on the length of time taken to assess rent and mortgage interest

supplement applications or the number of applications awaiting a decision. The provision of a prompt service is a major objective for the Department's staff dealing with rent and mortgage interest supplement applications. This is tempered by the necessity to ensure that every case is fully investigated and that all cases are dealt with in a consistent and fair manner.

I am satisfied that the Department's staff dealing with these applications make every effort to ensure rent and mortgage interest supplement claims are processed in an efficient manner.

### **Child Benefit Applications**

218. **Deputy Thomas P. Broughan** asked the Minister for Social Protection the current waiting time for an application for child benefit; the number of applicants currently waiting for their child benefit application to be processed; and if she will make a statement on the matter. [40334/12]

**Minister for Social Protection (Deputy Joan Burton):** Applications for Child Benefit may be dealt with either under domestic legislation or EU legislation. Claims made under domestic legislation are processed on average within three weeks of receipt. Currently, a total of 1,533 claims are pending under domestic legislation, of which 458 are awaiting further information from customers.

Claims made under EU legislation are processed within six months on average. This is due to the need for correspondence with other EU countries, which takes time. A total of 2,004 EU claims are pending, of which 1,676 are awaiting further information from the customer or other institutions.

### **Family Income Supplement Applications**

219. **Deputy Thomas P. Broughan** asked the Minister for Social Protection the current waiting time for an application for family income supplement; the number of applicants currently waiting for their family income supplement application to be processed; and if she will make a statement on the matter. [40335/12]

**Minister for Social Protection (Deputy Joan Burton):** The Department is committed to providing a quality service to all its customers. This includes ensuring that applications are processed and that decisions on entitlement are made as quickly as possible.

The average waiting time for new family income supplement (FIS) claims at the end of August was 18 weeks and for renewal applications was 16 weeks. At the end of August, there were 7,113 new FIS applications and 7,710 renewal applications awaiting decision. The volume of FIS claims on hands and the delays in processing are a consequence of continued strong claim intake.

The Department has introduced a number of measures to address the efficiency of claim processing for FIS in light of the current waiting times, including the assignment of temporary staff and the facility to assign overtime working where appropriate. Furthermore an in-depth business process improvement (BPI) project has commenced for the FIS scheme, the focus of which will be to optimise performance and provide improved customer service.

These measures will, over time, lead to more efficient processing and reduce the number of claims on hand. The position is being closely monitored and kept under review by the Department.

*Question No. 220 answered with Question No. 215.*

### **Illness Benefit Applications**

221. **Deputy Thomas P. Broughan** asked the Minister for Social Protection the current waiting time for an application for illness benefit; the number of applicants currently waiting for their illness benefit application to be processed; and if she will make a statement on the matter. [40337/12]

**Minister for Social Protection (Deputy Joan Burton):** The current waiting time for an application for illness benefit is less than one week.

As of 14th September 2012 a total of 1,921 applicants were awaiting a decision on their illness benefit application.

### **Invalidity Pension Applications**

222. **Deputy Thomas P. Broughan** asked the Minister for Social Protection the current waiting time for an application for invalidity pension; the number of applicants currently waiting for their invalidity pension application to be processed; and if she will make a statement on the matter. [40338/12]

**Minister for Social Protection (Deputy Joan Burton):** At the end of August 2012 there were 5802 Invalidity Pension (IP) claims registered and awaiting decision. Average time to award is currently 33 weeks, this includes the time taken to decide EU and bilateral cases which have a significantly longer processing time.

Since the introduction of the two year expiration of illness benefit there has been a significant increase in the number of IP claims received in the Department. A high percentage of these applicants are not suitable for the invalidity pension scheme as they are not assessed as being permanently incapable of work.

Since June of this year, following an in-depth business process improvement project in the invalidity pension area, a targeted plan has been put in place to clear the backlog. The number of claims awaiting decision is steadily decreasing e.g. from 7,007 at end May, 6,285 at end July to 5,802 at end August 2012. However it will be a number of months before the backlog of claims is fully cleared.

The processing time for individual IP claims may vary in accordance with their relative complexity in terms of the qualifying criteria. In addition, factors outside the Department's control can have an impact, for example, insufficient information received from claimants at time of application and delays in claimants furnishing the information requested.

Customers waiting on a decision on their IP claim, who have urgent income support needs, can apply for the means tested supplementary welfare allowance (SWA).

*Question No. 223 answered with Question No. 217.*

### **Redundancy Payments**

224. **Deputy Thomas P. Broughan** asked the Minister for Social Protection the current

waiting time for an application for redundancy payment; the number of applicants currently waiting for their redundancy payment application to be processed; and if she will make a statement on the matter. [40340/12]

**Minister for Social Protection (Deputy Joan Burton):** There are approximately 8,500 redundancy payment applications on hand awaiting processing at present. These include both rebate and lump sums claims.

Where lump sum claims have been correctly submitted on-line, the processing target of 6 to 8 weeks is currently being achieved. There are some cases, for example, where a query arose and the Department is awaiting additional information from the applicant or where there was an error on the application form, which fall outside of this processing target.

The Department is currently processing correctly submitted on-line applications for rebate payments received in May 2012. It is acknowledged, however, that there are several hundred cases which have been on hand for a longer period. These are very large scale cases which are put through additional checks and, therefore, take longer to process. However, every effort is being made to ensure that these claims are paid as soon as possible.

### **National Internship Scheme Numbers**

225. **Deputy Thomas P. Broughan** asked the Minister for Social Protection the number of persons now taking part in the JobBridge programme; the number of participants on the programme who have gone on to obtain full-time employment; and if she will make a statement on the matter. [40341/12]

**Minister for Social Protection (Deputy Joan Burton):** The National Internship Scheme provides internship opportunities of either 6 or 9 months for unemployed individuals in organisations in the private, public and community voluntary sectors and at present is confined to individuals who are in receipt of a Live claim (Jobseeker's Allowance/Jobseeker's Benefit/One Parent Family Payment/Disability Allowance) or are signing on for credits for at least 3 of the last 6 months (78 Days).

The JobBridge Scheme has made significant progress to-date since it came into operation on the 1st July 2011. 10,291 internships have commenced to date with 4,803 participants currently on an internship as at 20th September 2012 and over 2,265 opportunities presently advertised on *www.JobBridge.ie*. Our records indicate that 37% of the 5,488 individuals who have completed their JobBridge internship placement have immediately progressed into employment with either their host organisation or another employer immediately after their internship finished. These progression rates compare favourably with European averages in this area.

However, it is important to note that this does not take into account interns who may have secured employment in the subsequent weeks or months after completing their internship. Further information on outcomes will be ascertained as a result of the independent evaluation of the Scheme which is currently being undertaken by Indecon.

### **Invalidity Pension Appeals**

226. **Deputy Patrick O'Donovan** asked the Minister for Social Protection if she will provide an update on a review for an invalidity pension in respect of a person (details supplied) in County Limerick; and if she will make a statement on the matter. [40351/12]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 23 November 2011. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on 17th July 2012 and the case has been referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

*Question No. 227 withdrawn.*

### **Rent Supplement Scheme Payments**

228. **Deputy Eoghan Murphy** asked the Minister for Social Protection if she will investigate the following hardship case (details supplied) in Dublin 4. [40367/12]

**Minister for Social Protection (Deputy Joan Burton):** Rent allowance to the person concerned was overpaid due to non-disclosure of information pertinent to the calculation of her entitlement. My Department has recently written to the person concerned and explained the reasoning behind the overpayment. The person concerned is currently in receipt of her full entitlement to rent supplement based on her household circumstances. If these circumstances change in the future, her entitlement to rent supplement can be reviewed.

### **Rent Supplement Scheme Eligibility**

229. **Deputy Seán Kenny** asked the Minister for Social Protection on what basis the rent allowance payable to a person (details supplied) in Dublin 13 is being reviewed. [40380/12]

**Minister for Social Protection (Deputy Joan Burton):** Rent Supplement which was being paid to the person concerned was subject to rent limit review. This review has now been completed and Rent Supplement has been reinstated.

### **Carer's Allowance Appeals**

230. **Deputy John O'Mahony** asked the Minister for Social Protection when a decision will be made on a review for a carer's allowance for a person (details supplied) in County Mayo; and if she will make a statement on the matter. [40405/12]

**Minister for Social Protection (Deputy Joan Burton):** The carer's allowance for the person in question was routinely reviewed in May 2012. Following assessment of the medical evidence provided by the person in support of their continuing eligibility, a deciding officer decided that the care recipient was not so disabled as to require full time care and attention as prescribed in regulations. The person concerned was notified of this decision and subsequently submitted additional medical evidence for consideration. On completion of this review a deciding officer will make a full decision and the person concerned will be notified directly of the outcome. If the care recipient is found to be medically eligible upon review, the carer's

allowance payment will be reinstated, the claim will be backdated to when the allowance was stopped, and all arrears will issue.

### **Invalidity Pension Eligibility**

231. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when invalidity pension will issue in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [40454/12]

**Minister for Social Protection (Deputy Joan Burton):** Invalidity pension is a payment for people who are permanently incapable of work because of illness or incapacity and who satisfy the contribution conditions. One of the contribution conditions for invalidity pension is that the claimant must have 48 contributions paid or credited in the last complete contribution year before the date of claim. Class A, E or H contributions only are reckonable for invalidity pension purposes. An application for invalidity pension was received from the person concerned. According to the department's records the person concerned has only 2 qualifying contributions paid in 2011, the governing contribution year in this case and consequently his claim was refused by a deciding officer. The applicant was notified on 21 September 2012 and advised of his right to review or appeal this decision.

*Question No. 232 answered with Question No. 186.*

### **Rent Supplement Scheme Eligibility**

233. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection the reason rent supplement has ceased in respect of a person (details supplied) in Dublin 8; and the reason the person was not notified of the decision to withdraw their rent allowance. [40464/12]

**Minister for Social Protection (Deputy Joan Burton):** In the case of the person concerned, I am advised that the Department of Social Protection received a notification from the Environmental Health Officers of Dublin City Council stating that the property was not in compliance with Housing Regulations 2008 and that an improvement notice had been served on the landlord. In light of the circumstances, in this case, Rent Supplement was suspended whereupon the client concerned contacted the Department. The client was advised that he would be assisted in seeking alternative accommodation as Rent Supplement could not be paid at the address concerned until such times as an Improvement Notice was complied with. The person is now in alternative rented accommodation for which he received an Emergency Needs Payment to assist with the required deposit and an application for Rent Supplement at the new address is being processed.

### **Private Rented Accommodation Standards**

234. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection the procedures regarding properties housing rent supplement recipients that fail environmental health inspections and the protections in place to ensure that recipients of rent supplement whose rental property has failed environmental health inspections or been given improvement notices do not end up homeless if the rent supplement is withdrawn. [40465/12]

**Minister for Social Protection (Deputy Joan Burton):** The purpose of the rent supplement scheme is to provide short-term income support to assist with reasonable accommodation

costs of eligible people living in private rented accommodation who are unable to provide for their accommodation costs from their own resources and who do not have accommodation available to them from another source. The overall aim is to provide short-term assistance and not to act as an alternative to the other social housing schemes operated by the Exchequer. There are currently approximately 90,000 persons in receipt of rent supplement, for which the Government has provided €436m in 2012.

Standards for rented houses are set in regulations by the Minister of the Environment, Community and Local Government. Responsibility for enforcing these standards rests with the relevant housing authority. In consultation with the Department of Environment, Community and Local Government, S.I. No. 572 of 2006 and Section 25 of the Social Welfare and Pensions Act 2007 introduced the condition that allows the Department's officers to decide that a rent supplement may not be payable where it has been notified by a housing authority of the non-compliance with standards. Where such a notification is received from a housing authority in respect of an existing tenant, it is recommended that the officer would discuss the situation with the tenant and take whatever action they decide is necessary in the best interests of the tenant. Department officers dealing with rent supplement tenants will continue to ensure that their accommodation needs are met. This approach supports the Department of Environment, Community and Local Government in their aim to promote further improvement in private rented accommodation standards.

### **Back to Education Allowance Appeals**

235. **Deputy Emmet Stagg** asked the Minister for Social Protection if she will review a decision to refuse back to education allowance payment in respect of a person (details supplied) in County Kildare. [40467/12]

**Minister for Social Protection (Deputy Joan Burton):** The decision to refuse an application for the back to education allowance from the person concerned has been reviewed. The decision has been upheld on the grounds that he was not in receipt of a qualifying social welfare payment for a specified period of time. For third level courses the specified period is 234 paid days.

### **Rent Supplement Scheme Payments**

236. **Deputy Billy Timmins** asked the Minister for Social Protection the position regarding rent allowance in respect of a person (details supplied) in County Wicklow; and if she will make a statement on the matter. [40477/12]

**Minister for Social Protection (Deputy Joan Burton):** The new maximum rent limits came into force on 1 January 2012. These new limits are in line with the most up to date market data available. The emphasis of the rent limit review was to ensure that maximum value for money for tenants and the taxpayer was achieved whilst at the same time ensuring that people on rent supplement are not priced out of the market for private rented accommodation. The person concerned can only be entitled to a rent supplement in respect of this accommodation when his portion of the rent is reduced to the appropriate limit.

### **Disability Allowance Appeals**

237. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when an appeal for disability allowance will be determined in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [40480/12]

**Minister for Social Protection (Deputy Joan Burton):** The person concerned applied for disability allowance on 2 December 2011. The medical evidence supplied with her claim was referred to one of the department's medical assessors who was of the opinion, based on the information supplied, that the person was not medically suitable for disability allowance. The deciding officer accepted this opinion and the claim was refused and the person was notified in writing of this decision on 2 May 2012.

The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 19 June 2012. The Department was notified of this appeal also on 19 June 2012. It is a statutory requirement of the appeals process that the relevant departmental papers and comments by the deciding officer on the grounds of appeal be sought and I understand this has been done.

As part of the person's appeals process, the department referred all the medical evidence received to a second medical assessor for review. When the deciding officer receives the opinion of the medical assessor a decision will be made and the appeal will be referred, if necessary, to an appeals officer who will decide whether the case should be decided on a summary basis or whether to list it for oral hearing.

### **Carer's Allowance Appeals**

238. **Deputy Dan Neville** asked the Minister for Social Protection if an application for carer's allowance will be reviewed again based on submission of medical evidence in respect of a person (details supplied) in County Limerick; and if she will make a statement on the matter. [40502/12]

**Minister for Social Protection (Deputy Joan Burton):** This application was disallowed in May 2012 as the medical criteria were not satisfied. The person in question has requested a review of this decision and has submitted further medical evidence in support of the application. This medical evidence is awaiting assessment by a medical assessor. On completion of all the necessary investigations in relation to this review, a decision will be made and the person in question will be contacted directly with the outcome.

### **Invalidity Pension Eligibility**

239. **Deputy Gerry Adams** asked the Minister for Social Protection the initial refusal rates for applications for invalidly pension in County Louth; or whatever geographical breakdown is available. [40515/12]

**Minister for Social Protection (Deputy Joan Burton):** For ease of reference the information requested is in tabular form:

INVALIDITY APPLICATIONS PROCESSED TO DATE 2012 FOR RESIDENTS OF COUNTY LOUTH .

Invalidity Applications Processed	Processed to date 2012
Claims awarded	107

Claims Refused	251
Claims withdrawn	7
Total Claims processed	365

The refusal rate for applications processed for invalidity pension to date in 2012, for County Louth, is approximately 69%.

### Invalidity Pension Appeals

240. **Deputy Jack Wall** asked the Minister for Social Protection the position regarding an appeal against the decision to refuse an application for invalidity pension in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [40517/12]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that the appeal from the person concerned was referred to an Appeals Officer who proposes to hold an oral hearing in this case on 4 October 2012. The person concerned has been notified of the arrangements for the hearing. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

### Invalidity Pension Appeals

241. **Deputy Jack Wall** asked the Minister for Social Protection the position regarding an invalidity pension in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [40518/12]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that the appeal from the person concerned was referred to an Appeals Officer who proposes to hold an oral hearing in this case on 1 October 2012. The person concerned has been notified of the arrangements for the hearing. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

### Disability Allowance Eligibility

242. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if she will facilitate a review of the refusal of disability allowance in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [40523/12]

**Minister for Social Protection (Deputy Joan Burton):** The person concerned applied for disability allowance on 5 June 2012. The medical evidence supplied with her application was referred to one of the department's medical assessors who was of the opinion, based on the information supplied, that she was not medically suitable for disability allowance. The deciding officer accepted this opinion and the claim was refused and the person was notified in writing of this decision on 4 September 2012. The letter which issued to the person also advised her that it was open to her to submit further medical evidence and her case would be reviewed. She was also advised of the option of appealing directly to the independent Social Welfare Appeals Office.

### **Disability Allowance Appeals**

243. **Deputy Michael Creed** asked the Minister for Social Protection when a person (details supplied) in County Cork will receive a decision on their appeal for disability allowance; and if she will make a statement on the matter. [40540/12]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 21st March 2012. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on the 4th July 2012 and the case will be referred to an Appeals Officer who will make a summary decision on the appeal based on documentary evidence presented or, if required, hold an oral hearing.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

*Question No. 244 answered with Question No. 186.*

### **Sick Pay Scheme Expenditure**

245. **Deputy Brendan Smith** asked the Minister for Social Protection his views regarding concerns of employers as outlined through representative organisations and many companies of varied size, small, medium and large in relation to proposals to impose sick pay costs on employers; and if she will make a statement on the matter. [40546/12]

**Minister for Social Protection (Deputy Joan Burton):** The Government is considering the introduction of a scheme of statutory sick pay at this time for a number of reasons – firstly, as a measure to help in addressing the growing deficit in the Social Insurance Fund (which stood at €1.5bn in 2011 and is expected to rise to €3.0bn in 2019 as outlined in the Actuarial Review I launched last week); secondly, as a means to reduce the risk of progression from short-term illness to long-term illness or disability; and thirdly, to bring Ireland into line with practices in other countries in this area. However, I am also acutely conscious of the pressures facing employers in the current economic climate, and the concerns of small and medium-sized enterprises, which have been articulated by representative groups and individual employers.

I would like to assure the House that the range of complex issues that need to be addressed before any decision is taken by Government on the possible introduction of such a scheme, including the extent of coverage; the rate of payment; possible compensation mechanisms for employers, where appropriate, and how the scheme would be enforced and policed – will be discussed in the course of the wider process associated with the preparation of Budget 2013, and the views of stakeholder groups will be taken into account in that process.

### **Carer's Allowance Appeals**

246. **Deputy John O'Mahony** asked the Minister for Social Protection when will a person (details supplied) in County Mayo receive a decision on an appeal for carer's allowance; and if she will make a statement on the matter. [40563/12]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Of-

office has advised me that an appeal by the person concerned was registered in that office on 11 September 2012. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. When received, the appeal in question will be referred in to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

### **Social Welfare Code Review**

247. **Deputy Willie O’Dea** asked the Minister for Social Protection her plans to protect young persons who have grown up in care and subsequently enter emergency accommodation, who discover they are unable to house themselves in private rented accommodation in view of the fact that they are not in receipt of a full social welfare payment; her plans to address this matter by awarding a full payment to such applicants; and if she will make a statement on the matter. [40566/12]

**Minister for Social Protection (Deputy Joan Burton):** The €100 rate of Jobseeker’s Allowance was introduced for claimants aged under 20 in April 2009, and this rate was applied to claimants aged up to 21 from December 2009. The €100 rate does not apply to certain categories of claimant including:

- claimants with a qualified child;
- those transferring to Jobseeker’s Allowance immediately after exhausting their entitlement to Jobseeker’s Benefit;
- those making a claim for Jobseeker’s Allowance where that claim is linked to a Jobseeker’s Allowance claim made within the previous 12 months to which the maximum personal rate applied;
- those transferring directly to Jobseeker’s Allowance from Disability Allowance and
- certain people who were in the care of the HSE during the period of 12 months before s/he reached the age of 18.

A rate of €144 applies to claimants aged 22-24. The adoption of these measures reflected the need to encourage more young jobseekers to improve their skills by either pursuing further study or accessing a labour market programme.

Receiving the full adult rate of a jobseeker’s payment without a strong financial incentive to engage in education or training can lead to welfare dependency. While many young people with low levels of education and training were able to get work in construction and other areas when the economy was doing well, they are likely to find it much harder to find employment over the course of the next few years. The measures encourage young jobseekers to improve their skills and remain active in the labour market in order to avoid the risk of becoming long-term unemployed and will help them to progress into sustainable employment on a long-term basis.

Where a person is in receipt of a rate of Jobseeker’s Allowance described above and s/he participates in a course of education, training, community employment, rural social scheme or

Tús, the full normal rate of payment applicable to that course or scheme applies without any reduction for persons aged under 25.

I understand that a number of Deputies have been contacted with regard to these measures following a campaign by Focus Ireland. My officials have engaged in constructive dialogue with Focus Ireland with regard to their concerns. As part of this work, Focus Ireland has recently supplied my Department with details from their network organisations of relevant individual cases.

This information is currently being examined and my Department will engage in further discussions with Focus Ireland. These discussions will seek to achieve a satisfactory resolution of any issues arising in respect of these persons, while also preserving the integrity of the social welfare system and avoiding any potential drift towards welfare dependency.

### **Invalidity Pension Appeals**

248. **Deputy James Bannon** asked the Minister for Social Protection the position regarding an application for an invalidity pension in respect of a person (details supplied) in County Longford and the ensuing appeal; and if she will make a statement on the matter. [40568/12]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 06 January 2012. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on 25th July 2012 and the case will be referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

### **Invalidity Pension Applications**

249. **Deputy James Bannon** asked the Minister for Social Protection the position regarding an application for an invalidity pension in respect of a person (details supplied) in County Longford; and if she will make a statement on the matter. [40569/12]

**Minister for Social Protection (Deputy Joan Burton):** Invalidity pension is a payment for people who are permanently incapable of work because of illness or incapacity and who satisfy the contribution conditions.

This department received a claim for invalidity pension for the person concerned. The medical evidence provided by the claimant in support of his claim was examined by a medical assessor who was of the opinion that the person concerned is not eligible for invalidity pension as he does not satisfy the medical criteria. The application for invalidity pension was, accordingly, disallowed by a deciding officer. The applicant was notified of this decision and the reason for it.

The person concerned subsequently submitted further medical evidence in support of his claim. This evidence has been forwarded to a different medical assessor for evaluation and a decision will issue to the person concerned once the review is completed.

### **Disability Allowance Appeals**

250. **Deputy James Bannon** asked the Minister for Social Protection the position regarding disability allowance in respect of a person (details supplied) in County Longford a further refusal of which would be unfair in view of medical evidence and history; and if she will make a statement on the matter. [40570/12]

**Minister for Social Protection (Deputy Joan Burton):** The person concerned applied for disability allowance on 8 December 2011. The medical evidence supplied with her application was referred to one of the department's medical assessors who was of the opinion, based on the information supplied, that she was not medically suitable for disability allowance. The deciding officer accepted this opinion and the claim was refused and the person was notified in writing of this decision on 23 April 2012.

The person subsequently forwarded further medical evidence in support of her application which was referred to a medical assessor. A decision will be made in due course on the review of the person's application and she will be notified in writing of the result.

### **Disability Allowance Appeals**

251. **Deputy James Bannon** asked the Minister for Social Protection the position regarding an application for disability allowance in respect of a person (details supplied) in County Longford; and if she will make a statement on the matter. [40571/12]

**Minister for Social Protection (Deputy Joan Burton):** The person concerned applied for disability allowance on 16 January 2012. The medical evidence supplied with her application was referred to one of the department's medical assessors who was of the opinion, based on the information supplied, that she was not medically suitable for disability allowance. The deciding officer accepted this opinion and the claim was refused and the person was notified in writing of this decision on 2 April 2012.

The person subsequently forwarded further medical evidence in support of her application which was referred to a medical assessor. A decision will be made on the review of the person's application in due course and she will be notified in writing of the result.

*Question No. 252 answered with Question No. 186.*

### **Anti-Poverty Strategy**

253. **Deputy Willie O'Dea** asked the Minister for Social Protection if she has abandoned the original targets to reduce consistent poverty; if new targets have been set; and if she will make a statement on the matter. [40579/12]

**Minister for Social Protection (Deputy Joan Burton):** Reducing and ultimately eliminating poverty is a fundamental aspiration of Irish society and the Programme for Government states that the elimination of poverty is an objective of this Government. The national social target for poverty reduction provides a key reference point for government policies and offers a tangible benchmark against which to measure social and economic progress.

Given the challenging economic and fiscal context, the Government initiated a comprehensive review of the national poverty target, first set out in the National Action Plan for Social In-

clusion in 2007, in order to ensure that it remained appropriate and achievable. I will shortly be publishing the result of the outcome of the review and following that will make arrangements for appropriate consultation with stakeholders to discuss how best to implement its recommendations.

Notwithstanding this, I should point out that in advance of the publication of the review, the revised targets were set out in a document submitted to the European Commission in April 2012 entitled the “National Reform Programme for Ireland 2012 Update under the Europe 2020 Strategy” and are available on the website of the Department of An Taoiseach. In that update, the Government indicated that it had decided to revise and enhance its national poverty target to meet Ireland’s contribution to Europe 2020 and commitments in the Programme for Government. The revised target is to reduce consistent poverty to 4 per cent by 2016 (interim target) and to 2 per cent or less by 2020, from the 2010 baseline rate of 6.2 per cent. Ireland’s revised contribution to the overall EU poverty target is to lift a minimum of 200,000 people out of the risk of poverty or exclusion between 2012 and 2020. I want to stress that the revised targets still mean that the Government has retained the ambition of the original target, despite the difficult economic conditions. The target will now be achieved over an extended timeframe of 2020, in line with the EU timescale. In addition, the Government has agreed a number of other changes which will have a positive impact for poverty reduction, notably the adoption of sub-targets for children and jobless/low-work intensity households and new supporting indicators.

The Government and I, as Minister for Social Protection, are determined to ensure that the least well off in society are protected from the economic crisis and are enabled to benefit from economic recovery and new employment opportunities. I look forward to working with all stakeholders to implement the revised and enhanced national social target for poverty reduction.

### Unemployment Benefits

254. **Deputy Terence Flanagan** asked the Minister for Social Protection the numbers of persons in categories (details supplied) that are receiving unemployment benefit; and if she will make a statement on the matter. [40584/12]

**Minister for Social Protection (Deputy Joan Burton):** The distinction between different categories of teaching professionals and child care workers (Montessori teachers, primary teachers, qualified nursery staff, special needs assistants etc.), in receipt of jobseekers benefit or allowance is not collated by my Department.

I am informed however that at the end of August there were a total of 2,028 teaching professionals and 1,390 in child care and related occupations aged between 22 and 26 years (inclusive) on the live register in receipt of jobseekers benefit or jobseekers allowance. I include a table detailing the breakdown of this number by scheme for the Deputy’s information.

#### Jobseekers Assistance by age

Jobseekers Assistance	Age	-	-	-	-	-
-	22	23	24	25	26	Totals
Child care and related occupations	262	231	219	211	181	1,104

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Teaching Professionals	164	216	228	346	347	1,301
Totals	426	447	447	557	528	2,405

Jobseekers Benefit by age

Jobseekers Benefit	Age	-	-	-	-	-
-	22	23	24	25	26	Totals
Child care and related occupations	39	49	69	58	71	286
Teaching Professionals	54	130	165	166	212	727
Totals	93	179	234	224	283	1,013

### Departmental Staff Numbers

255. **Deputy Regina Doherty** asked the Minister for Social Protection if her Department still grants leave of absence; and if not, the reason this is not considered as a neutral cost saving exercise; and if she will make a statement on the matter. [40602/12]

**Minister for Social Protection (Deputy Joan Burton):** Staff in my Department remain entitled to leave of absences for career breaks.

The granting of a leave of absence for a career break is, in the first instance, the responsibility of local management who are required to assess the application having regard to the business demands of their area of responsibility.

### Invalidity Pension Appeals

256. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when an appeal for invalidity pension will be determined in the case of a person (details supplied) in County Kildare; if she will allow an oral hearing in this instance; and if she will make a statement on the matter. [40609/12]

**Minister for Social Protection (Deputy Joan Burton):** Invalidity pension is a payment for people who are permanently incapable of work because of illness or incapacity and who satisfy the contribution conditions.

An invalidity pension for the person in question was refused by a deciding officer as a medical assessor having evaluated the medical evidence provided by the applicant, is of the opinion that she does not satisfy the medical criteria.

The person concerned appealed this decision and submitted further medical evidence in support of the application. This evidence was forwarded to a different medical assessor who was also of the opinion that she did not satisfy the medical criteria for invalidity pension.

The case will be referred to an appeals officer who will make a summary decision on the

appeal, based on the documentary evidence presented or, if required, hold an oral hearing.

*Question No. 257 answered with Question No. 186.*

### **Sick Pay Scheme Expenditure**

258. **Deputy Seán Kyne** asked the Minister for Social Protection if a regulatory impact analysis has been or will be conducted on the sick pay proposals which she is considering on account of the uncertainty the proposals have created and the negative effects such proposals could have on job retention. [40633/12]

**Minister for Social Protection (Deputy Joan Burton):** The government is considering the introduction of a scheme of statutory sick pay at this time for a number of reasons – chiefly as a measure to help in addressing the growing deficit in the Social Insurance Fund (which stood at €1.5bn in 2011 and is expected to rise to €3.0bn in 2019 as outlined in the Actuarial Review of the fund which I launched last week), and as a policy measure to reduce the risk of progression from short-term illness to long-term illness or disability. The introduction of such a scheme would also bring Ireland into line with practice in other countries in this area. However, there is a range of complex issues that needs to be addressed before any decision is taken by government on the possible introduction of such a scheme – including the extent of coverage; the rate of payment; possible compensation mechanisms for employers where appropriate, and how the scheme would be enforced and policed - and these will be discussed as part of the preparatory work for Budget 2013.

I should point out that while I am acutely conscious of the pressures facing employers in the current economic climate, and the concerns expressed by small and medium sized enterprises in particular regarding the introduction of a scheme of statutory sick pay, a regulatory impact analysis is not undertaken on the package of measures announced in the annual Budget Day statement.

### **Disability Allowance Appeals**

259. **Deputy Dessie Ellis** asked the Minister for Social Protection if a decision as been reached in the appeal against a decision to stop disability payments in respect of a person (details supplied) [40701/12]

**Minister for Social Protection (Deputy Joan Burton):** I am advised by the Social Welfare Appeals Office that an Appeals Officer having fully considered all the available evidence disallowed the appeal of the person concerned by way of summary decision. The person concerned was notified of the Appeals Officer's decision on 20th September 2012. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

### **Farm Assist Scheme Appeals**

260. **Deputy Dessie Ellis** asked the Minister for Social Protection the position regarding an appeal for farm assist in respect of a person (details supplied) in County Wicklow; and if she will outline any other entitlements they may have and if they qualify for jobbridge. [40702/12]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 3rd August 2012 and will be referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing. The person concerned may qualify for Jobbridge and should contact Department of Social Protection at Department of Social Protection National Contact Centre, IPA Industrial Estate Carrick Road, Edenderry, Co. Offaly. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

*Question No. 261 answered with Question No. 186.*

### **Special Areas of Conservation Designation**

262. **Deputy Finian McGrath** asked the Minister for Arts, Heritage and the Gaeltacht if any moneys are available for the compensation of persons who have been or will be affected by the restrictions imposed by the Habitats Directive on Ireland's 53 raised bogs Special Areas of Conservation. [40078/12]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** The Government has put in place a compensation scheme for those affected by the cessation of turf cutting on raised bog special areas of conservation. This cessation of turf cutting compensation scheme now comprises a payment of €1,500 per year, index linked, for 15 years or, where feasible, relocation of turf cutters to non-designated bogs where they can continue to cut turf. Those wishing to relocate can avail of the financial payment or the delivery of 15 tonnes of cut turf per annum while relocation sites are identified and prepared. The costs of acquiring and preparing relocation sites will be met by the State. An additional once-off payment of €500 for qualifying turf cutters will be provided where legal agreements are signed with me, as Minister for Arts, Heritage and the Gaeltacht.

### **Commemorative Events**

263. **Deputy Paschal Donohoe** asked the Minister for Arts, Heritage and the Gaeltacht the way relatives of those who fought in the GPO during the 1916 Easter Rising can receive invitations to the annual commemoration; the structures being put in place to ensure that they are involved in the centenary celebrations in 2016; and if he will make a statement on the matter. [40145/12]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** In the context of arrangements for commemoration of the Easter Rising and other significant events of that time, I have been very pleased to meet several people with family connections to the leaders and activists of the period. I warmly welcome their interest and association with the developing programme of commemorations. Although it is sometimes necessary to reserve places at commemorations for persons attending in a representative capacity, the general consideration is to afford public access to the greatest extent. I and my colleagues in government place a strong emphasis on the desirability to accommodate as many people as possible at each commemorative event and this will continue through the programme.

I can assure the Deputy that any requests that may be received from individuals in this regard will be given careful consideration.

## Special Areas of Conservation Designation

264. **Deputy Pat Breen** asked the Minister for Arts, Heritage and the Gaeltacht the position regarding an application for bog compensation in respect of a person (details supplied) in County Clare; and if he will make a statement on the matter. [40199/12]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** The Government has put in place a compensation scheme for those affected by the cessation of turf cutting on raised bog special areas of conservation. This cessation of turf cutting compensation scheme now comprises a payment of €1,500 per year, index linked, for 15 years or, where feasible, relocation of turf cutters to non-designated bogs where they can continue to cut turf. Those wishing to relocate can avail of the financial payment or the delivery of 15 tonnes of cut turf per annum while relocation sites are identified and prepared. The costs of acquiring and preparing relocation sites will be met by the State. An additional once-off payment of €500 for qualifying turf cutters will be provided where legal agreements are signed with me, as Minister for Arts, Heritage and the Gaeltacht.

There is also flexibility in terms of the provision of more than 15 tonnes of cut turf for those wishing to relocate where more than one household from the same family has sourced its turf from the bog plot. I am advised that this provision of the scheme applies as regards the individual referred to in the Deputy's Question and my Department has recently approved the delivery of cut turf to the person in question. Arrangements will be made for the delivery as soon as possible.

## Departmental Staff Numbers

265. **Deputy Regina Doherty** asked the Minister for Arts, Heritage and the Gaeltacht if his Department still grants leave of absence; and if not, the reason this is not considered as a neutral cost saving exercise; and if he will make a statement on the matter. [40590/12]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** My Department operates a career break scheme through which staff can avail of unpaid leave for periods from six months to five years. The conditions relating to this scheme are set by the Department of Public Expenditure and Reform.

## Angling Season

266. **Deputy Michael Healy-Rae** asked the Minister for Communications, Energy and Natural Resources with regard to the River Maine, which closes now for salmon fishing on 30 September, if he will consider granting an extension until 12 October as it is open for trout on those days; and if he will consider keeping it open for salmon because of the bad year. [40637/12]

**Minister of State at the Department of Communications, Energy and Natural Resources (Fergus O'Dowd):** I can inform the Deputy that, as each River has a genetically unique stock, Ireland's salmon rivers are managed on an individual basis by Inland Fisheries Ireland (IFI). Available surpluses (if any) of salmon are calculated for each individual river annually.

The annual surplus of salmon available on the River Maine is divided between the commercial and recreational anglers. I am advised by IFI that any extension to the recreational angling season would need to be based on scientific analysis of available surplus, catch returns, counter information, run timing, exploitation rates etc. With the majority of these parameters the time

series of available data is considered by IFI to be too short to draw any meaningful scientific conclusions and therefore, in line with the conservation Imperative based on the precautionary principle, no recommendation can be made for an extension to the salmon angling season at this time.

The independent Standing Scientific Committee (SSC) for salmon provide advice on the criteria that should be evaluated when considering a proposal for an extension to the angling season in any salmon catchment. These criteria include the advice that, where an extension is being considered, there should be a reasonably sized quota and a reasonable proportion of the surplus remaining after the original season has ended to ensure essential recruitment and to avoid over fishing. A further criterion is that an angling season in a river should only be extended if the salmon stock in that river has been meeting the Conservation Limit (CL) and is likely to continue to meet the CL if an extension is given i.e. provided no more than the harvestable surplus is taken. 2012 is only the third year where a full assessment of the salmon run on the river Maine is available. A higher salmon surplus and a longer time period of fish counter data would be required before the SSC criteria can be adequately assessed.

### **Broadcasting Service Provision**

267. **Deputy Brendan Griffin** asked the Minister for Communications, Energy and Natural Resources if he will request that RTE address issues raised by a person (details supplied) in County Kerry regarding digital switchover; and if he will make a statement on the matter. [40149/12]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** Digital switchover refers to the process of switching off the free to air analogue television network and replacing it with a digital free to air network.

As part of digital Switchover my Department is managing a national information and awareness campaign and also at a local level around the Country, a Digital Switchover Community Outreach Programme.

Under the Broadcasting Act 2009 RTÉ is responsible for the roll-out, coverage and operation of the new digital network called SAORVIEW. Part 8 of the same Act provides that the development of the RTÉ network is an operational matter for RTÉ. I have therefore sent the specific details of your question to both SAORVIEW and RTÉ Network Limited. I have asked that they follow up directly with the individual.

### **Broadcasting Service Provision**

268. **Deputy Michael Healy-Rae** asked the Minister for Communications, Energy and Natural Resources in view of the fact that RTÉ NL recently confirmed that the new Saorview service will be transmitted from 13 sites that were not included on the original list of transmission sites for the digital switch-over; the reason the Ballydavid transmitter, County Kerry which is located at the RTE studio in Ballydavid will not transmit the Saorview signal; and if he will make a statement on the matter. [40513/12]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** RTÉ has built, owns and controls the Saorview TV network and is responsible for the roll-out, coverage and operation of that network. This includes information on transmitter sites being used. This is in accordance with Part 8 of the Broadcasting Act 2009, which provides that the

development of the RTÉ network is an operational matter for RTÉ.

I have however contacted RTÉ Networks Limited on your behalf and once the relevant information is received I will arrange for it to be forwarded to the Deputy.

### **Electricity Transmission Network**

269. **Deputy Jack Wall** asked the Minister for Communications, Energy and Natural Resources in relation to his Department's and the Commission for Energy Regulation energy policy, if he will indicate when gate four offers will be accepted by the respective bodies; and if he will make a statement on the matter. [40525/12]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** Supervision of the grid connection process, including access to offers, is the statutory responsibility of the Commission for Energy Regulation (CER). There is no Gate 4 at present and this area will not be developed until the uptake of Gate 3 offers is clearer.

The current round of offers for connection to the electricity networks is known as Gate 3. 3900 MW of offers was issued by the System Operators (EirGrid for connection to the transmission system and ESB Networks for connection to the distribution system) in 2010 and 2011 in line with policy and rules set out by the CER. These offers are currently being considered by the developers who have received an offer. Some developers have accepted their offer, however, the majority have not accepted (or indeed rejected) their offer yet. This is because developers do not have to accept or reject their offer until they receive their final constraint and curtailment report from EirGrid.

These reports cannot be developed until the Single Electricity Market Committee (SEMC) policy on tie-breaks in dispatch has been completed. This piece of all island work involves examining the appropriate rule-set to share the burden of constraints and curtailment. The SEMC has made a decision (SM-11-105) in relation to constraints but is still considering the appropriate course of action in relation to curtailment of wind. It is likely that this policy will be completed by end 2012 or early 2013. This will then allow EirGrid to prepare the constraint and curtailment reports, issue them to all Gate 3 developers and for developers to then accept or reject their offer.

Following this, there will be a good indication of the level of Gate 3 offers being accepted by developers. The policy on any future Gate beyond that will consider issues such as the level of capacity available on the networks, Ireland's progress towards meeting its 2020 renewable targets when Gate 3 contribution is considered and the appropriate connection rules in order to ensure efficient connection to the networks. The CER will carry out full consultations on all aspects of Gate 4 policy at the appropriate time.

### **Telecommunications Services Provision**

270. **Deputy Gerry Adams** asked the Minister for Communications, Energy and Natural Resources further to Parliamentary Question No. 985 of 18 September 2012, when the formal national mapping exercise to determine the exact position in relation to commercial service providers existing and planned broadband service throughout the State will be completed. [40531/12]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):**

The National Broadband Plan contains a very clear commitment that my Department will undertake a full mapping exercise in respect of high speed broadband deployment. This important exercise will formally define the levels of investment that will be met by industry and clearly identify those areas in which a State intervention will be required.

My Department has already begun some of the necessary preparatory work, and the full mapping will commence as soon as the current spectrum auction being managed by ComReg is completed and final decisions are taken by the ComReg in respect of Next Generation Access regulation. It is necessary that both these processes are finalised before the mapping exercise begins, as they will critically inform the investment plans for telecommunications service providers over the coming years.

I have already emphasised to industry the importance of my Department securing full cooperation from all the commercial operators in completing this aspect of the Plan's implementation.

### **Alternative Energy Projects**

271. **Deputy Brendan Griffin** asked the Minister for Communications, Energy and Natural Resources if supports are in place to encourage the production of bio fuels (details supplied); and if he will make a statement on the matter. [40536/12]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The Biofuel Obligation Scheme, which was introduced in 2010, currently obliges that the amount of biofuel brought to the market is not less than 4.166% of the relevant disposal of petroleum road transport fuels. Biofuels are defined as liquid or gaseous transport fuels produced from biomass. In 2011, the biofuel obligation resulted in 145 million litres of biofuel being placed on the market. The rate of obligation will increase over time and by 2020 it will require suppliers of road transport fuels to make certain that even higher volumes sold are biofuel. This will ultimately create a market size approaching 500 million litres of biofuel.

### **Departmental Staff Numbers**

272. **Deputy Regina Doherty** asked the Minister for Communications, Energy and Natural Resources if his Department still grants leave of absence; and if not, the reason this is not considered as a neutral cost saving exercise; and if he will make a statement on the matter. [40592/12]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** I can inform the Deputy that my Department still grants leave of absence in line with the relevant Circulars currently in force.

### **Renewable Energy Generation**

273. **Deputy Seán Kyne** asked the Minister for Communications, Energy and Natural Resources if he will provide an update on the analysis undertaken by his Department and the Sustainable Energy Authority; and if this analysis will be published. [40629/12]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The Sustainable Energy Authority of Ireland (SEAI) has been working on microgeneration

activities for a number of years. Some initiatives that SEAI has undertaken to support micro-generation include:

- Formation of a standards development group to develop FETAC standards for accredited microgeneration installer training awards
- Development of micro-generation product quality assessment criteria and the extension of the SEAI Triple E register to include micro-generators
- Publication of information and guides on the implementation of micro-generation projects.

The SEAI microgeneration pilot programme, launched in 2009, was designed to assess the potential market for small- and micro-scale renewable energy generation; to identify barriers to meeting the potential; and to determine the performance of the technologies in the field. The pilot encompassed a range of renewable technologies including wind, solar PV and hydro up to a nominal capacity of 50kw.

Ongoing monitored pilot field trials were a significant part of the programme and provide robust data on the performance of installations. The installations have been subject to an 18 month monitoring period since January 2011. SEAI have provided an interim report on the monitoring to my Department and a final report on the trials will be presented before end 2012. I will discuss with SEAI the options for publication of this report, when finalised.

The Department has asked SEAI to update some initial information on feed-in-tariff costs, given how significantly solar PV costs have fallen globally in the last 2 years. While the Programme for Government proposes a microgeneration feed in tariff not significantly above the single energy market price for electricity, indications from the combined ESB Networks/Electric Ireland microgeneration programme that ran 2009-2011 were that there was only a modest take up of microgeneration in the domestic sector, although the feed in tariff offered in total was almost three times the current single electricity market price. Should a scheme be introduced, if this to be funded from the PSO levy, increased electricity costs would have to be borne by all customers to fund it.

My Department and SEAI are continuing to finalise analysis on the cost effective options which could be considered for supporting the micro-generation sector, having regard to the costs and benefits for all energy consumers.

### **Hydraulic Fracturing Policy**

274. **Deputy Seán Kyne** asked the Minister for Communications, Energy and Natural Resources if he will provide an update in the Environmental Protection Agency research taking place into the practice of hydraulic fracking; when this research will be completed; and if he will provide assurances that no authorisations for fracking will be granted without comprehensive research on its effects as well as a full public consultation process in the area concerned. [40630/12]

**Minister for Communications, Energy and Natural Resources (Deputy Fergus O'Dowd):** In October of last year, the Minister for Communications, Energy and Natural Resources requested the Environmental Protection Agency (EPA) to conduct research and advise on the environmental implications of hydraulic fracturing as a means of extracting natural gas from underground reserves.

In May 2012, the EPA published its preliminary research into the environmental aspects

of shale gas extraction in the form of a small desk based study, which was carried out by the University of Aberdeen.

The study provides an introduction to the environmental aspects of fracking including a review of regulatory approaches used in other countries and areas for further investigation and research such as Geological Principles of Relevance in Fracking and Shale Gas Extraction, Potential Environmental Impacts and Establishing Best Environmental Practice.

The study is helpful in that it is a peer reviewed report that sets out basic background information in relation to the technology that is hydraulic fracturing and to the associated issues and concerns. While the study is a preliminary study it will inform the development of the terms of reference for a much more detailed piece of research to be commissioned by the EPA later this year.

The terms of reference for this more extensive research is being drawn up by a steering group including representatives from the EPA and my Department and the objectives of this further research are, *inter alia*, to

- To establish if shale gas exploration and extraction involving the use of the fracking technique can be carried out in a manner that will not cause significant environmental pollution.
- To identify all possible environmental risks associated with the fracking technique and to ascertain if these risks are manageable; and,
- To identify best practice with respect to environmental protection for the use of the hydraulic fracturing technique for the exploration and extraction of shale gas.

It is the intention of the EPA, assisted by a steering committee comprising, amongst others, the Department of Communications, Energy and Natural Resources, the Department of the Environment, Community and Local Government, the Commission for Energy Regulation, to launch the research call later in 2012.

It is anticipated that following the engagement of the relevant experts, the conduct of the study could take in excess of 12 months, leading to a potential publication date in 2014.

Until there has been time to consider the second stage of the EPA research, I can confirm the use of hydraulic fracturing in exploration drilling will not be authorised. However should an application to engage in hydraulic fracking be received in the future, I can also confirm that such an application will be subject to Environmental Impact Assessment, including full public consultation.

### **Broadcasting Sector Regulation**

275. **Deputy Seán Kyne** asked the Minister for Communications, Energy and Natural Resources if, in view of the digital dividend which will arise from the cessation of the analogue TV signals and the freeing up of the radio spectrum between 790 MHz and 862 MHz, his views on the progress of the auction of this infrastructure; and if he will provide assurances, notwithstanding the statutory function of ComReg in this area, that the dividend will benefit homes and businesses in rural as well as urban areas as outlined in the Programme for Government. [40632/12]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):**

The management of the radio spectrum is a statutory function of the Commission for Communications Regulation (ComReg) under the Communications Regulation Act, 2002 as amended.

ComReg set out the process it has adopted for the award of rights of use for radio frequencies in the 800Mhz, 900Mhz and 1800Mhz bands in its information memorandum and associated documents (ComReg document 12/52). These documents also set out the reasons, analysis and other material relied upon by ComReg in support of its substantive decisions regarding the minimum coverage and rollout requirements for the rights of use to be granted in the award process.

The Deputy will be aware that the auction is ongoing and that due to the extremely commercially sensitive nature of the process, I cannot comment further on its progress at this time.

The auction is one of three interrelated components to the Government's proposed programme to deliver high speed broadband to all areas in Ireland. In the first instance, the National Broadband Plan which I launched last month sets the targets for high speed broadband and outlines the actions which Government and industry will take to achieve them. Secondly, the spectrum auction will release valuable new spectrum into the Irish market and is therefore, a vital step allowing telecommunications operators to provide advanced 4G wireless broadband services and finally, the decision by ComReg on the regulation of next generation broadband access. The confluence of these three key policy, operational and regulatory reforms will define the delivery and availability of high speed broadband to all areas of Ireland as envisaged in the Programme for Government.

### **Redundancy Payments**

276. **Deputy Joe Higgins** asked the Minister for Communications, Energy and Natural Resources the reason that when Bord Na Móna made a number of employees redundant in September 1992 the company's superannuation committee instead of preserving the pensions of the redundant employees reimbursed them their contributions minus tax; and the reason that no employers contributions were included in the pension reimbursement. [40634/12]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** I have no statutory function in relation to the matter raised by the Deputy.

I have asked Bord na Móna to respond directly to the Deputy on the matter.

### **Broadcasting Service Provision**

277. **Deputy Dominic Hannigan** asked the Minister for Communications, Energy and Natural Resources his plans to make Saorview channels available on FreeSat; and if he will make a statement on the matter. [40729/12]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** In the UK, the public service channels for example BBC and Channel 4, are obliged to provide their channels throughout the UK freely over a digital platform. They have chosen to do this in two ways – using both a digital terrestrial network and also using satellite. Their satellite service, Freesat, is intended to provide for reception to the UK only but also covers Ireland through overspill.

In order to overcome copyright issues which are associated with broadcasting, the UK channels must purchase the rights to show their acquired content in Ireland as well as the UK. The

copyright costs are proportional to TV viewer numbers so the additional cost for acquiring the rights to broadcast in Ireland is small. As an alternative approach, the UK could choose to encrypt the satellite service so that it could not be received in Ireland or elsewhere.

For the Irish channels to be freely available on the same satellite as the UK channels, the issue of copyright also arises. Irish stations would need to acquire copyright throughout the footprint area of the satellite, in the UK as well as Ireland, or to provide an encrypted service. RTÉ has informed us that both options are prohibitively expensive and that they have no plans to seek to place Saorview channels on Freesat.

In Ireland RTÉ has chosen to build its free to air digital network over two platforms - over a digital terrestrial network (SAORVIEW) and over satellite (SAORSAT). SAORVIEW is available to 98% of the population whilst SAORSAT has 100% coverage, covering only Ireland.

RTÉ has informed us that with SAORSAT it is possible to pick up the UK Freesat TV channels as well as the Irish TV channels by using a second Low Noise Block Down converter Feedhorn (LNBF) which is correctly aligned. SAORSAT therefore provides a mechanism whereby both Saorview and Freesat TV channels can be received.

Further information on SAORSAT is available at: [www.rtenl.ie/broadcast/saorsat-digital-television.html](http://www.rtenl.ie/broadcast/saorsat-digital-television.html).

### **Student Grant Scheme Eligibility**

278. **Deputy Michael Healy-Rae** asked the Minister for the Environment; Community and Local Government if local authorities are entitled to withhold grant payments to students whose parents may or may not have paid the household charge; and if he will make a statement on the matter. [40695/12]

283. **Deputy Martin Ferris** asked the Minister for the Environment; Community and Local Government his views on a report that Clare County Council is linking the payment of third level grants to non payment of the household charge; and if he will make a statement on the matter. [40175/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I propose to take Questions Nos. 278 and 283 together.

The Local Government (Household Charge) Act 2011 and the Local Government (Household Charge) Regulations 2012 provide the legislation underpinning the household charge. Under the legislation, it is a function of a local authority to collect the household charges and associated late payment penalties due to it and all such charges and late payment penalties imposed and payable to a local authority are under the care and management of the local authority concerned. In this regard, application of the legislation in particular circumstances is a matter for the relevant local authority. Section 7 of the Local Government (Financial Provisions) (No. 2) Act 1983 provides that where a sum is due to a local authority in respect of a charge under any enactment and at the same time, another sum is due by the local authority to the same person, the local authority may set-off the money owing to it against the money it pays out. Local authorities are thus legally empowered to withhold money due to an individual if that person owes unpaid charges to the local authority. However, this does not apply to higher education grants, which are administered by local authorities on behalf of the Department of Education and Skills. The Student Support Act 2011 does not provide for withholding the payment of a student grant on foot of non-payment of the household charge.

I am aware that Clare County Council recently issued letters in relation to the disbursement of higher education grants and asked in the letter for applicants to indicate if the household charge had been paid in respect of the relevant household. I understand that the question was added in order to facilitate the local authority's information gathering in respect of collection of the household charge and was not linked to the assessment of grant applications, which will be processed in the normal way. No moneys have been withheld by any local authority in respect of higher education grants.

### **Regeneration Projects**

279. **Deputy Seán Kenny** asked the Minister for the Environment; Community and Local Government when the remaining phase of maisonette remedial works (details supplied) in Dublin 17 will commence; and the timescale for the completion of the project. [40106/12]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan):** My Department issued budget approval of some €3.6 million to Dublin City Council for this project in 2012.

It is a now matter for Dublin City Council to progress the project to construction stage. I understand the City Council expect work to commence later this year and anticipate a completion date of mid-2013.

### **Household Charge Exemptions**

280. **Deputy Eoghan Murphy** asked the Minister for the Environment; Community and Local Government the steps being taken to protect tenants from paying the household charge in an instance in which the landlord wrongly imposes the charge on a tenant. [40116/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The Local Government (Household Charge) Act 2011 and the Local Government (Household Charge) Regulations 2012 provide the legislation underpinning the household charge. Under the legislation, an owner of a residential property on the liability date of 1 January 2012 is liable to pay the household charge by 31 March 2012, unless otherwise exempted or entitled to claim a waiver.

Section 1 of the Act provides a definition of "owner" for the purposes of the Act, which, in relation to a residential property, means—

(a) a person (other than a mortgagee not in possession) who—

(i) in the case of a residential property that is let under a lease or held under a tenancy for a term not exceeding 20 years, is entitled to receive the rent under that lease or tenancy whether in his or her own right or as trustee or agent for another person, or

(ii) in the case of a residential property that is not so let or so held, would, subject to paragraph (b), be so entitled if the residential property were so let or so held, whether in that person's own right or as trustee or agent for another person,

or

(b) where the property is let under a lease or held under a tenancy for a term exceeding 20 years, the person (other than a mortgagee not in possession) who is the lessee under that lease

or tenant under that tenancy.

A tenant holding a lease of less than 20 years' duration, whether in public or in private rented accommodation, is not an owner of the property in which he or she is living and is therefore not liable in respect of that property. The household charge is a charge levied on the ownership of property, not on its occupation, and a non-compliant owner of a property, not the tenant, will be pursued for payment.

### **Household Charge Exemptions**

281. **Deputy Michael McCarthy** asked the Minister for the Environment; Community and Local Government the number of persons in County Donegal who are currently exempt from paying the household charge because they are in receipt of mortgage interest supplement; the number from County Donegal who received an exemption because they live in an unfinished housing estate; if a breakdown is available listing the numbers of employed and unemployed persons who have paid this charge; and if he will make a statement on the matter. [40143/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The Local Government (Household Charge) Act 2011 and the Local Government (Household Charge) Regulations 2012 provide the legislative basis for the household charge. Under the Act, an owner of a residential property on the liability date of 1 January 2012 is liable to pay the household charge, unless otherwise exempted or entitled to claim a waiver.

The household charge is on a self-assessment basis and it is a matter for an owner of a residential property on the liability date to determine if he or she has a liability and, if so, to declare that liability and pay the charge.

I am informed by the Local Government Management Agency (LGMA), which administers the household charge system on a shared service/agency basis for all county and city councils, that as of 20 September 2012, 113 households in County Donegal had registered for a waiver from the charge on the grounds of being in receipt of mortgage interest supplement. 369 households had registered for a waiver on the grounds that their property forms part of an unfinished housing estate as set out in the Regulations. A further five households had registered under both criteria.

Information on the employment status of people who have paid the household charge is not collected.

### **Social and Affordable Housing Eligibility**

282. **Deputy Catherine Murphy** asked the Minister for the Environment; Community and Local Government if he will consider amending the claw back element of the affordable home scheme to discount legal and auctioneering fees in the event of the sale of the property when it is within the claw-back period; and if he will make a statement on the matter. [40150/12]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan):** The claw-back provision is intended to prevent short-term profit taking on the resale of the house to the detriment of the objectives of the schemes. However, where a person is selling and the clawback amount payable would reduce the proceeds of resale below the initial price actually paid, the legislation provides for the amount of the claw-back payable to be reduced to the extent necessary to avoid that result. Legal and auctioneering fees are costs which vendors bear separately, as do all other owner-occupiers who choose to sell

their home.

To take account of the current housing market conditions, the Government's housing policy statement, published in June 2011, announced the standing down of all affordable housing schemes in the context of a full review of Part V of the Planning and Development Act 2000. That review is now underway and it is expected to conclude later in the year. Any future changes to legislation governing affordable housing schemes will be informed by the review.

*Question No. 283 answered with Question No. 278.*

### **Leader Programmes Funding**

284. **Deputy Michelle Mulherin** asked the Minister for the Environment; Community and Local Government the position regarding a grant application to Mayo north east LEADER partnership company Teoranta by an organisation (details supplied) in County Mayo; and when a decision will issue. [40177/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** Mayo North East Leader Partnership (MNELP) is the Local Action Group contracted by my Department to deliver both the Rural Development Programme (RDP) and the Local Community Development Programme (LCDP) to the North Mayo area.

On foot of correspondence I received in 2011 regarding a possible governance issue at Mayo North East LEADER P Partnership Company, I directed my Department to investigate the matter. This investigation is complex and ongoing and approval of projects under the LEADER element of the Rural Development Programme, which includes the project referred to in the question, is currently suspended pending its completion. I understand that the final investigation report is nearing completion.

### **Local Authority Housing Rents**

285. **Deputy Caoimhghín Ó Caoláin** asked the Minister for the Environment; Community and Local Government if he will provide a list of local authorities which regard foster care allowance as reckonable income when calculating rent; the length of time this has been the practice and the number of foster families affected; if he will immediately instruct them to cease this practice; and if he will make a statement on the matter. [40277/12]

286. **Deputy Sandra McLellan** asked the Minister for the Environment; Community and Local Government if he will provide a list of all local authorities who take foster care allowance into consideration as means when calculating rent; if it is acceptable to do so when foster care allowance is paid to the foster carers for the benefit of the foster child and is not an income or an income support; and if he will make a statement on the matter. [40322/12]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan):** I propose to take Questions Nos. 285 and 286 together.

My Department does not collect the information sought. The making and amending of rent schemes is the responsibility of housing authorities as an integral part of the housing management functions and there are many different rent schemes in operation across housing authorities. The decisions on whether or not to disregard either a proportion of income or particular sources of income for the purposes of calculating rents are matters for each individual housing authority to consider in accordance with their own rent scheme.

Section 31 of the Housing (Miscellaneous Provisions) Act 2009, when commenced, will replace existing enactments in relation to differential rent schemes. Regulations and guidelines for housing authorities to give effect to section 31 are currently in preparation in my Department. When these are made section 31 will be commenced and authorities will have one year in which to put in place a differential rent scheme under the new provisions. While it is not the intention to introduce a national standardised differential rent scheme, the regulations to be made will more clearly set out the matters that may be included in a local rents scheme, including the level, type and sources of household income that may be assessed for rent purposes. It is my intention that foster care allowance will be disregarded for rent assessment purposes under the new regulations.

### Household Charge Exemptions

287. **Deputy Dessie Ellis** asked the Minister for the Environment; Community and Local Government if he will outline the reason an area (details supplied) was not designated for a household charge waiver by the county council despite being determined to be a category three estate. [40357/12]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** As part of the process of preparing the National Housing Development Survey 2011, launched by my Department in October 2011, local authorities provided details of all unfinished housing developments in their areas. Unfinished housing developments were divided into four categories as follows:

- Category one, where the development is still being actively completed by the developer, or where no serious public safety issues exist;
- Category two, where a receiver has been appointed;
- Category three, where a receiver has not been appointed and the developer is still in place but effectively inactive; and
- Category four, where the development has been effectively abandoned and is posing serious problems for residents.

Other relevant factors for the purposes of the categorisation process include, *inter alia*: the state of completion of roads, footpaths, public lighting facilities, piped water and sewerage facilities and open spaces or similar amenities within the development; the extent to which the development complies with the terms of applicable planning permission; the extent to which it complies with the provisions of the Building Control Acts 1990 and 2007; the provisions of the Local Government (Sanitary Services) Act 1964 as they pertain to dangerous places and dangerous structures within the meaning of the Act; the extent to which facilities within the development have been taken in charge by the local authority concerned and, where there is an agreement regarding the maintenance of such facilities, the extent to which this agreement has been complied with. This categorisation formed the basis for the list of those unfinished developments eligible for a waiver on the annual household charge. Only households in developments in categories three and four, as identified in October 2011, are eligible for the waiver from payment of the household charge. The list of developments in which households are eligible for the waiver in 2012 is set out under the Local Government (Household Charge) Regulations 2012. It is a matter for the relevant local authority to interpret and apply the relevant provisions. A revised list of estates will be prescribed for 2013 after which time the waiver for unfinished housing developments will end. Throughout this period it is anticipated that

the numbers of categories 3 and 4 developments will decrease significantly as my Department continues to work with local authorities and other stakeholders to resolve outstanding issues, including through the Public Safety Initiative. Under the legislation, an owner of a residential property on the liability date of 1 January 2012 is liable to pay the household charge, unless otherwise exempted or entitled to claim a waiver. The household charge is on a self-assessment basis and it is a matter for an owner of a residential property on the liability date to determine if he/she has a liability and, if so, to declare that liability and pay the household charge.

### **Energy Schemes**

288. **Deputy Patrick Nulty** asked the Minister for the Environment; Community and Local Government the grants available, if any, towards the installation of solar panels on local authority housing; if there is no such scheme in place, if he will consider the provision of such funding; and if he will make a statement on the matter. [40370/12]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** Under my Department’s Social Housing Investment Programme, local authorities are allocated capital funding each year in respect of a range of measures to improve the standard and overall quality of their social housing stock, including the regeneration of large housing estates and flat complexes, estate-wide remedial works schemes, funding for extensions and adaptations to meet the needs of tenants with a disability etc. Funding of €18 million has also been provided by my Department this year for a programme of works aimed at improving the overall standard and energy efficiency of the housing stock.

In certain cases, approved retro-fitting and refurbishment works may include the installation of solar panels. However, there is no specific grant scheme currently in place for the provision of solar panels in local authority owned properties. I intend to review the operation of the retro-fitting and energy efficiency measures in the context of the programme for 2013, including a review of the range of grant-eligible works under these measures.

### **Household Charge Collection**

289. **Deputy Clare Daly** asked the Minister for the Environment; Community and Local Government the impact of the letters sent by local authorities to those on the non-principal private residence list in relation to seeking payment of the household tax, broken down by county on the basis of numbers of letters sent out each time, and the rate of compliance which followed each letter. [40392/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The table shows the number of reminder letters sent out by county and city councils in July, August and September 2012 in relation to the household charge. The table also shows the number registered prior to the issuing of these letters and the number of registrations made immediately following the issuing of the reminder letters.

#### **Number of Registrations per Local Authority and Reminder Letters Issued**

Questions - Written Answers

Local Authority	Number registered in Household Charge 2nd June 2012	No. of NPPR - Letter 1 (Issued between 2nd and 13th July)	Number registered in Household Charge 20th July 2012	No. of NPPR - Letter 2 (Issued between 7th and 20th August)	Number registered in Household Charge 24th August	No. of NPPR - Letter 3 (issued between 10th and 21st Sept.)	Number registered in Household Charge 20th Sept 2012	Increase in registrations since June	% increase since June
Leitrim	7,584	1,034	7,991	625	8,338	497	8,577	993	12
Roscommon	12,980	1,373	13,819	852	14,474	660	14,964	1,984	13
Sligo	14,927	1,631	15,822	1,102	16,437	917	16,806	1,879	11
Cork City	23,184	5,324	24,879	2,985	26,093	2,396	26,685	3,501	13
Dublin City	119,760	19,423	125,182	11,048	129,372	8,686	132,184	12,424	9
Donegal	28,443	3,262	30,970	2,350	32,301	2,032	33,405	4,962	15
Mayo	28,144	2,621	32,992	1,678	34,203	1,412	35,111	6,967	20
Longford	6,981	1,031	7,287	692	7,573	549	7,780	799	10
Meath	31,394	2,487	32,783	1,778	33,767	1,446	34,638	3,244	9
Limerick City	11,612	2,333	12,364	1,441	12,789	1,212	13,304	1,692	13
Galway Co.	33,221	2,961	35,724	1,972	37,149	1,614	38,647	5,426	14
Clare	24,727	2,764	28,521	1,758	29,738	1,338	30,736	6,009	20
Westmeath	17,118	1,917	18,039	1,294	18,678	1,030	19,259	2,141	11
Carlow	9,745	1,196	10,127	838	10,498	703	10,783	1,038	10
Laois	13,030	1,194	13,821	769	14,294	571	14,635	1,605	11
South Dublin	44,162	4,442	47,097	2,806	48,330	2,285	49,247	5,085	10
Kilkenny	17,947	1,327	18,614	889	19,182	736	19,680	1,733	9
Louth	20,936	2,032	21,605	1,279	22,303	1,076	22,932	1,996	9
Wexford	28,312	4,040	30,590	2,455	31,914	1,902	32,967	4,655	14
Fingal	50,820	5,627	53,625	3,554	55,264	2,945	56,420	5,600	10
Monaghan	10,821	824	11,746	553	12,249	411	12,466	1,645	13
Kerry	34,024	3,516	38,534	2,279	39,713	1,843	40,978	6,954	17
Limerick County	24,400	2,222	27,602	1,351	28,542	1,040	29,386	4,986	17
Galway City	16,892	3,895	18,088	2,242	19,110	1,772	19,658	2,766	14
Tipperary South	17,223	1,453	18,181	962	18,835	760	19,608	2,385	12
Kildare	37,100	3,459	38,655	2,445	40,018	1,960	40,893	3,793	9
Tipperary North	14,176	1,014	15,293	649	15,830	450	16,463	2,287	14
Cork County	74,857	8,565	79,360	5,894	82,777	4,747	85,059	10,202	12
Waterford City	8,008	1,925	8,967	1,059	9,416	880	9,720	1,712	18
Waterford County	13,019	1,407	14,443	819	14,965	647	15,434	2,415	16
Wicklow	26,878	1,993	28,208	1,310	29,010	1,025	29,720	2,842	10
Cavan	13,107	1,322	13,660	869	14,232	711	14,710	1,603	11
Offaly	12,431	1,128	12,969	753	13,426	613	13,762	1,331	10

Local Authority	Number registered in Household Charge 2nd June 2012	No. of NPPR - Letter 1 (Issued between 2nd and 13th July)	Number registered in Household Charge 20th July 2012	No. of NPPR - Letter 2 (Issued between 7th and 20th August)	Number registered in Household Charge 24th August	No. of NPPR - Letter 3 (issued between 10th and 21st Sept.)	Number registered in Household Charge 20th Sept 2012	Increase in registrations since June	% increase since June
Dun Laoghaire	56,866	3,163	59,457	1,862	60,594	1,380	61,540	4,674	8
Total Letters		103,905		65,212		52,246			

### Tenant Purchase Scheme Applications

290. **Deputy Willie Penrose** asked the Minister for the Environment; Community and Local Government if he has devised a method by way of a loan scheme or otherwise to enable elderly people to purchase outright their houses under the tenant purchase scheme when many such persons are already paying rents which exceed their likely monthly repayments under the tenant purchase scheme but who because of their age and or their reliance upon social welfare payments are being denied the possibility of pursuing their wish to purchase the said houses; if same can now be reviewed; and if he will make a statement on the matter. [40456/12]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** The relevance of the difference between projected mortgage repayments and current rental payments for a prospective purchaser is very limited. It takes no account, for example, of the fact that while rent levels can be adjusted to reflect changing household income, mortgage repayments cannot. Nor does it take account of the additional costs taken on when a household becomes a homeowner thereby assuming responsibility for the on-going maintenance of their home.

Provisions governing mortgage lending by local authorities are set out under the Housing (Local Authority Loans) Regulations 2012 and associated credit policy. Persons in receipt of social welfare payments are not specifically precluded from purchasing their home under any tenant purchase scheme. However, if the applicants are applying to fund the purchase through loan finance from the local authority they must meet the criteria which apply to such loans.

While, as a general rule, the credit policy provides that loans are not available to those in receipt of unemployment/social welfare benefits, an exception may be made where there is a primary income of a permanent waged/salaried nature and where the secondary income is from the Department of Social Protection.

In such cases long term social welfare payments can be considered, provided the long term nature of the payment is confirmed. The final decision on whether to grant/refuse an applicant lies solely with the relevant local authority. All local authorities must satisfy themselves on the financial risk they are undertaking.

### Public Sector Allowances

291. **Deputy Brian Stanley** asked the Minister for the Environment; Community and Local Government if local authority staff including city and county managers who are working for

the Local Government Management Agency are paid an income separate to and in addition to their salaries; and if so, the amount of same; if local authority staff, including city and county managers, receive expenses for their work with the Local Government Management Agency; and if so, the amount of same; the number of hours per week local authority staff, including city and county manager are expected to contribute to the working of the Local Government Management Agency. [40458/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** A small number of local authority employees are seconded from local authorities to work for the Local Government Management Agency (LGMA). In such cases local authorities pay the employees directly and salary costs are recouped from the LGMA. There is no extra cost attached to this arrangement.

From time to time, local authority employees contribute to the work of the LGMA as members of project boards, working groups, membership of the Board or membership of the City and County Managers Association. The number of hours contributed by each employee would vary accordingly.

These employees do not receive expenses but may submit claims in respect of travel and subsistence expenses necessarily incurred as part of their official duties in accordance with the relevant travel and subsistence circulars.

### **Social and Affordable Housing Provision**

292. **Deputy Martin Ferris** asked the Minister for the Environment; Community and Local Government if he has received correspondence from Kerry County Council regarding its concerns about the reduction in the Housing Capital Allowance 2012 and in particular funding for single rural dwellings and if he has issued a reply. [40511/12]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan):** This year I allocated some €8.643 million to Kerry County Council in respect of the various measures supported under my Department's Social Housing Investment Programme (SHIP) . I recently allocated a further € 420,000 to the Council for the construction of three rural houses over the period 2012 – 2014. Having regard to the high level of commitments under the SHIP at this time, I am not in a position to approve the additional funding requested by the Council on 19 September.

### **House Prices**

293. **Deputy Pearse Doherty** asked the Minister for the Environment; Community and Local Government further to Parliamentary Question No 1100 of 18 September 2012, the actual cost of producing the average house price series. [40530/12]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan):** A statistician is assigned to my Department's Planning and Housing Division to deal with a wide range of issues including the compilation of relevant indices of activity and outputs, of which the house price series is one . The increment of the officer's time involved would not be significant.

### **Thatching Grants Eligibility**

294. **Deputy Patrick O'Donovan** asked the Minister for the Environment; Community and Local Government if there is a residency requirement for applicants to his Department for thatching grants; the date on which he introduced the requirement for residency; if there are exceptions to this requirement such as offshore islands and houses in particularly isolated areas; and if he will make a statement on the matter. [40547/12]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan):** Under my Department's grant scheme for the renewal or repair of thatched roofs a grant of up to € 3,810 or two thirds of the approved cost, whichever is the lesser, may be payable in respect of necessary works to renew or repair the thatched roofs of houses. A higher grant of up to €5,714 may be payable where the house is situated on certain specified islands off the West and South coasts. In the case of medical card holders, a grant of up to €6,350, or up to 80% of the approved cost, may be payable in respect of houses situated on the mainland, rising to €8,252 where the house is situated on a specified off-shore island.

It is a condition of the grant scheme, which was introduced in 2001, that the house is occupied as the applicant's normal place of residence on completion of the approved works, irrespective of location.

### **Rural Development Programme Projects**

295. **Deputy Brendan Smith** asked the Minister for the Environment; Community and Local Government when he will issue approval in respect of a project (details supplied) in County Monaghan; and if he will make a statement on the matter. [40548/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** Cavan Monaghan LEADER is the Local Action Group contracted by my Department to deliver the Rural Development Programme (RDP) in the Cavan Monaghan Area. The Local Action Group is the principal decision maker in regard to project approval, and this process is carried out in the context of a detailed regulatory framework and a comprehensive set of operating rules. Cavan Monaghan LEADER have confirmed to my Department that they have now completed the assessment process and have issued an offer of funding to the promoter in question.

### **Departmental Staff Numbers**

296. **Deputy Regina Doherty** asked the Minister for the Environment; Community and Local Government if his Department still grants leave of absence; and if not, the reason this is not considered as a neutral cost saving exercise; and if he will make a statement on the matter. [40595/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** A number of special leave schemes, including career breaks, are available to officials in my Department. The details are on the website of the Department of Public Expenditure and Reform. My Department considers any application made by staff on its merits, subject to the exigencies of the service.

### **Housing Statistics**

297. **Deputy Dessie Ellis** asked the Minister for the Environment; Community and Local

Government the number of dependents listed on applications for social housing in the State broken down by local authority. [40605/12]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** My Department collates and publishes a wide range of housing and planning statistics that inform the preparation and evaluation of policy, and those data are available on my Department’s website *www.environ.ie*. While we do not collate the exact number of dependents listed on applications for social housing, the 2011 assessment of housing need, which is broken down by local authority, is available on the website and provides an analysis of household structure broken down by relationship status and number of children.

### **Election Management System**

298. **Deputy Gerald Nash** asked the Minister for the Environment; Community and Local Government if he intends to ensure that local authorities take measures to engage people on the live register to work as polling clerks and count centre staff; and if he will make a statement on the matter. [40636/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The primary role of my Department in electoral matters is to provide an appropriate policy and legislative framework for a modern and efficient electoral system. Within that framework, local returning officers are responsible for all matters in connection with the actual conduct of elections and referendums, including the selection, appointment and training of polling station and count staff in accordance with the relevant provisions of electoral law.

To assist returning officers, my Department issues guidance to them in advance of each election and referendum. The guidance emphasises that the smooth conduct of polls is dependent on maintaining a cadre of sufficiently skilled and experienced people. Having regard to that overall objective, returning officers are advised to employ competent and efficient persons as polling staff and asked to give consideration, where possible, to employing suitable persons who are unemployed.

### **Garda Stations Refurbishment**

299. **Deputy Michael McCarthy** asked the Minister for Justice and Equality if works due to be completed by the end of August at a Garda Station (details supplied) in County Cork have been finalised; and if he will make a statement on the matter. [40529/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The programme of replacement and refurbishment of Garda accommodation around the country is based on agreed priorities established by An Garda Síochána. The programme is advanced by the Garda authorities working in close co-operation with the Office of Public Works, which has responsibility for the provision and maintenance of Garda accommodation. I have been informed by the Garda authorities that current maintenance works at the station referred to by the Deputy are expected to be completed before the end of September.

### **Personal Insolvency Act**

300. **Deputy Olivia Mitchell** asked the Minister for Justice and Equality the professions who may act as personal insolvency practitioners under the Personal Insolvency legislation; if

his attention has been drawn to concerns among many professions such as financial brokers that these functions might be confined to the legal and accountancy professions; and if he will make a statement on the matter. [40733/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I refer the Deputy to my answer to Question No. 1265 of 18 September, 2012 in which I said that the precise details in regard to the regulation of personal insolvency practitioners require further consideration in the final development of the Personal Insolvency Bill 2012 in consultation with the Department of Finance, the Central Bank and relevant professional bodies. I will be bringing forward detailed proposals by way of amendments to the Bill during its passage through the Oireachtas. I can assure the Deputy that no decisions have been taken as to who may be licensed as personal insolvency practitioners.

### **Services for People with Disabilities**

301. **Deputy Shane Ross** asked the Minister for Justice and Equality his plans to have Irish sign language recognised as an official language here; if not, the reason for same, when it is so widely used here; and if he will make a statement on the matter. [40081/12]

**Minister of State at the Department of Justice and Equality (Deputy Kathleen Lynch):** The Programme for Government commits to examine different mechanisms to promote the recognition of Irish Sign Language. My Department in consultation with the National Disability Authority is examining options and is consulting with relevant stakeholders.

### **Citizenship Applications**

302. **Deputy Arthur Spring** asked the Minister for Justice and Equality the average processing time for de facto relationship visas in view of the fact that all required documentation is submitted with the application; and if he will make a statement on the matter. [40082/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am informed by the Irish Naturalisation and Immigration Service (INIS) that de facto relationship applications are dealt with in strict chronological order of receipt. The processing time for an application will vary as it is dependent on the complexity of the case and supporting relevant documentation being submitted to the INIS. In addition a number of standard verification checks are carried out. At present the average processing time for de facto applications is three months. In more complex cases processing of an application can take up to 12 months - although this is a rare occurrence.

If the Deputy has a particular case in mind it is open to him to contact INIS directly by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

### **Deportation Orders**

303. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if he will reconsider a deportation order issued in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [40166/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The person concerned was granted temporary permission to remain in the State under stamp 4 conditions for an initial one year period on 10 June, 2002, on the basis that she was part of a family unit where the parents had been granted residency on the basis of parentage of an Irish citizen child. This permission appears to have been renewed on a regular basis by her local Immigration Officer until March 2010. I am informed that when she attended the registration office of the Garda National Immigration Bureau (GNIB) in May 2010, she was advised to contact my officials in the Irish Naturalisation and Immigration Service (INIS) regarding same. However it appears that the next contact from the person concerned was in March 2012 when she presented to her local Immigration Officer. She was refused registration on this occasion as she has been out of permission since March 2010. The local Immigration Officer advised her to write to INIS outlining her situation prior to renewal of registration. I am informed that she was given this direction by him on 26 August 2012. To date no communication has been received from her by INIS. I would advise the person concerned to write to my officials at the Irish Naturalisation and Immigration Service, PO Box 10003, Dublin 1, with a formal request to regularise her status in the State. On receipt of this request, her case will then be examined by the relevant officials in INIS. Once a decision has been made, this decision and the consequences of the decision will be conveyed in writing to the person concerned. I am informed that the person concerned is not the subject of a deportation order.

Queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

### **Citizenship Applications**

304. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality in respect to an application for naturalisation in respect of a person (details supplied) in County Kildare, if any of their residency was deemed to be for study purposes; if same will be taken into account; and if he will make a statement on the matter. [40186/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The person concerned was granted permission to remain in the State on the basis of family dependency on 20 April, 2011. This permission is currently valid until 18 January, 2014. Officials in the Citizenship Division of the Irish Naturalisation and Immigration Service inform me that there is no record of an application for a certificate of naturalisation from the person referred to. It is open to any individual to lodge an application for citizenship if and when they are in a position to meet the statutory requirements as prescribed in the Irish Nationality and Citizenship Act 1956 as amended.

Section 15 of that Act provides that the Minister may, in his absolute discretion, grant an application for a certificate of naturalisation provided certain statutory conditions are fulfilled. The conditions are that the applicant must:

- be of full age;
- be of good character;
- have had a period of one year's continuous residency in the State immediately before the date of application and, during the eight years immediately preceding that period, have had a

total residence in the State amounting to four years;

- have, before a judge of the District Court in open court, in a citizenship ceremony or in such manner as the Minister, for special reasons, allows—

(i) made a declaration, in the prescribed manner, of fidelity to the nation and loyalty to the State, and

(ii) undertaken to faithfully observe the laws of the State and to respect its democratic values.

In the context of naturalisation, certain periods of residence in the State are excluded. These include:

- periods of residence in respect of which an applicant does not have permission to remain in the State;

- periods granted for the purposes of study;

- periods granted for the purposes of seeking recognition as a refugee within the meaning of the Refugee Act, 1996.

The on-line Naturalisation Residency Calculator can be used as a guide to whether an individual satisfies the naturalisation residency conditions and, if not, give an indication of how long they should wait before making an application.

Queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

## Organised Crime

305. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality his views on the recent activity surrounding a high profile funeral in (details supplied) in Dublin 13; and if he will make a statement on the matter. [40212/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Deputy will be aware that these so-called 'dissident republicans' are no more than criminal terrorists using violence in pursuit of their own, often personal, ends. They also maintain more than just a nodding acquaintance with organised criminals in funding themselves and their activities. Indeed, these paramilitaries are deeply involved in criminal activities. Countering the threat from terrorists has always been a priority for the Garda Síochána and nothing has changed in that regard. Despite the positive developments there have been in recent years in the North, the Gardaí have never let up in their efforts to counteract these groups.

In relation to the incident raised by the Deputy, it must be accepted that the Garda members present, in taking appropriate operational decisions had, above all else, a particular responsibility to ensure the safety of the public in what was a crowded environment. The possibility that there may have been an effort to provoke the Gardai into taking action with a view to generating public disorder and greater publicity for those involved cannot be discounted.

As I said in responses to Parliamentary Questions on this matter last week, the Garda Commissioner has set up a dedicated operation, "Operation Ambience". As a result, over 30 searches were conducted of various locations in Dublin and surrounding counties and a substantial number of arrests were also made. Three people have been charged with membership of an unlawful organisation under the Offences Against the State Act and Garda inquiries into the matter are ongoing.

I am strongly committed to ensure that the Gardaí have the necessary resources they need, not just in terms of manpower and equipment, but also in terms of legislative provisions, to bear down on these paramilitary groups. I am also committed to making sure that there is seamless cooperation between the security services North and South in dealing with the threat. That is exactly what is happening.

### Citizenship Applications

306. **Deputy Éamon Ó Cuív** asked the Minister for Justice and Equality when a decision will issue on applications for naturalisation lodged by persons (details supplied) in County Galway; the reason for the delay in processing the applications; and if he will make a statement on the matter. [40236/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am advised by the Citizenship Division of the Irish Naturalisation and Immigration Service (INIS) that valid applications for a certificate of naturalisation were received from the persons referred to by the Deputy in December 2007.

The applications are currently being processed with a view to establishing whether the applicants meet the statutory conditions for the granting of naturalisation and they will be submitted to me for decision as expeditiously as possible. While good progress continues to be made in reducing the large volume of cases on hand, the nature of the naturalisation process is such that for a broad range of reasons some cases will take longer than others to process. It is a statutory requirement that, *inter alia*, applicants for naturalisation be of good character. In some instances that can be established relatively quickly and in other cases completing the necessary checks can take a considerable period of time. I can, however, inform the Deputy that enormous progress has been made in dealing with the backlog and steps are being taken to process all outstanding applications and to have made significant inroads into them by the end of this year.

Queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

### Visa Applications

307. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality his views of the short-stay visa waiver scheme allowing visitors here, from 16 emerging tourism markets, to travel around the rest of the island without the need for an additional visa application; if he recognises the potential that a reciprocal approach would have in opening up our tourism industry to new markets; his view of the British Government's position of preventing the introduction

of a similar scheme and if he intends to work towards the introduction of a single visa scheme for visitors to the island of Ireland. [40242/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Irish Short-stay Visa Waiver Programme, which was devised by the Irish Naturalisation and Immigration Service (INIS) of my Department, commenced on 1 July, 2011 and was originally scheduled to run on a pilot basis until the end of October, 2012. It allows tourists or business people who have lawfully entered the UK, including Northern Ireland, on a valid UK visa to travel on to Ireland without the requirement to obtain an Irish visa.

Nationals of sixteen countries are currently included in the programme including India, China, Russia, various priority Middle East countries and others. A review of the Programme was conducted in January this year with a view to submitting to Government a report on its progress and recommendations on extension of the programme in terms of duration and of countries covered. The Government decided on 12 March to extend the Programme for a further period of four years i.e. to end October 2016 in the light, particularly, of the positive response from tourism agencies and operators.

The Programme as it operates at present does not for technical reasons allow for reciprocity between the UK and Ireland. This is primarily due to the UK requirement that all visa applicants supply fingerprint (biometrics) data electronically as an essential element of applying for a UK visa. Quite obviously Ireland does not have the capacity to capture such data for all visa applications worldwide; currently for UK visas this is done in over 150 countries.

However, in tandem with the Visa Waiver Programme, work is ongoing, through the regular Common Travel Area Forum meetings between INIS and the UK Home Office, on the development of a short stay Common Travel Area visa which would allow tourists and business visitors to travel to the CTA and to travel freely between Ireland and the UK.

A number of legal and logistical issues are being addressed including the requirement for biometric data capture. It is anticipated that such a visa will prove an attractive option for tourists and business visitors and a trial period will be used to gauge likely demand. Such a visa will supersede the Visa Waiver Programme.

### **Garda Investigations**

308. **Deputy Thomas Pringle** asked the Minister for Justice and Equality when the report regarding a particular series of events which took place after the conviction of a person (details supplied) in County Donegal will be completed; and when it is scheduled to be published. [40279/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am informed by the Garda authorities that the investigation into the matter referred to by the Deputy is ongoing. The Deputy will appreciate that it would not be appropriate for me to comment further at this time.

### **Garda Transport**

309. **Deputy Seán Kenny** asked the Minister for Justice and Equality his plans to provide funding to purchase additional vehicles for the Garda traffic corps; and if he will make a statement on the matter. [40298/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The provision and allocation

of Garda resources, including transport, is a matter for the Garda Commissioner in the light of his operational requirements.

I am advised by the Garda authorities that a new contract for the provision of Garda cars has recently been put in place following a tender process organised by the National Procurement Service. In addition, I can confirm that a number of new vehicles have been ordered and this is a matter which will be further pursued by the Garda authorities with reference to their identified policing needs and the availability of financial resources. In that overall context the requirements of the Traffic Corps will be taken into account.

### Garda Strength

310. **Deputy Seán Kenny** asked the Minister for Justice and Equality the number of Garda sergeants and inspector vacancies currently in the Garda R&J districts; and if he will make a statement on the matter. [40299/12]

319. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality the number of permanent vacancies in An Garda Síochána broken down by division and rank; the number of these which are temporarily occupied; the date on which they will all be filled. [40506/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I propose to take Questions Nos. 310 and 319 together.

As of the 31 August 2012, the latest date for which figures are readily available, there were 13,531 Gardaí, just over 1,000 Reserve Gardaí and over 2,000 civilian staff in the Garda Síochána. With the exception of recruitment to the Garda Reserve which is of a voluntary nature, the moratorium on recruitment still applies to the Garda Síochána.

The Deputy will be aware that the Commissioner is responsible for the detailed allocation of resources, including personnel, throughout the organisation and I have no direct function in the matter. This allocation of resources is constantly monitored in the context of crime trends, policing needs and other operational strategies in place on a District, Divisional and Regional level to ensure optimum use is made of Garda resources and the best possible Garda service is provided to the public.

While regulations have previously provided for the numbers permitted in each rank, these have been upper ceilings for those numbers, rather than target strengths, and are set at a national rather than local level. It is therefore not generally practical to indicate precise levels of vacancies at the different ranks in specific locations. The table shows the allocation of Gardaí by rank in each Garda Division and District throughout the country.

Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
CAVAN / MONAGHAN	BAILIEBORO	BAILIEBORO	34	9	1	1			45
		BALLYJAMES-DUFF	2	1					3
		COOTEHILL	8	1					9
		KINGSCOURT	1	1					2
		MULLAGH	2						2
		SHERCOCK	1						1
		VIRGINIA	4	1					5
		BAILIEBORO Total		52	13	1	1		

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Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
	BALLYCONNELL	BALLYCONNELL	19	5		1			25
		BAWNBOY	1						1
		BELTURBET	3	1					4
		BLACKLION	2	1					3
		DOWRA	1						1
		KILLESHANDRA	1						1
		SWANLINBAR	1						1
	BALLY-CONNELL Total		28	7		1			36
	CARRICK-MACROSS	BALLYBAY	4	1					5
		CARRICK-MACROSS	35	10		1			46
		CASTLEBLANEY	22	3					25
		CORRINSHIGAGH	1						1
		SHANTONAGH	1						1
	CARRICK-MACROSS Total		63	14		1			78
	CAVAN	ARVA	2	1					3
		BALLINAGH	1	1					2
		CAVAN	49	9	2	1			61
		KILNALECK	3	1					4
		REDHILLS	1						1
	CAVAN Total		56	12	2	1			71
	MONAGHAN	CLONES	5	1					6
		EMYVALE	3	1					4
		MONAGHAN	65	15	1	2	1		84
		NEWBLISS	1						1
		SCOTSTOWN	1	1					2
	MONAGHAN Total		75	18	1	2	1		97
CAVAN / MONAGHAN Total			274	64	4	6	1		349
CLARE	ENNIS	CRUSHEEN	1						1
		ENNIS	94	13	2		1		110
		IMMIGRATION OFFICE	4						4
		NEWMARKET ON FERGUS	3						3
		QUIN	1						1
		SHANNON	54	8	1				63
		SIXMILEBRIDGE	3	1					4
	ENNIS Total		160	22	3		1		186
	ENNISTYMON	BALLYVAUGHAN	1						1
		COROFIN	1						1
		ENNISTYMON	24	3		1			28
		INAGH	1						1
		LISDOONVARNA	1						1
		MILTOWN MALBAY	2						2

Questions - Written Answers

Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
	ENNISTYMON Total		30	3		1			34
	KILLALOE	BROADFORD	1						1
		KILLALOE	26	4	1				31
		MOUNTSHANNON	1						1
		SCARIFF	4	1					5
		TULLA	2						2
	KILLALOE Total		34	5	1				40
	KILRUSH	KILDYSART	2						2
		KILKEE	3						3
		KILMIHIL	1						1
		KILRUSH	25	4		1			30
	KILRUSH Total		31	4		1			36
CLARE Total			255	34	4	2	1		296
CORK CITY	ANGLESEA STREET	ANGLESEA STREET	216	44	8	2	1	1	272
		BARRACK STREET	14	4					18
		BLACKROCK	27	4					31
		BRIDEWELL	18	6					24
	ANGLESEA STREET Total		275	58	8	2	1	1	345
	GUR-RANABRAHER	BALLINCOLLIG	22	3					25
		BLARNEY	14	2					16
		GURRANABRAHER	47	7	1	1			56
		RATHDUFF GRE-NAGH	2						2
	GUR-RANABRAHER Total		85	12	1	1			99
	MAYFIELD	MALLOW ROAD	4	2					6
		MAYFIELD	41	8	1	1			51
		WATERCOURSE ROAD	44	6					50
	MAYFIELD Total		89	16	1	1			107
	TOGHER	BISHOPSTOWN	19	3					22
		CARRIGALINE	17	2					19
		CROSSHAVEN	2	1					3
		DOUGLAS	21	5					26
		PASSAGE WEST	2	1					3
		TOGHER	45	8	1	1			55
	TOGHER Total		106	20	1	1			128
CORK CITY Total			555	106	11	5	1	1	679
CORK NORTH	COBH	CARRIG NA BH-FEAR	2						2
		CARRIGTWOHILL	2	1					3
		COBH	29	6	1	1			37

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Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
		GLANMIRE	19	4					23
		WATER-GRASSHILL	1						1
	COBH Total		53	11	1	1			66
	FERMOY	BALLYNOE	1						1
		CASTLETOWN-ROCHE	2						2
		FERMOY	47	9	1	1	1		59
		KILDORRERY	1						1
		KILWORTH	2						2
		MITCHELSTOWN	19	3					22
		RATHCORMAC	1						1
	FERMOY Total		73	12	1	1	1		88
	MALLOW	BUTTEVANT	1						1
		CHARLEVILLE	14	3					17
		DONERAILE	2						2
		GLANTAINE	1						1
		LISCARROLL	1						1
		MALLOW	41	7		1			49
		MILFORD	1						1
	MALLOW Total		61	10		1			72
	MIDDLETON	BALLYCOTTON	1						1
		CLOYNE	1						1
		KILLEAGH	1						1
		MIDDLETON	40	8	2	1			51
		WHITEGATE	1						1
		YOUGHAL	20	5					25
	MIDDLETON Total		64	13	2	1			80
CORK NORTH Total			251	46	4	4	1		306
CORK WEST	BANDON	BALLINEEN	2						2
		BALLINHASSIG	2						2
		BANDON	66	12	3	1	1		83
		INNISHANNON	1						1
		KILBRITTAIN	1						1
		KINSALE	13	3					16
		TIMOLEAGUE	1						1
	BANDON Total		86	15	3	1	1		106
	BANTRY	BANTRY	27	5	1				33
		CASTLETOWN-BERE	4	1					5
		DRIMOLEAGUE	1						1
		DURRUS	1						1
		GLENGARRIFF	1						1
		KEALKIL	1						1
		SCHULL	4	1					5
	BANTRY Total		39	7	1				47
	CLONAKILTY	BALTIMORE	1						1
		CLONAKILTY	23	4	1	1			29

Questions - Written Answers

Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
		DRINAGH	1						1
		DUNMANWAY	7	1					8
		ROSSCARBERY	2						2
		SKIBBEREEN	9	2					11
	CLONAKILTY Total		43	7	1	1			52
	KANTURK	BOHERBUE	1						1
		KANTURK	26	3	1				30
		MEELIN	1						1
		MILLSTREET	9	2					11
		NEWMARKET	1	1					2
		RATHMORE	2						2
	KANTURK Total		40	6	1				47
	MACROOM	BAILE BHUIRNE	2	1					3
		BÉAL ÁTHA AN GHAORTHA	2						2
		COACHFORD	1	1					2
		CROOKSTOWN	4	1					5
		MACROOM	34	6		1			41
		STUAKE	1						1
		TARELTON	1						1
	MACROOM Total		45	9		1			55
CORK WEST Total			253	44	6	3	1		307
D.M.R. EAST	BLACKROCK	BLACKROCK	72	10	3	1			86
		DUNDRUM	64	9	1				74
		STEPASIDE	30	3					33
	BLACKROCK Total		166	22	4	1			193
	DUN LAOGHAIRE	CABINTEELY	35	5	1				41
		DALKEY	2						2
		DUN LAOGHAIRE	78	16	2	2	1		99
		KILL-O-GRANGE	25	2					27
		SHANKILL	56	9					65
	DUN LAOGHAIRE Total		196	32	3	2	1		234
D.M.R. EAST Total			362	54	7	3	1		427
D.M.R. NORTH	BALBRIGGAN	BALBRIGGAN	58	6	3	1			68
		GARRISTOWN	2						2
		LUSK	9	1					10
		SKERRIES	9	1					10
	BALBRIGGAN Total		78	8	3	1			90
	BALLYMUN	BALLYMUN	95	17	3	2	1		118
		DUBLIN AIRPORT	27	4					31
		SANTRY	89	12	1				102
	BALLYMUN Total		211	33	4	2	1		251
	COOLOCK	COOLOCK	97	12	4	1			114
		MALAHIDE	30	4					34
		SWORDS	66	10	1				77

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Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
	COOLOCK Total		193	26	5	1			225
	RAHENY	CLONTARF	65	8	1				74
		HOWTH	33	6	1				40
		RAHENY	57	6	2	1			66
	RAHENY Total		155	20	4	1			180
D.M.R. NORTH Total			637	87	16	5	1		746
D.M.R. NORTH CENTRAL	BRIDEWELL	BRIDEWELL	138	29	6	1			174
	FITZGIBBON STREET	MOUNTJOY	179	25	4	1			209
	STORE STREET	IMMIGRATION D/ DOCKS	5						5
		STORE STREET	235	27	4	2	1		269
	STORE STREET Total		240	27	4	2	1		274
D.M.R. NORTH CENTRAL Total			557	81	14	4	1		657
D.M.R. SOUTH	CRUMLIN	CRUMLIN	74	17	3	2	1		97
		SUNDRIVE ROAD	61	9					70
	CRUMLIN Total		135	26	3	2	1		167
	RATHMINES	RATHMINES	59	6					65
		TERENURE	78	15	3	1			97
	RATHMINES Total		137	21	3	1			162
	TALLAGHT	RATHFARNHAM	67	7					74
		TALLAGHT	162	20	5	1			188
	TALLAGHT Total		229	27	5	1			262
D.M.R. SOUTH Total			501	74	11	4	1		591
D.M.R. SOUTH CENTRAL	DONNY-BROOK	DONNYBROOK	103	12	2	1			118
		IRISHTOWN	45	7	1				53
	DONNY-BROOK Total		148	19	3	1			171
	KEVIN STREET	KEVIN STREET	124	15	4	1			144
		KILMAINHAM	65	12	1				78
	KEVIN STREET Total		189	27	5	1			222
	PEARSE STREET	PEARSE STREET	275	35	4	2	1		317
	PEARSE STREET Total		275	35	4	2	1		317
D.M.R. SOUTH CENTRAL Total			612	81	12	4	1		710
D.M.R. WEST	BLANCHARD-STOWN	BLANCHARD-STOWN	139	18	2	2	1		162
		CABRA	76	10					86
		FINGLAS	101	13	3				117

Questions - Written Answers

Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
	BLANCHARD-STOWN Total		316	41	5	2	1		365
	CLONDALKIN	BALLYFERMOT	80	11	2				93
		CLONDALKIN	78	12	3	1			94
		RATHCOOLE	26	1					27
	CLONDALKIN Total		184	24	5	1			214
	LUCAN	LUCAN	61	7	4	1			73
		RONANSTOWN	79	12	1				92
	LUCAN Total		140	19	5	1			165
D.M.R. WEST Total			640	84	15	4	1		744
DONEGAL	BALLYSHANNON	BALLINTRA	1						1
		BALLYSHANNON	37	6	1	1			45
		BUNDORAN	5	1					6
		DONEGAL TOWN	28	5					33
		MOUNTCHARLES	1						1
		NA CEALLA BEAGA	5	1					6
	BALLYSHANNON Total		77	13	1	1			92
	BUNCRANA	BUNCRANA	44	7	1	1			53
		BURNFOOT	5	1					6
		CARNDONAGH	3	1					4
		CLONMANY	2						2
		MALIN	2						2
		MOVILLE	4						4
		MUFF	2	1					3
	BUNCRANA Total		62	10	1	1			74
	GLENTIES	AILT AN CHORRÁIN	1						1
		AN BUN BEAG	12	2					14
		AN CHARRAIG	1	1					2
		AN CLOCHÁN LIATH	7	2					9
		ANAGAIRÉ	1						1
		ARD AN RÁTHA	2						2
		GLEANN CHOLM CILLE	1						1
		NA GLEANNTA	19	3		1			23
	GLENTIES Total		44	8		1			53
	LETTERKENNY	BALLYBOFEY	21	2					23
		CARRIGANS	4	1					5
		CASTLEFIN	3	1					4
		CONVOY	2	1					3
		LETTERKENNY	87	14	4	1	1		107
		LIFFORD	13	2					15
		NEWTOWNCUNNINGHAM	2						2
		RAPHOE	3	1					4

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Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
	LETTERKEN- NY Total		135	22	4	1	1		163
	MILFORD	AN CRAOSLACH	1						1
		AN FÁL CAR- RACH	8	1					9
		CARRAIG AIRT	2						2
		DÚN FIONNACH- AID	2						2
		KERRYKEEL	3	1					4
		KILMACRENNAN	1						1
		MILFORD	24	1		1			26
		MÍN AN LÁBÁIN	1						1
		RAMELTON	2						2
		RATHMULLEN	1						1
	MILFORD Total		45	3		1			49
DONEGAL Total			363	56	6	5	1		431
GALWAY	BALL- INASLOE	BALLINASLOE	36	5		1			42
		BALLYGAR	1						1
		CREGGS	1						1
		KILCONNELL	1						1
		MOUNT BELLEW	6	2					8
		MOYLOUGH	1						1
	BALL- INASLOE Total		46	7		1			54
	CLIFDEN	AN MÁM	2						2
		CARNA	1	1					2
		CLIFDEN	23	4		1			28
		CLOCH NA RÓN	1						1
		LENNAUN	1						1
		LETTERFRACK	1						1
		SRAITH SALACH	1						1
	CLIFDEN Total		30	5		1			36
	GALWAY	ATHENRY	4	1					5
		GAILLIMH	176	27	5	3	1	1	213
		KILTULLAGH	1						1
		LOUGH GEORGE	4	1					5
		MONIVEA	1						1
		ÓRÁN MÓR	30	2					32
	GALWAY Total		216	31	5	3	1	1	257
	GORT	ARDRAHAN	1						1
		CRAUGHWELL	4	1					5
		GORT	26	3		1			30
		KILCHREEST	1						1
		KILCOLGAN	1						1
		KINVARA	1	1					2
	GORT Total		34	5		1			40
	LOUGHREA	EYRECOURT	1						1
		KILLIMOR	1						1
		KILRICKLE	1						1

Questions - Written Answers

Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
		LOUGHREA	33	5	1	1			40
		PORTUMNA	6	3					9
		TYNAGH	1						1
		WOODFORD	1						1
	LOUGHREA Total		44	8	1	1			54
	SALTHILL	AN CHEATHRÚ RUA	5	1					6
		AN SPIDÉAL	2	1					3
		CILL RÓNÁIN	2	1					3
		INDREABHÁN	1						1
		LEITIR MÓIR	1						1
		MAIGH CUILINN	2						2
		ROS MUC	1						1
		SALTHILL	44	7	1	1			53
		UACHTARARD	4	1					5
	SALTHILL Total		62	11	1	1			75
	TUAM	BARNADERG	1						1
		COROFIN	1	1					2
		DUNMORE	4	2					6
		GLENAMADDY	1						1
		HEADFORD	3	1					4
		MILLTOWN	1						1
		TUAM	43	8	1	1			53
		WILLIAMSTOWN	1						1
	TUAM Total		55	12	1	1			69
GALWAY Total			487	79	8	9	1	1	585
KERRY	CAHER-CIVEEN	BAILE AN SCEILG	1						1
		CAHERCIVEEN	17	2					19
		CASTLEMAINE	1						1
		GLENBEIGH	1						1
		KILLORGLIN	10	2					12
		PORTMAGEE	1						1
		SNEEM	1						1
		VALENTIA ISLAND	1						1
		WATERVILLE	1						1
	CAHER-CIVEEN Total		34	4					38
	KILLARNEY	BEAUFORT	1						1
		CASTLEISLAND	22	4					26
		FARRANFORE	2						2
		KENMARE	7	1					8
		KILGARVAN	1						1
		KILLARNEY	46	6		1			53
	KILLARNEY Total		79	11		1			91
	LISTOWEL	BALLYBUNION	5	1					6
		BALLYDUFF	1						1
		BALLYHEIGUE	1						1

Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
		BROSNA	1						1
		KNOCKNA-GOSHALL	1						1
		LISTOWEL	33	7	1	1			42
		LIXNAW	1						1
		TARBERT	2						2
	LISTOWEL Total		45	8	1	1			55
	TRALEE	ABBEYDORNEY	1						1
		AN DAINGEAN	8	2					10
		ANNASCAUL	1						1
		ARDFERT	2						2
		BAILE AN FHEIR-TÉARAIG	1						1
		CASTLEGREGORY	2						2
		FENIT	1						1
		TRALEE	81	15	1	1	1		99
	TRALEE Total		97	17	1	1	1		117
KERRY Total			255	40	2	3	1		301
KILDARE	KILDARE	ATHY	28	5	1				34
		BALLYTORE	1						1
		CASTLEDERMOT	2	1					3
		KILDARE	22	4		1			27
		MONASTEREVIN	4	1					5
		NEWBRIDGE	43	6					49
		RATHANGAN	3						3
	KILDARE Total		103	17	1	1			122
	LEIXLIP	CARBURY	5						5
		CELBRIDGE	15	2					17
		KILCOCK	9	1					10
		LEIXLIP	25	3	1	1			30
		MAYNOOTH	13	1					14
	LEIXLIP Total		67	7	1	1			76
	NAAS	CLANE	8	1					9
		KILCULLEN	2						2
		KILL	1	1					2
		NAAS	87	16	2	1	1		107
		ROBERTSTOWN	1						1
	NAAS Total		99	18	2	1	1		121
KILDARE Total			269	42	4	3	1		319
KILKENNY/ CARLOW	CARLOW	BALLON	1						1
		BORRIS	2						2
		CARLOW	65	9	1	1			76
		HACKETSTOWN	1						1
		LEIGHLIN-BRIDGE	2						2
		MUINEBHEAG	9	3					12
		MYSHALL	1						1

Questions - Written Answers

Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
		RATHVILLY	1						1
		TULLOW	15	2					17
	CARLOW Total		97	14	1	1			113
	KILKENNY	BALLYRAGGET	1						1
		CALLAN	5	1					6
		CASTLECOMER	11	2					13
		FRESHFORD	1						1
		JOHNSTOWN	1	1					2
		KILKENNY	80	14	3	2	1	1	101
		URLINGFORD	1						1
	KILKENNY Total		100	18	3	2	1	1	125
	THOMAS-TOWN	BALLYHALE	1						1
		BENNETSBRIDGE	1						1
		GLENMORE	1						1
		GORESBRIDGE	2						2
		GRAIGUE-NAMANAGH	4	1					5
		INISTIOGE	1						1
		KILMACOW	1						1
		KILMOGANNY	1						1
		MOONCOIN	11	2					13
		MULLINAVAT	2						2
		PILTOWN	1						1
		STONYFORD	1						1
		THOMASTOWN	32	5	1	1			39
	THOMASTOWN Total		59	8	1	1			69
KILKENNY/ CARLOW Total			256	40	5	4	1	1	307
LAOIS / OF-FALY	BIRR	BANAGHER	4	1					5
		BIRR	25	5		1			31
		CLOGHAN	1						1
		FERBANE	4	1					5
		KILCORMAC	2						2
		KINNITTY	1						1
		SHANNON-BRIDGE	1						1
		SHINRONE	1						1
	BIRR Total		39	7		1			47
	PORTLAOISE	ABBEYLEIX	20	4					24
		ARLES	2						2
		BALLACOLLA	1						1
		BALLINAKILL	1						1
		BALLYLINAN	2						2
		BORRIS-IN-OS-SORY	1						1
		CLONASLEE	1						1
		DURROW	2						2
		MOUNTMELICK	5	1					6

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Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
		MOUNTRATH	2	1					3
		PORTARLINGTON	12	2					14
		PORTLAOISE	75	13	1	1	1		91
		RATHDOWNEY	3	1					4
		STRADBALLY	2						2
	PORTLAOISE Total		129	22	1	1	1		154
	TULLAMORE	CLARA	4	1					5
		CLONBOLOGUE	1						1
		DAINGEAN	2						2
		EDENDERRY	13	2					15
		RHODE	1						1
		TULLAMORE	56	9	1	1			67
	TULLAMORE Total		77	12	1	1			91
LAOIS / OF-FALY Total			245	41	2	3	1		292
LIMERICK	ASKEATON	ADARE	2						2
		ASKEATON	20	3					23
		CROOM	3	1					4
		FOYNES	2						2
		GLIN	1						1
		RATHKEALE	5	1					6
	ASKEATON Total		33	5					38
	BRUFF	BALLYLANDERS	1						1
		BRUFF	21	4		1			26
		BRUREE	1						1
		CAPPAMORE	2	1					3
		HOSPITAL	2						2
		KILFINANE	1						1
		KILMALLOCK	5	1					6
		MURROE	3						3
		OOLA	1						1
		PALLAS	2						2
	BRUFF Total		39	6		1			46
	HENRY STREET	ARDNACRUSHA	4						4
		CASTLECONNELL	4	1					5
		HENRY STREET	207	30	3	2	1		243
		MARY STREET	13	1					14
		MAYORSTONE PARK	66	10	1				77
	HENRY STREET Total		294	42	4	2	1		343
	NEWCASTLE WEST	ABBAYFEALE	7	2					9
		ATHEA	1						1
		BALLINGARRY	1						1
		CASTLETOWN CONYERS	1						1
		DRUMCOLLOGHER	1	1					2

Questions - Written Answers

Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
		KILMEEDY	1						1
		NEWCASTLE WEST	24	4	1	1			30
		TOURNAFULLA	1						1
	NEWCASTLE WEST Total		37	7	1	1			46
	ROXBORO ROAD	BALLYNEETY	2						2
		CAHERCONLISH	2						2
		PATRICKSWELL	1						1
		ROXBORO ROAD	114	18	1	1			134
	ROXBORO ROAD Total		119	18	1	1			139
LIMERICK Total			522	78	6	5	1		612
LOUTH	ARDEE	ARDEE	21	5	1	1			28
		CASTLEBEL-LINGHAM	3	1					4
		COLLON	5	2					7
		LOUTH	1						1
	ARDEE Total		30	8	1	1			40
	DROGHEDA	CLOUGHERHEAD	3	1					4
		DROGHEDA	78	12	2	1	1		94
		DUNLEER	4	1					5
	DROGHEDA Total		85	14	2	1	1		103
	DUNDALK	BLACKROCK	3	1					4
		CARLINGFORD	5	1					6
		DROMAD	6	1					7
		DUNDALK	101	19	2	1			123
		HACK-BALLSCROSS	5	1					6
		OMEATH	4						4
	DUNDALK Total		124	23	2	1			150
LOUTH Total			239	45	5	3	1		293
MAYO	BALLINA	BALLINA	39	5		1			45
		BALLYCASTLE	1						1
		BONNICONLON	1						1
		CROSSMOLINA	3	1					4
		KILLALA	1						1
		LAHARDANE	1						1
	BALLINA Total		46	6		1			53
	BELMULLET	BALLYCROY	1						1
		BANGOR ERRIS	3						3
		BÉAL AN MHUIRTHEAD	22	3	1	1			27
		GLEANN NA MUAIDHE	1						1
	BELMULLET Total		27	3	1	1			32
	CASTLEBAR	BALLA	1	1					2

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Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
		BALLYVARY	1						1
		CASTLEBAR	56	15	1	1	1		74
		PARTRY	2	1					3
	CASTLEBAR Total		60	17	1	1	1		80
	CLAREMORRIS	BALLINDINE	1						1
		BALLINROBE	8	1					9
		CLAREMORRIS	29	6		1			36
		CONG	1						1
		HOLLYMOUNT	1						1
		KNOCK	1						1
		SHRULE	1						1
	CLAREMORRIS Total		42	7		1			50
	SWINFORD	BALLYHAUNIS	8	1					9
		CHARLESTOWN	4	1					5
		FOXFORD	2	1					3
		KILKELLY	6						6
		KILTIMAGH	1	1					2
		SWINFORD	24	2		1			27
	SWINFORD Total		45	6		1			52
	WESTPORT	ACHILL SOUND	2	1					3
		KEEL	1						1
		LOUISBURGH	1	1					2
		NEWPORT	2						2
		WESTPORT	24	3		1			28
	WESTPORT Total		30	5		1			36
MAYO Total			250	44	2	6	1		303
MEATH	ASHBOURNE	ASHBOURNE	39	5	1	1			46
		DULEEK	4	1					5
		DUNBOYNE	13	1					14
		DUNSHAUGHLIN	18	3					21
		LAYTOWN	19	4					23
	ASHBOURNE Total		93	14	1	1			109
	KELLS	BAILE ÁTHA BUI	3						3
		KELLS	40	8		1			49
		OLDCASTLE	4						4
	KELLS Total		47	8		1			56
	NAVAN	NAVAN	60	11	3	1	1		76
		NOBBER	3	1					4
		SLANE	3	1					4
	NAVAN Total		66	13	3	1	1		84
	TRIM	BALLIVOR	2	1					3
		ENFIELD	6	1					7
		KILMESSAN	1						1
		LONGWOOD	2						2
		SUMMERHILL	2	1					3

Questions - Written Answers

Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
		TRIM	25	5		1			31
	TRIM Total		38	8		1			47
MEATH Total			244	43	4	4	1		296
ROSCOMMON / LONGFORD	BOYLE	BOYLE	20	4		1			25
		ELPHIN	1						1
		KEADUE	1						1
		ROOSKY	4	1					5
		STROKESTOWN	3						3
	BOYLE Total		29	5		1			35
	CASTLEREA	BALLAGHADER-REEN	7	1					8
		BALLINLOUGH	2						2
		CASTLEREA	25	5	1	1			32
		FRENCHPARK	1	1					2
		TULSK	1						1
	CASTLEREA Total		36	7	1	1			45
	GRANARD	ARDAGH	1						1
		BALLINALEE	1						1
		DRUMLISH	2						2
		EDGEWORTH-STOWN	7	1					8
		GRANARD	20	5		1			26
		SMEAR	1						1
	GRANARD Total		32	6		1			39
	LONGFORD	BALLYMAHON	5	1					6
		KENAGH	1						1
		LANESBORO	4	2					6
		LONGFORD	48	10		1			59
		NEWTOWN-CASHEL	1						1
	LONGFORD Total		59	13		1			73
	ROSCOMMON	ATHLEAGUE	1						1
		BALLYFORAN	1						1
		CLONARK	6	1					7
		ROSCOMMON	61	11	3	1	1		77
		TAUGHMACONNELL	1						1
	ROSCOMMON Total		70	12	3	1	1		87
ROSCOMMON / LONGFORD Total			226	43	4	5	1		279
SLIGO / LEITRIM	BALLYMOTE	ACLARE	1						1
		BALLYFARNAN	1						1
		BALLYMOTE	25	4	1				30
		EASKEY	1						1
		ENNISCRONE	6	1					7
		GURTEEN	1	1					2
		RIVERSTOWN	1	1					2

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Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
		TUBBERCURRY	5	1					6
	BALLYMOTE Total		41	8	1				50
	CARRICK-ON-SHANNON	BALLINAMORE	5	1					6
		CARRICK-ON-SHANNON	38	5	1				44
		CARRIGALLEN	2						2
		CLOONE	1						1
		DROMOD	1						1
		KESHCARRIGAN	1						1
		MOHILL	5	2					7
	CARRICK-ON-SHANNON Total		53	8	1				62
	MANORHAMILTON	DROMAHAIR	1	1					2
		DRUMSHAMBO	6	2					8
		GLENFARNE	1						1
		KINLOUGH	4	1					5
		MANORHAMILTON	19	2		1			22
	MANOR-HAMILTON Total		31	6		1			38
	SLIGO	CLIFFONEY	1						1
		COLLOONEY	4	1					5
		GRANGE	4						4
		ROSSES POINT	1	1					2
		SKREEN	1						1
		SLIGO	115	20	5	1	1	1	143
	SLIGO Total		126	22	5	1	1	1	156
SLIGO / LEITRIM Total			251	44	7	2	1	1	306
TIPPERARY	CAHIR	ARDFINNAN	1	1					2
		BALLYPOREEN	1						1
		CAHIR	37	6	1	1			45
		CASHEL	11	3					14
		CLOGHEEN	1						1
		NEW INN	1						1
	CAHIR Total		52	10	1	1			64
	CLONMEL	CARRICK-ON-SUIR	14	2					16
		CLONMEL	41	6	1	1			49
		FETHARD	2						2
		GRANGEMOCKLER	1						1
		KILSHEELAN	1						1
		MULLINAHONE	1						1
	CLONMEL Total		60	8	1	1			70
	NENAGH	BORRISOKANE	4	2					6
		CLOUGHJORDAN	1						1
		LORRHA	1						1

Questions - Written Answers

Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
		NENAGH	31	5	1	1			38
		NEWPORT	9	2					11
		PORTROE	1						1
		TOOMEVARA		1					1
	NENAGH Total		47	10	1	1			59
	TEMPLE-MORE	BORRISOLEIGH	1	1					2
		MONEYGALL	1						1
		REARCROSS	1						1
		ROSCREA	17	3					20
		TEMPLEMORE	28	3		1			32
		TEMPLETUOHY	1						1
	TEMPLE-MORE Total		49	7		1			57
	THURLES	BALLINGARRY SOUTH	1						1
		KILLENAULE	3	1					4
		LITTLETON	1						1
		THURLES	66	9	2	1	1		79
	THURLES Total		71	10	2	1	1		85
	TIPPERARY TOWN	BANSHA	1						1
		DUNDRUM	1						1
		EMLY	1						1
		GOLDEN	1						1
		TIPPERARY TOWN	24	6	1	1			32
	TIPPERARY TOWN Total		28	6	1	1			36
TIPPERARY Total			307	51	6	6	1		371
WATERFORD	DUNGARVAN	AGLISH	1						1
		AN RINN	1						1
		ARDMORE	2						2
		BALLYMACARBERRY	1						1
		CAPPOQUIN	2						2
		DUNGARVAN	39	6	1	1			47
		LISMORE	3	1					4
		TALLOW	2	1					3
	DUNGARVAN Total		51	8	1	1			61
	TRAMORE	KILMACTHOMAS	3						3
		KILMEADEN	1						1
		LEAMYBRIEN	1						1
		PORTLAW	1	1					2
		RATHGORMACK	1						1
		TRAMORE	32	4		1			37
	TRAMORE Total		39	5		1			45
	WATERFORD	DUNMORE EAST	2						2
		FERRYBANK	5	1					6
		PASSAGE EAST	1						1

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Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
		WATERFORD	139	24	4	2	1		170
	WATERFORD Total		147	25	4	2	1		179
WATERFORD Total			237	38	5	4	1		285
WESTMEATH	ATHLONE	ATHLONE	56	8	2	1			67
		BALLYMORE	1						1
		GLASSON	2						2
		KILBEGGAN	4	1					5
		MOATE	14	3					17
	ATHLONE Total		77	12	2	1			92
	MULLINGAR	BALLYNACARGY	2						2
		CASTLEPOL-LARD	2	1					3
		CASTLETOWN GEGHEGAN	1						1
		DELVIN	10	2					12
		FINEA	1						1
		KILLUCAN	5						5
		KINNEGAD	4	1					5
		MULLINGAR	101	19	5	1	1	1	128
		MULTYFARN-HAM	1						1
		RATHOWEN	1						1
		ROCHFORT-BRIDGE	2	1					3
	MULLINGAR Total		130	24	5	1	1	1	162
WESTMEATH Total			207	36	7	2	1	1	254
WEXFORD	ENNISCORTHY	BLACKWATER	2	1					3
		CLONROCHE	1	1					2
		ENNISCORTHY	31	5	1	1			38
		FERNS	2						2
		OULART	1						1
		OYLEGATE		1					1
	ENNISCORTHY Total		37	8	1	1			47
	GOREY	BUNCLODY	7	1					8
		COURTOWN HARBOUR	3	1					4
		GOREY	38	7	1	1			47
	GOREY Total		48	9	1	1			59
	NEW ROSS	BALLYCULLANE	2						2
		CAMPILE	1						1
		CARRICKBYRNE	2						2
		CARRICK-ON-BANNOU	1						1
		DUNCANNON	3	1					4
		NEW ROSS	33	6		1			40
	NEW ROSS Total		42	7		1			50
	WEXFORD	CASTLEBRIDGE	2	1					3

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Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
		KILMORE QUAY	3	1					4
		ROSSLARE HARBOUR	6						6
		ROSSLARE STRAND	1	1					2
		TAGHMON	3						3
		WEXFORD	73	12	2	1	1		89
	WEXFORD Total		88	15	2	1	1		107
WEXFORD Total			215	39	4	4	1		263
WICKLOW	BALTIN-GLASS	BALTINGLASS	29	5	1				35
		BLESSINGTON	16	2					18
		CARNEW	3	1					4
		DONARD	1						1
		DUNLAVIN	2						2
		HOLLYWOOD	1						1
		SHILLELAGH	1						1
		TINAHELY	2						2
	BALTIN-GLASS Total		55	8	1				64
	BRAY	BRAY	100	16	5	1	1		123
		ENNISKERRY	5	1					6
		GREYSTONES	31	4					35
		NEWTOWN-MOUNTKENNEDY	3	1					4
	BRAY Total		139	22	5	1	1		168
	WICKLOW	ARKLOW	29	4	1				34
		ASHFORD	7	2					9
		AUGHRIM	2						2
		AVOCA	2						2
		RATHDRUM	3	1					4
		ROUNDWOOD	3	1					4
		WICKLOW	40	6	1	1			48
	WICKLOW Total		86	14	2	1			103
WICKLOW Total			280	44	8	2	1		335

311. **Deputy Seán Kenny** asked the Minister for Justice and Equality the last time the fees to get a vehicle released after being seized by An Garda Síochána were increased; his plans to increase same; and if he will make a statement on the matter. [40300/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am informed by the Garda authorities that the charges referred to by the Deputy are currently provided for under the Road Traffic Act 1994 (Detention of Vehicles) Regulations 2011. These Regulations fall within the remit of my colleague the Minister for Transport, Tourism and Sport and I understand that they came into operation on 15 September 2011.

**Garda Reserve**

312. **Deputy Seamus Kirk** asked the Minister for Justice and Equality his plans to put in place a rank structure for the Garda Reserve; and if he will make a statement on the matter. [40310/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Garda Síochána Act 2005 provides for the establishment of the Garda Reserve. The first intake to the Garda Reserve in Templemore Garda College was on 30 September 2006. Members of the Garda Reserve provide invaluable services to the organisation and its current strength is now just over 1,000.

I would like to place on record my appreciation of the members of the Reserve who give their time on a voluntary basis and for their ongoing commitment to the Garda Síochána. The Garda Reserve is a rank in its own right and there are no plans to change its structure within An Garda Síochána.

### **Garda Recruitment**

313. **Deputy Seamus Kirk** asked the Minister for Justice and Equality his plans for a new recruitment drive for An Garda Síochána; and if he will make a statement on the matter. [40311/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** As the Deputy will be aware, public expenditure must be reduced to a sustainable level. This means, among other things, reducing expenditure on public service pay, whether by reducing headcount or otherwise. This is particularly so in those public service bodies where pay forms an especially large part of overall expenditure, such as the Garda Síochána where 90% of expenditure is on pay and pensions.

The current and projected Garda budgets will necessitate a significant reduction in Garda expenditure. This will undoubtedly require further reductions in Garda numbers. This has been well known for some time, dating right back to when the last Government was in office and the question of exact level of the reductions required will depend on the potential for alternative savings which could mitigate the scale of the reduction in head count required. In this context, the Department of Justice and Equality is engaging in consultation with the Department of Public Expenditure and Reform on this matter and it would not be appropriate to comment further on this at this point in time.

### **Garda Deployment**

314. **Deputy Seamus Kirk** asked the Minister for Justice and Equality the number of active Gardaí at the moment and a breakdown per county on the numbers of the Gardaí in each area; and if he will make a statement on the matter. [40312/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I have been informed by the Garda Commissioner that as of the 31 August 2012, the latest date for which figures are readily available, there were 13,531 Gardaí, just over 1000 Reserve Gardaí and over 2,000 civilian staff in the Garda Síochána. A breakdown of Garda strength in each Garda Division is in the table attached. The Deputy will note that some Garda Divisions cover two counties and in some counties there is more than one Garda Division. The figures in this table refer to assigned strengths and do not include national units such as the National Bureau of Criminal Investigations or the Garda National Drugs Unit.

The Deputy will be aware that the Commissioner is responsible for the detailed allocation

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of resources, including personnel, throughout the organisation and I have no direct function in the matter. This allocation of resources is constantly monitored in the context of crime trends, policing needs and other operational strategies in place on a District, Divisional and Regional level to ensure optimum use is made of Garda resources and the best possible Garda service is provided to the public.

Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
CAVAN / MONAGHAN	BAILIEBORO	BAILIEBORO	34	9	1	1			45
		BALLYJAMES-DUFF	2	1					3
		COOTEHILL	8	1					9
		KINGSCOURT	1	1					2
		MULLAGH	2						2
		SHERCOCK	1						1
		VIRGINIA	4	1					5
	BAILIEBORO Total		52	13	1	1			67
	BALLYCONNELL	BALLYCONNELL	19	5		1			25
		BAWNBOY	1						1
		BELTURBET	3	1					4
		BLACKLION	2	1					3
		DOWRA	1						1
		KILLESHANDRA	1						1
		SWANLINBAR	1						1
	BALLYCONNELL Total		28	7		1			36
	CARRICK-MACROSS	BALLYBAY	4	1					5
		CARRICK-MACROSS	35	10		1			46
		CASTLEBLANEY	22	3					25
		CORRINSHIGAGH	1						1
		SHANTONAGH	1						1
	CARRICK-MACROSS Total		63	14		1			78
	CAVAN	ARVA	2	1					3
		BALLINAGH	1	1					2
		CAVAN	49	9	2	1			61
		KILNALECK	3	1					4
		REDHILLS	1						1
	CAVAN Total		56	12	2	1			71
	MONAGHAN	CLONES	5	1					6
		EMYVALE	3	1					4
		MONAGHAN	65	15	1	2	1		84
		NEWBLISS	1						1
		SCOTSTOWN	1	1					2
	MONAGHAN Total		75	18	1	2	1		97
CAVAN / MONAGHAN Total			274	64	4	6	1		349
CLARE	ENNIS	CRUSHEEN	1						1
		ENNIS	94	13	2		1		110

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Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
		IMMIGRATION OFFICE	4						4
		NEWMARKET ON FERGUS	3						3
		QUIN	1						1
		SHANNON	54	8	1				63
		SIXMILEBRIDGE	3	1					4
	ENNIS Total		160	22	3		1		186
	ENNISTYMON	BALLYVAUGHAN	1						1
		COROFIN	1						1
		ENNISTYMON	24	3		1			28
		INAGH	1						1
		LISDOONVARNA	1						1
		MILTOWN MAL-BAY	2						2
	ENNISTYMON Total		30	3		1			34
	KILLALOE	BROADFORD	1						1
		KILLALOE	26	4	1				31
		MOUNTSHANNON	1						1
		SCARIFF	4	1					5
		TULLA	2						2
	KILLALOE Total		34	5	1				40
	KILRUSH	KILDYSART	2						2
		KILKEE	3						3
		KILMIHIL	1						1
		KILRUSH	25	4		1			30
	KILRUSH Total		31	4		1			36
CLARE Total			255	34	4	2	1		296
CORK CITY	ANGLESEA STREET	ANGLESEA STREET	216	44	8	2	1	1	272
		BARRACK STREET	14	4					18
		BLACKROCK	27	4					31
		BRIDEWELL	18	6					24
	ANGLESEA STREET Total		275	58	8	2	1	1	345
	GUR-RANABRAHER	BALLINCOLLIG	22	3					25
		BLARNEY	14	2					16
		GURRANABRAHER	47	7	1	1			56
		RATHDUFF GRE-NAGH	2						2
	GUR-RANABRAHER Total		85	12	1	1			99
	MAYFIELD	MALLOW ROAD	4	2					6
		MAYFIELD	41	8	1	1			51
		WATERCOURSE ROAD	44	6					50

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Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
	MAYFIELD Total		89	16	1	1			107
	TOGHER	BISHOPSTOWN	19	3					22
		CARRIGALINE	17	2					19
		CROSSHAVEN	2	1					3
		DOUGLAS	21	5					26
		PASSAGE WEST	2	1					3
		TOGHER	45	8	1	1			55
	TOGHER Total		106	20	1	1			128
CORK CITY Total			555	106	11	5	1	1	679
CORK NORTH	COBH	CARRIG NA BH-FEAR	2						2
		CARRIGTWOHILL	2	1					3
		COBH	29	6	1	1			37
		GLANMIRE	19	4					23
		WATER-GRASSHILL	1						1
	COBH Total		53	11	1	1			66
	FERMOY	BALLYNOE	1						1
		CASTLETOWN-ROCHE	2						2
		FERMOY	47	9	1	1	1		59
		KILDORRERY	1						1
		KILWORTH	2						2
		MITCHELSTOWN	19	3					22
		RATHCORMAC	1						1
	FERMOY Total		73	12	1	1	1		88
	MALLOW	BUTTEVANT	1						1
		CHARLEVILLE	14	3					17
		DONERAILE	2						2
		GLANTAINE	1						1
		LISCARROLL	1						1
		MALLOW	41	7		1			49
		MILFORD	1						1
	MALLOW Total		61	10		1			72
	MIDDLETON	BALLYCOTTON	1						1
		CLOYNE	1						1
		KILLEAGH	1						1
		MIDDLETON	40	8	2	1			51
		WHITEGATE	1						1
		YOUGHAL	20	5					25
	MIDDLETON Total		64	13	2	1			80
CORK NORTH Total			251	46	4	4	1		306
CORK WEST	BANDON	BALLINEEN	2						2
		BALLINHASSIG	2						2
		BANDON	66	12	3	1	1		83
		INNISHANNON	1						1
		KILBRITTAIN	1						1
		KINSALE	13	3					16

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Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
		TIMOLEAGUE	1						1
	BANDON Total		86	15	3	1	1		106
	BANTRY	BANTRY	27	5	1				33
		CASTLETOWN-BERE	4	1					5
		DRIMOLEAGUE	1						1
		DURRUS	1						1
		GLENGARRIFF	1						1
		KEALKIL	1						1
		SCHULL	4	1					5
	BANTRY Total		39	7	1				47
	CLONAKILTY	BALTIMORE	1						1
		CLONAKILTY	23	4	1	1			29
		DRINAGH	1						1
		DUNMANWAY	7	1					8
		ROSSCARBERY	2						2
		SKIBBEREEN	9	2					11
	CLONAKILTY Total		43	7	1	1			52
	KANTURK	BOHERBUE	1						1
		KANTURK	26	3	1				30
		MEELIN	1						1
		MILLSTREET	9	2					11
		NEWMARKET	1	1					2
		RATHMORE	2						2
	KANTURK Total		40	6	1				47
	MACROOM	BAILE BHUIRNE	2	1					3
		BÉAL ÁTHA AN GHAORTHA	2						2
		COACHFORD	1	1					2
		CROOKSTOWN	4	1					5
		MACROOM	34	6		1			41
		STUAKE	1						1
		TARELTON	1						1
	MACROOM Total		45	9		1			55
CORK WEST Total			253	44	6	3	1		307
D.M.R. EAST	BLACKROCK	BLACKROCK	72	10	3	1			86
		DUNDRUM	64	9	1				74
		STEPASIDE	30	3					33
	BLACKROCK Total		166	22	4	1			193
	DUN LAOGHAIRE	CABINTEELY	35	5	1				41
		DALKEY	2						2
		DUN LAOGHAIRE	78	16	2	2	1		99
		KILL-O-GRANGE	25	2					27
		SHANKILL	56	9					65
	DUN LAOGHAIRE Total		196	32	3	2	1		234

Questions - Written Answers

Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
D.M.R. EAST Total			362	54	7	3	1		427
D.M.R. NORTH	BALBRIGGAN	BALBRIGGAN	58	6	3	1			68
		GARRISTOWN	2						2
		LUSK	9	1					10
		SKERRIES	9	1					10
	BALBRIGGAN Total		78	8	3	1			90
	BALLYMUN	BALLYMUN	95	17	3	2	1		118
		DUBLIN AIRPORT	27	4					31
		SANTRY	89	12	1				102
	BALLYMUN Total		211	33	4	2	1		251
	COOLOCK	COOLOCK	97	12	4	1			114
		MALAHIDE	30	4					34
		SWORDS	66	10	1				77
	COOLOCK Total		193	26	5	1			225
	RAHENY	CLONTARF	65	8	1				74
		HOWTH	33	6	1				40
		RAHENY	57	6	2	1			66
	RAHENY Total		155	20	4	1			180
D.M.R. NORTH Total			637	87	16	5	1		746
D.M.R. NORTH CENTRAL	BRIDEWELL	BRIDEWELL	138	29	6	1			174
	FITZGIBBON STREET	MOUNTJOY	179	25	4	1			209
	STORE STREET	IMMIGRATION D/ DOCKS	5						5
		STORE STREET	235	27	4	2	1		269
	STORE STREET Total		240	27	4	2	1		274
D.M.R. NORTH CENTRAL Total			557	81	14	4	1		657
D.M.R. SOUTH	CRUMLIN	CRUMLIN	74	17	3	2	1		97
		SUNDRIVE ROAD	61	9					70
	CRUMLIN Total		135	26	3	2	1		167
	RATHMINES	RATHMINES	59	6					65
		TERENURE	78	15	3	1			97
	RATHMINES Total		137	21	3	1			162
	TALLAGHT	RATHFARNHAM	67	7					74
		TALLAGHT	162	20	5	1			188
	TALLAGHT Total		229	27	5	1			262
D.M.R. SOUTH Total			501	74	11	4	1		591
D.M.R. SOUTH CENTRAL	DONNY-BROOK	DONNYBROOK	103	12	2	1			118
		IRISHTOWN	45	7	1				53
	DONNY-BROOK Total		148	19	3	1			171

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Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
	KEVIN STREET	KEVIN STREET	124	15	4	1			144
		KILMAINHAM	65	12	1				78
	KEVIN STREET Total		189	27	5	1			222
	PEARSE STREET	PEARSE STREET	275	35	4	2	1		317
	PEARSE STREET Total		275	35	4	2	1		317
D.M.R. SOUTH CENTRAL Total			612	81	12	4	1		710
D.M.R. WEST	BLANCHARD-STOWN	BLANCHARD-STOWN	139	18	2	2	1		162
		CABRA	76	10					86
		FINGLAS	101	13	3				117
	BLANCHARD-STOWN Total		316	41	5	2	1		365
	CLONDALKIN	BALLYFERMOT	80	11	2				93
		CLONDALKIN	78	12	3	1			94
		RATHCOOLE	26	1					27
	CLONDALKIN Total		184	24	5	1			214
	LUCAN	LUCAN	61	7	4	1			73
		RONANSTOWN	79	12	1				92
	LUCAN Total		140	19	5	1			165
D.M.R. WEST Total			640	84	15	4	1		744
DONEGAL	BALLYSHANNON	BALLINTRA	1						1
		BALLYSHANNON	37	6	1	1			45
		BUNDORAN	5	1					6
		DONEGAL TOWN	28	5					33
		MOUNTCHARLES	1						1
		NA CEALLA BEAGA	5	1					6
	BALLYSHANNON Total		77	13	1	1			92
	BUNCRANA	BUNCRANA	44	7	1	1			53
		BURNFOOT	5	1					6
		CARNDONAGH	3	1					4
		CLONMANY	2						2
		MALIN	2						2
		MOVILLE	4						4
		MUFF	2	1					3
	BUNCRANA Total		62	10	1	1			74
	GLENTIES	AILT AN CHOR-RÁIN	1						1
		AN BUN BEAG	12	2					14
		AN CHARRAIG	1	1					2
		AN CLOCHÁN LIATH	7	2					9
		ANAGAIRE	1						1

Questions - Written Answers

Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
		ARD AN RÁTHA	2						2
		GLEANN CHOLM CILLE	1						1
		NA GLEANNTA	19	3		1			23
	GLENTIES Total		44	8		1			53
	LETTER-KENNY	BALLYBOFEY	21	2					23
		CARRIGANS	4	1					5
		CASTLEFIN	3	1					4
		CONVOY	2	1					3
		LETTERKENNY	87	14	4	1	1		107
		LIFFORD	13	2					15
		NEWTOWNCUNNINGHAM	2						2
		RAPHOE	3	1					4
	LETTERKENNY Total		135	22	4	1	1		163
	MILFORD	AN CRAOSLACH	1						1
		AN FÁL CARRACH	8	1					9
		CARRAIG AIRT	2						2
		DÚN FIONNACHAID	2						2
		KERRYKEEL	3	1					4
		KILMACRENNAN	1						1
		MILFORD	24	1		1			26
		MÍN AN LÁBÁIN	1						1
		RAMELTON	2						2
		RATHMULLEN	1						1
	MILFORD Total		45	3		1			49
DONEGAL Total			363	56	6	5	1		431
GALWAY	BALLINASLOE	BALLINASLOE	36	5		1			42
		BALLYGAR	1						1
		CREGGS	1						1
		KILCONNELL	1						1
		MOUNT BELLEW	6	2					8
		MOYLROUGH	1						1
	BALLINASLOE Total		46	7		1			54
	CLIFDEN	AN MÁM	2						2
		CARNA	1	1					2
		CLIFDEN	23	4		1			28
		CLOCH NA RÓN	1						1
		LENNAUN	1						1
		LETTERFRACK	1						1
		SRAITH SALACH	1						1
	CLIFDEN Total		30	5		1			36
	GALWAY	ATHENRY	4	1					5
		GAILLIMH	176	27	5	3	1	1	213
		KILTULLAGH	1						1

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Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
		LOUGH GEORGE	4	1					5
		MONIVEA	1						1
		ÓRÁN MÓR	30	2					32
	GALWAY Total		216	31	5	3	1	1	257
	GORT	ARDRAHAN	1						1
		CRAUGHWELL	4	1					5
		GORT	26	3		1			30
		KILCHREEST	1						1
		KILCOLGAN	1						1
		KINVARA	1	1					2
	GORT Total		34	5		1			40
	LOUGHREA	EYRECOURT	1						1
		KILLIMOR	1						1
		KILRICKLE	1						1
		LOUGHREA	33	5	1	1			40
		PORTUMNA	6	3					9
		TYNAGH	1						1
		WOODFORD	1						1
	LOUGHREA Total		44	8	1	1			54
	SALTHILL	AN CHEATHRÚ RUA	5	1					6
		AN SPIDÉAL	2	1					3
		CILL RÓNÁIN	2	1					3
		INDREABHÁN	1						1
		LEITIR MÓIR	1						1
		MAIGH CUILINN	2						2
		ROS MUC	1						1
		SALTHILL	44	7	1	1			53
		UACHTARARD	4	1					5
	SALTHILL Total		62	11	1	1			75
	TUAM	BARNADERG	1						1
		COROFIN	1	1					2
		DUNMORE	4	2					6
		GLENAMADDY	1						1
		HEADFORD	3	1					4
		MILLTOWN	1						1
		TUAM	43	8	1	1			53
		WILLIAMSTOWN	1						1
	TUAM Total		55	12	1	1			69
GALWAY Total			487	79	8	9	1	1	585
KERRY	CAHER-CIVEEN	BAILE AN SCEILG	1						1
		CAHERCIVEEN	17	2					19
		CASTLEMAINE	1						1
		GLENBEIGH	1						1
		KILLORGLIN	10	2					12
		PORTMAGEE	1						1
		SNEEM	1						1

Questions - Written Answers

Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
		VALENTIA ISLAND	1						1
		WATERVILLE	1						1
	CAHERCIVEEN Total		34	4					38
	KILLARNEY	BEAUFORT	1						1
		CASTLEISLAND	22	4					26
		FARRANFORE	2						2
		KENMARE	7	1					8
		KILGARVAN	1						1
		KILLARNEY	46	6		1			53
	KILLARNEY Total		79	11		1			91
	LISTOWEL	BALLYBUNION	5	1					6
		BALLYDUFF	1						1
		BALLYHEIGUE	1						1
		BROSNA	1						1
		KNOCKNA-GOSHALL	1						1
		LISTOWEL	33	7	1	1			42
		LIXNAW	1						1
		TARBERT	2						2
	LISTOWEL Total		45	8	1	1			55
	TRALEE	ABBEYDORNEY	1						1
		AN DAINGEAN	8	2					10
		ANNASCAUL	1						1
		ARDFERT	2						2
		BAILE AN FHEIR-TÉARAIG	1						1
		CASTLEGREGORY	2						2
		FENIT	1						1
		TRALEE	81	15	1	1	1		99
	TRALEE Total		97	17	1	1	1		117
KERRY Total			255	40	2	3	1		301
KILDARE	KILDARE	ATHY	28	5	1				34
		BALLYTORE	1						1
		CASTLEDERMOT	2	1					3
		KILDARE	22	4		1			27
		MONASTEREVIN	4	1					5
		NEWBRIDGE	43	6					49
		RATHANGAN	3						3
	KILDARE Total		103	17	1	1			122
	LEIXLIP	CARBURY	5						5
		CELBRIDGE	15	2					17
		KILCOCK	9	1					10
		LEIXLIP	25	3	1	1			30
		MAYNOOTH	13	1					14
	LEIXLIP Total		67	7	1	1			76
	NAAS	CLANE	8	1					9

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Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
		KILCULLEN	2						2
		KILL	1	1					2
		NAAS	87	16	2	1	1		107
		ROBERTSTOWN	1						1
	NAAS Total		99	18	2	1	1		121
KILDARE Total			269	42	4	3	1		319
KILKENNY/ CARLOW	CARLOW	BALLON	1						1
		BORRIS	2						2
		CARLOW	65	9	1	1			76
		HACKETSTOWN	1						1
		LEIGHLIN- BRIDGE	2						2
		MUINEBHEAG	9	3					12
		MYSHALL	1						1
		RATHVILLY	1						1
		TULLOW	15	2					17
	CARLOW Total		97	14	1	1			113
	KILKENNY	BALLYRAGGET	1						1
		CALLAN	5	1					6
		CASTLECOMER	11	2					13
		FRESHFORD	1						1
		JOHNSTOWN	1	1					2
		KILKENNY	80	14	3	2	1	1	101
		URLINGFORD	1						1
	KILKENNY Total		100	18	3	2	1	1	125
	THOMAS- TOWN	BALLYHALE	1						1
		BENNETSBRIDGE	1						1
		GLENMORE	1						1
		GORESBRIDGE	2						2
		GRAIGUE- NAMANAGH	4	1					5
		INISTIOGE	1						1
		KILMACOW	1						1
		KILMOGANNY	1						1
		MOONCOIN	11	2					13
		MULLINAVAT	2						2
		PILTOWN	1						1
		STONYFORD	1						1
		THOMASTOWN	32	5	1	1			39
	THOM- ASTOWN Total		59	8	1	1			69
KILKENNY/ CARLOW Total			256	40	5	4	1	1	307
LAOIS / OF- FALY	BIRR	BANAGHER	4	1					5
		BIRR	25	5		1			31
		CLOGHAN	1						1
		FERBANE	4	1					5

Questions - Written Answers

Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
		KILCORMAC	2						2
		KINNITY	1						1
		SHANNON-BRIDGE	1						1
		SHINRONE	1						1
	BIRR Total		39	7		1			47
	PORTLAOISE	ABBEYLEIX	20	4					24
		ARLES	2						2
		BALLACOLLA	1						1
		BALLINAKILL	1						1
		BALLYLINAN	2						2
		BORRIS-IN-OS-SORY	1						1
		CLONASLEE	1						1
		DURROW	2						2
		MOUNTMELICK	5	1					6
		MOUNTRATH	2	1					3
		PORTARLINGTON	12	2					14
		PORTLAOISE	75	13	1	1	1		91
		RATHDOWNEY	3	1					4
		STRADBALLY	2						2
	PORTLAOISE Total		129	22	1	1	1		154
	TULLAMORE	CLARA	4	1					5
		CLONBOLOGUE	1						1
		DAINGEAN	2						2
		EDENDERRY	13	2					15
		RHODE	1						1
		TULLAMORE	56	9	1	1			67
	TULLAMORE Total		77	12	1	1			91
LAOIS / OF-FALY Total			245	41	2	3	1		292
LIMERICK	ASKEATON	ADARE	2						2
		ASKEATON	20	3					23
		CROOM	3	1					4
		FOYNES	2						2
		GLIN	1						1
		RATHKEALE	5	1					6
	ASKEATON Total		33	5					38
	BRUFF	BALLYLANDERS	1						1
		BRUFF	21	4		1			26
		BRUREE	1						1
		CAPPAMORE	2	1					3
		HOSPITAL	2						2
		KILFINANE	1						1
		KILMALLOCK	5	1					6
		MURROE	3						3
		OOLA	1						1
		PALLAS	2						2
	BRUFF Total		39	6		1			46

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Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
	HENRY STREET	ARDNACRUSHA	4						4
		CASTLECONNELL	4	1					5
		HENRY STREET	207	30	3	2	1		243
		MARY STREET	13	1					14
		MAYORSTONE PARK	66	10	1				77
	HENRY STREET Total		294	42	4	2	1		343
	NEWCASTLE WEST	ABBEYFEALE	7	2					9
		ATHEA	1						1
		BALLINGARRY	1						1
		CASTLETOWN CONYERS	1						1
		DRUMCOLLOGHER	1	1					2
		KILMEEDY	1						1
		NEWCASTLE WEST	24	4	1	1			30
		TOURNAFULLA	1						1
	NEWCASTLE WEST Total		37	7	1	1			46
	ROXBORO ROAD	BALLYNEETY	2						2
		CAHERCONLISH	2						2
		PATRICKSWELL	1						1
		ROXBORO ROAD	114	18	1	1			134
	ROXBORO ROAD Total		119	18	1	1			139
LIMERICK Total			522	78	6	5	1		612
LOUTH	ARDEE	ARDEE	21	5	1	1			28
		CASTLEBEL-LINGHAM	3	1					4
		COLLON	5	2					7
		LOUTH	1						1
	ARDEE Total		30	8	1	1			40
	DROGHEDA	CLOUGHERHEAD	3	1					4
		DROGHEDA	78	12	2	1	1		94
		DUNLEER	4	1					5
	DROGHEDA Total		85	14	2	1	1		103
	DUNDALK	BLACKROCK	3	1					4
		CARLINGFORD	5	1					6
		DROMAD	6	1					7
		DUNDALK	101	19	2	1			123
		HACK-BALLSCROSS	5	1					6
		OMEATH	4						4
	DUNDALK Total		124	23	2	1			150
LOUTH Total			239	45	5	3	1		293

Questions - Written Answers

Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
MAYO	BALLINA	BALLINA	39	5		1			45
		BALLYCASTLE	1						1
		BONNICONLON	1						1
		CROSSMOLINA	3	1					4
		KILLALA	1						1
		LAHARDANE	1						1
	BALLINA Total		46	6		1			53
	BELMULLET	BALLYCROY	1						1
		BANGOR ERRIS	3						3
		BÉAL AN MHUIRTHEAD	22	3	1	1			27
		GLEANN NA MUAIDHE	1						1
	BELMULLET Total		27	3	1	1			32
	CASTLEBAR	BALLA	1	1					2
		BALLYVARY	1						1
		CASTLEBAR	56	15	1	1	1		74
		PARTRY	2	1					3
	CASTLEBAR Total		60	17	1	1	1		80
	CLAREMORRIS	BALLINDINE	1						1
		BALLINROBE	8	1					9
		CLAREMORRIS	29	6		1			36
		CONG	1						1
		HOLLYMOUNT	1						1
		KNOCK	1						1
		SHRULE	1						1
	CLAREMORRIS Total		42	7		1			50
	SWINFORD	BALLYHAUNIS	8	1					9
		CHARLESTOWN	4	1					5
		FOXFORD	2	1					3
		KILKELLY	6						6
		KILTIMAGH	1	1					2
		SWINFORD	24	2		1			27
	SWINFORD Total		45	6		1			52
	WESTPORT	ACHILL SOUND	2	1					3
		KEEL	1						1
		LOUISBURGH	1	1					2
		NEWPORT	2						2
		WESTPORT	24	3		1			28
	WESTPORT Total		30	5		1			36
MAYO Total			250	44	2	6	1		303
MEATH	ASHBOURNE	ASHBOURNE	39	5	1	1			46
		DULEEK	4	1					5
		DUNBOYNE	13	1					14
		DUNSHAUGHLIN	18	3					21
		LAYTOWN	19	4					23

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Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
	ASHBOURNE Total		93	14	1	1			109
	KELLS	BAILE ÁTHA BUÍ	3						3
		KELLS	40	8		1			49
		OLDCASTLE	4						4
	KELLS Total		47	8		1			56
	NAVAN	NAVAN	60	11	3	1	1		76
		NOBBER	3	1					4
		SLANE	3	1					4
	NAVAN Total		66	13	3	1	1		84
	TRIM	BALLIVOR	2	1					3
		ENFIELD	6	1					7
		KILMESSAN	1						1
		LONGWOOD	2						2
		SUMMERHILL	2	1					3
		TRIM	25	5		1			31
	TRIM Total		38	8		1			47
MEATH Total			244	43	4	4	1		296
ROSCOMMON / LONGFORD	BOYLE	BOYLE	20	4		1			25
		ELPHIN	1						1
		KEADUE	1						1
		ROOSKY	4	1					5
		STROKESTOWN	3						3
	BOYLE Total		29	5		1			35
	CASTLEREA	BALLAGHADERREEN	7	1					8
		BALLINLOUGH	2						2
		CASTLEREA	25	5	1	1			32
		FRENCHPARK	1	1					2
		TULSK	1						1
	CASTLEREA Total		36	7	1	1			45
	GRANARD	ARDAGH	1						1
		BALLINALEE	1						1
		DRUMLISH	2						2
		EDGEWORTHSTOWN	7	1					8
		GRANARD	20	5		1			26
		SMEAR	1						1
	GRANARD Total		32	6		1			39
	LONGFORD	BALLYMAHON	5	1					6
		KENAGH	1						1
		LANESBORO	4	2					6
		LONGFORD	48	10		1			59
		NEWTOWN-CASHEL	1						1
	LONGFORD Total		59	13		1			73
	ROSCOMMON	ATHLEAGUE	1						1

Questions - Written Answers

Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
		BALLYFORAN	1						1
		CLONARK	6	1					7
		ROSCOMMON	61	11	3	1	1		77
		TAUGHMACONNELL	1						1
	ROSCOMMON Total		70	12	3	1	1		87
ROSCOMMON / LONGFORD Total			226	43	4	5	1		279
SLIGO / LEITRIM	BALLYMOTE	ACLARE	1						1
		BALLYFARNAN	1						1
		BALLYMOTE	25	4	1				30
		EASKEY	1						1
		ENNISCRONE	6	1					7
		GURTEEN	1	1					2
		RIVERSTOWN	1	1					2
		TUBBERCURRY	5	1					6
	BALLYMOTE Total		41	8	1				50
	CARRICK-ON-SHANNON	BALLINAMORE	5	1					6
		CARRICK-ON-SHANNON	38	5	1				44
		CARRIGALLEN	2						2
		CLOONE	1						1
		DROMOD	1						1
		KESHCARRIGAN	1						1
		MOHILL	5	2					7
	CARRICK-ON-SHANNON Total		53	8	1				62
	MANORHAMILTON	DROMAHAIR	1	1					2
		DRUMSHAMBO	6	2					8
		GLENFARNE	1						1
		KINLOUGH	4	1					5
		MANORHAMILTON	19	2		1			22
	MANOR-HAMILTON Total		31	6		1			38
	SLIGO	CLIFFONEY	1						1
		COLLOONEY	4	1					5
		GRANGE	4						4
		ROSSES POINT	1	1					2
		SKREEN	1						1
		SLIGO	115	20	5	1	1	1	143
	SLIGO Total		126	22	5	1	1	1	156
SLIGO / LEITRIM Total			251	44	7	2	1	1	306
TIPPERARY	CAHIR	ARDFINNAN	1	1					2
		BALLYPOREEN	1						1
		CAHIR	37	6	1	1			45

25 September 2012

Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
		CASHEL	11	3					14
		CLOGHEEN	1						1
		NEW INN	1						1
	CAHIR Total		52	10	1	1			64
	CLONMEL	CARRICK-ON-SUIR	14	2					16
		CLONMEL	41	6	1	1			49
		FETHARD	2						2
		GRANGEMOCKLER	1						1
		KILSHEELAN	1						1
		MULLINAHONE	1						1
	CLONMEL Total		60	8	1	1			70
	NENAGH	BORRISOKANE	4	2					6
		CLOUGHJORDAN	1						1
		LORRHA	1						1
		NENAGH	31	5	1	1			38
		NEWPORT	9	2					11
		PORTROE	1						1
		TOOMEVARA		1					1
	NENAGH Total		47	10	1	1			59
	TEMPLEMORE	BORRISOLEIGH	1	1					2
		MONEYGALL	1						1
		REARCROSS	1						1
		ROSCREA	17	3					20
		TEMPLEMORE	28	3		1			32
		TEMPLETUOHY	1						1
	TEMPLEMORE Total		49	7		1			57
	THURLES	BALLINGARRY SOUTH	1						1
		KILLENAULE	3	1					4
		LITTLETON	1						1
		THURLES	66	9	2	1	1		79
	THURLES Total		71	10	2	1	1		85
	TIPPERARY TOWN	BANSHA	1						1
		DUNDRUM	1						1
		EMLY	1						1
		GOLDEN	1						1
		TIPPERARY TOWN	24	6	1	1			32
	TIPPERARY TOWN Total		28	6	1	1			36
TIPPERARY Total			307	51	6	6	1		371
WATERFORD	DUNGARVAN	AGLISH	1						1
		AN RINN	1						1
		ARDMORE	2						2

Questions - Written Answers

Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
		BALLYMACAR-BERRY	1						1
		CAPPOQUIN	2						2
		DUNGARVAN	39	6	1	1			47
		LISMORE	3	1					4
		TALLOW	2	1					3
	DUNGARVAN Total		51	8	1	1			61
	TRAMORE	KILMACTHOMAS	3						3
		KILMEADEN	1						1
		LEAMYBRIEN	1						1
		PORTLAW	1	1					2
		RATHGORMACK	1						1
		TRAMORE	32	4		1			37
	TRAMORE Total		39	5		1			45
	WATERFORD	DUNMORE EAST	2						2
		FERRYBANK	5	1					6
		PASSAGE EAST	1						1
		WATERFORD	139	24	4	2	1		170
	WATERFORD Total		147	25	4	2	1		179
WATERFORD Total			237	38	5	4	1		285
WESTMEATH	ATHLONE	ATHLONE	56	8	2	1			67
		BALLYMORE	1						1
		GLASSON	2						2
		KILBEGGAN	4	1					5
		MOATE	14	3					17
	ATHLONE Total		77	12	2	1			92
	MULLINGAR	BALLYNACARGY	2						2
		CASTLEPOL-LARD	2	1					3
		CASTLETOWN GEOGHEGAN	1						1
		DELVIN	10	2					12
		FINEA	1						1
		KILLUCAN	5						5
		KINNEGAD	4	1					5
		MULLINGAR	101	19	5	1	1	1	128
		MULTYFARNHAM	1						1
		RATHOWEN	1						1
		ROCHFORT-BRIDGE	2	1					3
	MULLINGAR Total		130	24	5	1	1	1	162
WESTMEATH Total			207	36	7	2	1	1	254
WEXFORD	ENNISCORTHY	BLACKWATER	2	1					3
		CLONROCHE	1	1					2
		ENNISCORTHY	31	5	1	1			38
		FERNS	2						2
		OULART	1						1

25 September 2012

Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
		OYLEGATE		1					1
	ENNISCOR- THY To- tal		37	8	1	1			47
	GOREY	BUNCLODY	7	1					8
		COURTOWN HARBOUR	3	1					4
		GOREY	38	7	1	1			47
	GOREY Total		48	9	1	1			59
	NEW ROSS	BALLYCULLANE	2						2
		CAMPILE	1						1
		CARRICKBYRNE	2						2
		CARRICK-ON- BANNOW	1						1
		DUNCANNON	3	1					4
		NEW ROSS	33	6		1			40
	NEW ROSS Total		42	7		1			50
	WEXFORD	CASTLEBRIDGE	2	1					3
		KILMORE QUAY	3	1					4
		ROSSLARE HAR- BOUR	6						6
		ROSSLARE STRAND	1	1					2
		TAGHMON	3						3
		WEXFORD	73	12	2	1	1		89
	WEXFORD Total		88	15	2	1	1		107
WEXFORD Total			215	39	4	4	1		263
WICKLOW	BALTIN- GLASS	BALTINGLASS	29	5	1				35
		BLESSINGTON	16	2					18
		CARNEW	3	1					4
		DONARD	1						1
		DUNLAVIN	2						2
		HOLLYWOOD	1						1
		SHILLELAGH	1						1
		TINAHELY	2						2
	BALTIN- GLASS Total		55	8	1				64
	BRAY	BRAY	100	16	5	1	1		123
		ENNISKERRY	5	1					6
		GREYSTONES	31	4					35
		NEWTOWN- MOUNTKEN- NEDY	3	1					4
	BRAY Total		139	22	5	1	1		168
	WICKLOW	ARKLOW	29	4	1				34
		ASHFORD	7	2					9
		AUGHRIM	2						2
		AVOCA	2						2
		RATHDRUM	3	1					4
		ROUNDWOOD	3	1					4

*Questions - Written Answers*

Division	District	Station	GD	SG	IN	SU	CS	AC	Grand Total
		WICKLOW	40	6	1	1			48
	WICKLOW Total		86	14	2	1			103
WICKLOW Total			280	44	8	2	1		335

### **Residency Permits**

315. **Deputy Richard Boyd Barrett** asked the Minister for Justice and Equality if he will grant a person (details supplied) whose Stamp 4 expired on 3 September, a temporary stamp pending the outcome of their application to renew it in order that they can return to their job; and if he will make a statement on the matter. [40323/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am advised by officials in the Irish Naturalisation and Immigration Service (INIS) that the person referred to by the Deputy lodged an application for a permanent residence card (EU3) on 3rd September 2012 under the European Communities (Free Movement of Persons) Regulations 2006 and 2008.

Regulation 16 of the Regulations provides that a non-EEA national family member of a Union citizen who, by virtue of the Regulations, is entitled to remain permanently in the State may, before the expiration date of the residence card issued to him or her, apply for a permanent residence card. In this case the person in question lodged the application on the same day as expiry of the Stamp 4.

Applicants for a permanent residence card (EU3) are advised that due to the large volume of applications it can take up to 6 months for a decision to be reached. Furthermore, all applications are dealt with strictly in chronological order of the date of receipt. I am advised that the application of the person concerned is due to come up for initial processing next week, at which time a consideration of the provision of a temporary stamp for the application period will be undertaken.

I should remind the Deputy that queries in relation to the status of individual Immigration cases may be made direct to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

### **Asylum Applications**

316. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if he will indicate if a Stamp 4 visa will be awarded in respect of a person (details supplied) in County Kildare; if he will bear in mind, when making this decision, the unnecessary hardship, stress and anxiety which could have been and still could be avoided by way of update of the Stamp 4; and if he will make a statement on the matter. [40354/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The person concerned and his family entered the State on 10 September 2004 and lodged asylum applications. Their asylum applications were considered by the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal. Both bodies concluded that the persons concerned did not meet

the criteria for recognition as refugees. Arising from the refusal of their respective asylum applications, and in accordance with the provisions of Section 3 of the Immigration Act 1999 (as amended), the person concerned and his family were notified, by letters, that the then Minister proposed to make Deportation Orders in respect of them. They were each given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons a Deportation Order should not be made against them. In addition, they were notified of their respective entitlements to apply for Subsidiary Protection in accordance with the provisions of the European Communities (Eligibility for Protection) Regulations 2006. The persons concerned submitted applications for Subsidiary Protection. When consideration of these applications has been completed, the persons concerned will be notified in writing of the outcomes. In the event that the applications for Subsidiary Protection are refused, the position in the State of the persons concerned will then be decided by reference to the provisions of Section 3(6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. All representations submitted will be considered before final decisions are made. Once decisions have been made, these decisions and the consequences of the decisions will be conveyed in writing to the persons concerned. Queries in relation to the status of individual immigration cases may be made directly to the INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

### **Garda Deployment**

317. **Deputy Finian McGrath** asked the Minister for Justice and Equality if he will support the case of a person (details supplied) in dublin 9. [40479/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am informed by the Garda authorities that the area referred to is located in the Clontarf Garda Sub-District. The local Garda management is aware of the circumstances referred to and is providing appropriate responses. I am further informed that a dedicated Community Garda is assigned to this specific area and is aware of the incidents in question. The Community Garda regularly patrols the area and is in ongoing contact with residents.

### **Proposed Legislation**

318. **Deputy Robert Dowds** asked the Minister for Justice and Equality his plans to introduce legislation to restrict the height of boundary hedges and trees to two metres in height; and when he will be in a position to introduce such legislation. [40503/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** Difficulties experienced by property owners arising from trees and high hedges on neighbouring land were raised in the Dáil and Seanad during passage of the Land and Conveyancing Law Reform Act 2009. My Department consulted on the matter with the Law Reform Commission, which had been involved in drafting the 2009 Act, and it took the view that unreasonable interference caused by high trees or hedges was a matter in any particular case for tort law or more generally for planning or environmental law. In England and Wales, complaints about high hedges are dealt with under Part 8 of the Anti-Social Behaviour Act 2003. This Act makes provision for local

authorities to determine complaints by the owners or occupiers of domestic property who are adversely affected by evergreen hedges over 2 metres high. Broadly similar legislation, i.e. the High Hedges Act (Northern Ireland) 2011, came into operation in Northern Ireland on 31 March 2012. Helpful information notes for hedge owners, complainants and local authorities have been published on the web site of Northern Ireland's Department of the Environment.

The manner in which problems associated with high hedges and trees are resolved in England, Wales and Northern Ireland demonstrates a clear preference for the resolution of such disputes at local level, preferably by mediation, with recourse to the courts as a last resort. This is designed to reduce the risk of prolonged and costly litigation and the risk that court proceedings would leave a legacy of bitterness between neighbours and ill-feeling in the local community. The introduction of such legislation in this jurisdiction would be a matter for the Minister for the Environment, Community and Local Government and his Department. Under our existing law, a person may be in a position to seek damages or an injunction requiring the cutting of boundary hedges or trees under the tort of nuisance. In order for the nuisance to be actionable, the person would have to show that an easement existed - an easement of light or otherwise - and that there had been a substantial interference with that right. It is my intention to bring forward a Mediation Bill later this year to promote mediation as a viable, effective and efficient alternative to court proceedings, thereby reducing legal costs and speeding up the resolution of disputes. The legislation, which is currently being drafted, will introduce an obligation on solicitors and barristers to advise any person wishing to commence court proceedings to consider mediation as a means of resolving a dispute before embarking on such proceedings. It will also provide that a court may, following the commencement of proceedings, on its own initiative invite parties to consider mediation and suspend the proceedings to facilitate the mediation process.

*Question No. 319 answered with Question No. 310.*

### **Judicial Appointments**

320. **Deputy Alan Farrell** asked the Minister for Justice and Equality if he will outline the process whereby a member of the judiciary may be disciplined if they have not been able to fulfil their duties in a competent manner, if there has been any issue of misconduct or if there is a question over of their ability to practice; and if he will make a statement on the matter. [40510/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** As the Deputy will be aware, Article 35.4.1° of the Constitution provides that “A judge of the Supreme Court or the High Court shall not be removed from office except for stated misbehaviour or incapacity, and then only upon resolutions passed by Dáil Éireann and Seanad Éireann calling for his removal”. Short of removal from office following such an impeachment process, which has never been used to date, there are currently no provisions which permit a member of the judiciary to be “disciplined” as envisaged in the Deputy’s question. The Deputy will be aware that the Agreed Programme for Government contains a commitment to legislate to establish a Judicial Council to provide an effective mechanism for dealing with complaints against judges. This commitment is being given expression in the form of the proposed Judicial Council Bill. As well as providing for the establishment of a Judicial Council and Board that will promote excellence and high standards of conduct by judges, the proposed Bill aims to provide a means of investigating allegations of judicial misconduct supported by the establishment of a Judicial Conduct Committee which will have lay representation. In November 2011, the Chief Justice announced that the Judiciary had agreed to establish an Interim Judicial Council pending the publication and enactment of the proposed Judicial Council Bill. A sub-committee of the Board

of the Interim Judicial Council was subsequently established to consider the General Scheme for a Judicial Council Bill, a version of which had been published by the previous Government in August 2010. This sub-committee has provided observations which are the subject of ongoing consideration and consultation, taking account of intervening developments and current Government policy. This continuing work will inform the framing and drafting of the new Bill, in conjunction with the Offices of Parliamentary Counsel and of the Attorney General. I intend to publish the Bill in the course of 2013.

### **Visa Applications**

321. **Deputy Seán Ó Fearghail** asked the Minister for Justice and Equality if he will consider the issue regarding visas raised in correspondence (details supplied); and if he will make a statement on the matter. [40514/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I wish to inform the Deputy that a decision has issued in respect of the visa application referred to. The visa application was submitted to the Irish Embassy in Belgrade on 18 May 2012. It was received in the Visa Office in Dublin for processing on 6 June 2012. A decision was made on the application on 20 September 2012. While applicants are advised to make their visa application at least eight weeks in advance of the proposed date of travel, it should be borne in mind that the timeframe of eight weeks acts as a guideline only. While the majority of applications are dealt with within that period, the actual timeframe for decision ultimately depends on a number of factors, including the number of applications on hand and the resources available to process them. Queries in relation to the status of individual immigration cases may be directed to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

### **Court Procedures**

322. **Deputy Brian Walsh** asked the Minister for Justice and Equality the position regarding the implementation of Section 15 of the Fines Act 2010; if any interim arrangement will be introduced to facilitate the payment of court fines by instalment; and if he will make a statement on the matter. [40519/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** Section 15 of the Fines Act 2010, which has not yet been commenced, provides for the payment of fines by instalments. To avail of this facility, a person must apply to the court and the court must be satisfied that requiring the person to pay the fine in full by the due date would impose undue hardship. It is not an automatic facility open to all persons on whom fines are imposed. The Programme for Government contains a commitment to introduce attachment of earnings to collect unpaid fines. It is my view, having reviewed how the fine payment and recovery system will work after the introduction of attachment of earnings, that the system set out in the Fines Act needs considerable amendment on a number of fronts. To that end, I am finalising proposals for the approval of Government, which are aimed, on the one hand, at making it easier for people to pay fines and on the other, at making the recovery of fines more efficient and effective. I hope to be in a position to publish these proposals in the coming weeks with a view to having them enacted and operational by the middle of 2013.

### **Garda Investigations**

323. **Deputy Martin Ferris** asked the Minister for Justice and Equality if he will confirm that unidentified remains were discovered two years ago off Hook Head where two femur bones were discovered and off Helvick Head where a skull was discovered and if tests were carried out on those remains. [40537/12]

324. **Deputy Martin Ferris** asked the Minister for Justice and Equality if he intends to carry out any further tests to identify whether or not the remains found off Helvick Head and Hook Head have any connection to the crew members of two fishing vessels which sank in the Helvick area namely the Pere Charles. [40538/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I propose to take Questions Nos. 323 and 324 together.

I am informed by the Garda authorities that during the last three years, there have been a number of human bone and skull finds off the coast of counties Wexford and Waterford. Inquiries to establish the identity of the human remains referred to by the Deputy have not yielded any positive results to date. Consideration is now being afforded by the Garda authorities to having nuclear and mitochondrial DNA analysis conducted on the remains concerned, having regard to whether such testing might yield positive results.

### **Proposed Legislation**

325. **Deputy Niall Collins** asked the Minister for Justice and Equality his plans to respond to the public submissions on the future of prostitution legislation here; the time frame for his response; and if he will make a statement on the matter. [40561/12]

326. **Deputy Niall Collins** asked the Minister for Justice and Equality the time frame for any future legislative initiatives regarding legislation on prostitution here; and if he will make a statement on the matter. [40562/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I propose to take Questions Nos. 325 and 326 together.

In June of this year, and as part of a review, I published a discussion document on the future direction of legislation on prostitution. The document was referred to the Joint Oireachtas Committee on Justice, Defence and Equality, which has been asked to report back to me by the end of November. The public submissions referred to by the Deputy were sought by the committee following its receipt of the discussion document and will be examined, in the first instance, by the committee. The committee's report will be fully considered in the framing of any necessary legislative proposals to be submitted to Government in due course.

For further background, I am appending the text of my statement of 22 June last when publishing the discussion document.

Shatter Announces Publication of Discussion Document on the Future Direction of Legislation on Prostitution

The Minister for Justice, Equality and Defence today published a discussion document on the future direction of legislation on prostitution. Publication of the discussion document follows the Minister's announcement that he would be arranging a public consultation process as part of the current review of prostitution legislation. Announcing publication of the discussion document, Minister Shatter said: "The criminal law in this area is being reviewed primarily because of the changed nature of prostitution in Ireland. Prostitution was once mainly a street-based phenomenon. That is no longer the case. The organisation of prostitution is now much more sophisticated, highly mobile and is easily facilitated by the use of mobile phones and the internet. There is, of course, already a clear consensus on the great evils of child prostitution and trafficking for the purposes of sexual exploitation. However, I am aware that there are differing and genuinely held views on the approach the criminal law should take to other aspects of prostitution. While there is a significant amount of criminal legislation in this area already, there is always scope for change and improvement. It is important to review the law periodically to ensure it is up to date and comprehensively responds to altered circumstances." The Minister added that: "Prostitution is an issue which affects individuals, communities and society as a whole. It is important that I facilitate the expression of all views on this subject and that those views are examined in due course. Public debate should therefore, be open to the widest possible audience and I want to ensure that everyone who wishes to make a contribution to this important debate is given the opportunity to do so. It is for that reason I have decided on a consultation process before charting the way forward. My Department will hold a conference in the autumn to discuss the document. The widest possible participation will be encouraged in order that we have an open and transparent discussion on all aspects of this very important issue. This discussion document will now be referred to the Joint Oireachtas Committee on Justice, Equality and Defence. Interested groups and members of the public, I expect, will be invited to make submissions to the Committee which will hold such hearings as it deems appropriate. I am asking Mr. David Stanton T.D., Chairman of the Joint Committee, that it publish its report and recommendations by the 30th November 2012 and that the report be furnished to me together with any submissions received. I expect it is likely that the Committee's report will also be lodged in the Oireachtas Library and that a debate on it will subsequently take place in both the Dáil and the Seanad. The report received by me from the Joint Oireachtas Committee will be fully considered in the framing of any necessary new legislative proposals to be submitted to Government in due course. I look forward to the results of the consultation process." The discussion document is attached below and will be made available on the Department's website, [www.justice.ie](http://www.justice.ie) This discussion document does not favour any particular approach but simply tries to assist reflection. The arguments contained in the document are not exhaustive and the questions posed are not intended to limit in any way the range of questions readers might want to consider. 22 June, 2012

### Immigration Policy

327. **Deputy Terence Flanagan** asked the Minister for Justice and Equality if he will provide an update on any action that he is taking to introduce a regularisation scheme for undocumented migrants living here; and if he will make a statement on the matter. [40572/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I have no plans for any general scheme to legalise the residency of undocumented and illegally present foreign nationals in this State. It is the responsibility of all non-EEA nationals who are resident in Ireland to ensure that they have an appropriate permission from the Minister for Justice and Equality. Individuals

who do not have a permission to be in the State are liable to be subject to the deportation process as provided for in Section 3 of the Immigration Act 1999.

I am of course aware that there have been proposals of this nature from sources outside of Government. However, great caution should be exercised before embarking on such a project. A proposal of this nature could give rise to very large, unpredictable and potentially very costly impacts across the full range of public and social services. Any possible implication for the operation of the Common Travel Area would also have to be very carefully considered.

At EU Level, the Member States, in agreeing the European Pact on Immigration and Asylum at the European Council in October 2008 made specific commitments “to use only case-by-case regularisation, rather than generalised regularisation, under national law, for humanitarian or economic reasons”. While the Pact is not legally binding, the political commitment among Member States, then and now, is clearly against any form of process that would in any way legitimise the status of those unlawfully present without first examining the merits of their individual cases.

The circumstances of individual cases can vary considerably and it is logical that the outcomes will not always be the same. At one end of the spectrum are those whose illegal status is genuinely through no fault of their own while at the other can be found a flagrant disregard of the laws of the Irish State and an unwillingness to accept that those laws, under which tens of thousands of lawful migrants have made Ireland their home, must also apply to them. It is open to persons in an undocumented situation to present their case on its merits and to have it considered.

### **Alcohol Sales Legislation**

328. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality if north south agreement has been reached on draft regulation in respect of curtailing certain drink promotions under section 16 of the 2008 Intoxicating Liquor Act; the date on which the draft regulations will be published; if he will give details of the anticipated main themes of the regulations; and if he will make a statement on the matter. [40573/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The position is that during my discussions earlier this year with the Minister for Social Development in Northern Ireland, Nelson McCausland, MLA, we agreed on the desirability of developing a joint North/South approach to restricting certain alcohol promotions and on the need to have the necessary arrangements in place by the end of this year.

The Department of Social Development in Northern Ireland subsequently launched a consultation process on draft proposals to prohibit fixed price promotions, i.e. unlimited supply of alcohol for a fixed price, in public houses and other premises with on licences, and to restrict the sale of bulk purchases of alcohol in supermarkets and other premises with off licences. Arising from the consultation process, Minister McCausland has recently announced that while he proposes to proceed with the prohibition on fixed price promotions in premises with on licences, he has decided not to proceed with restrictions on bulk purchases from off licences following concerns raised by the Northern Ireland Assembly’s Social Development Committee.

In light of the approach being adopted in Northern Ireland, I am now considering how best to proceed with regulations under section 16 of the Intoxicating Liquor Act 2008. In this context, I am of course conscious that the effectiveness of any future restrictions in this jurisdiction could be undermined by the lack of any corresponding measures in Northern Ireland.

## Departmental Staff Numbers

329. **Deputy Regina Doherty** asked the Minister for Justice and Equality if his Department still grants leave of absence; and if not, the reason this is not considered as a neutral cost saving exercise; and if he will make a statement on the matter. [40600/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** My Department continues to grant leave of absence in the form of Career Breaks and leave under the Shorter Working Year Scheme. Other forms of unpaid leave are also widely availed of such as Parental leave, special unpaid leave for domestic reasons and study purposes. My Department also facilitates work-sharing arrangements where possible.

## Liquor Licensing Laws

330. **Deputy Michael McGrath** asked the Minister for Justice and Equality further to Parliamentary Question No 483 of 3 July 2012, if he will arrange for the report from the Gardaí to be forwarded to this Deputy as soon as possible. [40622/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** As the Deputy will recall, some of the information requested previously could not be obtained in the time available. I am now informed by the Garda authorities that the following table sets out the number of proceedings commenced and convictions recorded for the offence of trading without a licence contrary to Section 7 of the Intoxicating Liquor (General) Act 1924, each year from 2007 to 2011 and in 2012 up to 2 July.

### The number of proceedings commenced and convictions recorded for the offence of trading without a licence contrary to Section 7 of the Intoxicating Liquor (General) Act 1924

Year	Proceedings	Convictions
2012*	12	0
2011	33	11
2010	34	13
2009	19	8
2008	58	16
2007	36	11

\*Up to 2 July.

## School Accommodation

331. **Deputy Seán Ó Fearghaíl** asked the Minister for Defence if he or the military authorities at the Curragh Camp have had recent discussions with the Department of Education and or Kildare Vocational Education Committee in relation to second level educational provision at the camp; if it is intended to provide improved accommodation for the existing school; if he and his Department are committed to the long term provision of education opportunities at a location (details supplied); and if he will make a statement on the matter. [40075/12]

**Minister for Defence (Deputy Alan Shatter):** The Curragh Post Primary School comes under the auspices of County Kildare VEC. My Department and the military authorities are not currently engaged in discussion with the Department of Education or Kildare VEC in relation to improved accommodation or the provision of second level education in general in the Cur-

ragh Camp. Discussions did take place in recent years between officials of my Department and Kildare VEC in relation to the provision of a site for a new school on the Curragh. However there have been no developments on this issue in recent times.

The military authorities have had requests in the past from the Post Primary School for the provision of facilities and currently the School has the use of Gym facilities and the Swimming Pool on a weekly basis. A playing pitch has also been provided as has support in terms of the school transition year programme

### **Commemorative Events**

332. **Deputy John McGuinness** asked the Minister for Defence his views on the issues raised by a person (details supplied) in County Clare in correspondence to him dated 16 May 2012; if he will accept any of the suggestions made; and if he will make a statement on the matter. [40127/12]

**Minister for Defence (Deputy Alan Shatter):** There had been a suggestion for a commemorative medal to be issued to all serving members of the Defence Forces in 2013. However, having reviewed the matter, it has now been decided not to progress it further. While I welcome the suggestion in relation to a proposed “Old Soldiers Day”, it is not proposed to introduce a new military ceremonial event in the current economic climate.

### **Defence Forces Strength**

333. **Deputy Bernard J. Durkan** asked the Minister for Defence his plans for the strength and structure of the Defence Forces; if such proposals will be in accord with other similar forces throughout the EU; and if he will make a statement on the matter. [40133/12]

**Minister for Defence (Deputy Alan Shatter):** Arising from the Comprehensive Review of Expenditure which reported at the end of 2011, I secured the agreement of the Government to stabilise the strength of the Permanent Defence Force at 9,500 personnel. However, at this strength ceiling, the organisational structures that had been in place for a strength ceiling of 11,500 personnel were no longer viable. Accordingly, I initiated a major re-organisation of the Defence Forces. In July of this year, I accepted the proposals submitted jointly by the Secretary General of the Department of Defence and the Chief of Staff which recommended a re-organisation of Defence Forces units based on a two Brigade structure. The implementation of the re-organisation has commenced and all personnel in the Permanent Defence Force have now been briefed on the re-organisation proposals.

The new structure will continue to support the inter-operability of the Defence Forces with other military forces on peace support operations. I am committed to maintaining the capacity of the Permanent Defence Force in order to ensure that the organisation can continue to fulfil all roles assigned both at home and overseas. The current re-organisation is part of that process.

### **Air Corps Equipment**

334. **Deputy Bernard J. Durkan** asked the Minister for Defence the extent to which he expects to be in a position to augment, upgrade or otherwise continue to modernise the Air Corps; and if he will make a statement on the matter. [40134/12]

**Minister for Defence (Deputy Alan Shatter):** There are no plans for the acquisition of new aircraft for the Air Corps at the present time. This has to be taken in the context of the significant expenditure on the Air Corps fleet in recent years. The provision for the Air Corps in 2012 mainly relates to the maintenance and Power by the Hour contracts set up to keep the Air Corps fleet fully operational with specific maintenance work being carried out on the CASA Maritime Patrol Aircraft over the next two years. I am satisfied that the equipment, aircraft and technology available to the Air Corps are of a high standard and commensurate with the tasks assigned by Government.

### **Air Corps Training**

335. **Deputy Bernard J. Durkan** asked the Minister for Defence the extent to which he intends to increase training with access to the most modern technology in the Air Corps; the way in which this will compare with standards in such forces elsewhere; and if he will make a statement on the matter. [40135/12]

**Minister for Defence (Deputy Alan Shatter):** The Air Corps keeps abreast of all developments in modern aviation. It conducts its training in accordance with industry best practices and to the highest standards, referencing European Aviation Safety Agency (EASA) and Federal Aviation Administration (FAA) requirements, using the most modern methods and equipment available.

### **Naval Service Vessels**

336. **Deputy Bernard J. Durkan** asked the Minister for Defence the number of seagoing vessels currently available and seaworthy to the Naval Service at any given time; and if he will make a statement on the matter. [40136/12]

**Minister for Defence (Deputy Alan Shatter):** I am advised that there is a fleet of eight ships available to the Naval Service, six of which are currently in operational service. Both LE Eithne and LE Orla are undergoing scheduled maintenance at present. In order to maintain maximum availability and serviceability, major maintenance for each vessel is planned well in advance and is incorporated into an annual patrol plan for the Naval Fleet. A ships replacement programme is in train and in that context a contract was signed in October 2010 with Babcock Marine in the United Kingdom for the provision of two new offshore Patrol Vessels. The build of the first ship is well underway and it is scheduled for delivery in 2014. The second ship will be delivered a year later.

The acquisition of these modern new vessels, combined with a continuous process of refurbishment and repair on the other vessels in the fleet, will ensure that the operational capability of the Naval Service is maintained at a satisfactory level and that the most up to date equipment, is available to Naval Service personnel to carry out its various roles.

### **Irish Red Cross**

337. **Deputy Finian McGrath** asked the Minister for Defence his views on the report of the Public Accounts Committee on the Irish Red Cross of May 2012; his further views on the recommendations made in this report and if he is satisfied with the progress made by him and by the Irish Red Cross in implementing these recommendations; and if he will make a statement

on the matter. [40469/12]

**Minister for Defence (Deputy Alan Shatter):** I welcome the fact that arising from the Chapter on Financial Control in the Irish Red Cross Society that was contained in the Report of the Comptroller and Auditor General 2010, the Oireachtas Committee of Public Accounts (PAC) subsequently dealt in some considerable depth with a wide range of issues relating to weak financial controls in the past and allegations of poor corporate governance. Each of the five recommendations made in the Committee's subsequent Report that relate to the Department of Defence were carefully examined and noted by my Department. I am satisfied that despite an extremely difficult period in its recent history, there is clearly a strong process of reform now well under way at the Irish Red Cross Society and I welcome the very considerable progress that it has made in implementing new financial and accounting procedures, and in overhauling its corporate governance arrangements.

### **Defence Forces Recruitment**

338. **Deputy Pádraig Mac Lochlainn** asked the Minister for Defence the number of people who have applied for the Defence Forces during each of the last fifteen years, but were refused on the basis that they had committed a serious offence; the offences that each of the persons had committed; and if he will make a statement on the matter. [40476/12]

339. **Deputy Pádraig Mac Lochlainn** asked the Minister for Defence the serious offences convictions that would result in a persons application to the Defence Forces being refused. [40481/12]

**Minister for Defence (Deputy Alan Shatter):** I propose to take Questions Nos. 338 and 339 together.

It is a matter for the Military Authorities to select candidates based on specific criteria and in accordance with Defence Force Regulations for positions in the Defence Forces. In relation to the specific statistics sought regarding applicants for enlistment in the Permanent Defence Force the Military Authorities have advised that they do not keep files on this type of information.

Defence Force Regulations stipulate that the following persons will not be enlisted in the Permanent Defence Force:

1. A person who has been convicted of a serious offence by a civil court.

**A person who has been convicted by a Special Criminal Court of a scheduled offence under the Offences Against the State Act, 1939, unless -**  
**(i) a period of seven years has elapsed since the date of such conviction, or**  
**(ii) a free pardon has been granted in respect of such conviction, or**  
**(iii) the disqualification incurred as a result of such conviction, from holding office or employment remunerated out of public funds has been remitted by the Government under subsection (5) of section 34 of the said Act.**

**Defence Force Regulations do not specify the particular offences.**

### **EU Directives**

340. **Deputy Finian McGrath** asked the Minister for Agriculture, Food and the Marine the amount of money that has been allocated to Ireland to implement the Habitats Directive 92/43/

EEC since the start of implementation. [40077/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** My colleague the Minister for the Environment, Community and Local Government, Mr Phil Hogan TD has primary responsibility for the implementation of the Habitats Directive.

As regards funding for the Rural Development Programme for Ireland, an overall amount is allocated to my Department under the European Agricultural Fund for Rural Development [EAFRD] which may be spent on a menu of rural development measures. Included among these is the Natura measure which provides for compensation to farmers for disadvantages in their farming activities arising out of three Directives, the Habitats Directive, the Wild Birds Directive and the Water Framework Directive.

Under the current Rural Development Financial Plan an indicative amount of €528m has been allocated to Natura and an amount of €1.8bn has been allocated to agri environment. These two amounts are aggregated for spending purposes however as Natura forms an integral part of the REPS and AEOS agri environment schemes. Participation in these schemes is voluntary on the part of farmers and in the light of take up to date an amount of €84.5m approx is expected to have been spent on the Natura element of these schemes under the RDP to the end of this year.

### **Fisheries Protection**

341. **Deputy Michael McNamara** asked the Minister for Agriculture, Food and the Marine if he will confirm, as per the Sea Lice Monitoring Protocol for Offshore Fin-Fish Farms, if a Notice To Treat was issued to the salmon farm operator (details supplied) following a sea lice inspection on 11 April 2012 in view of the fact that the trigger level on this particular licence is set at 0.3 egg bearing lice per fish; and if he will make a statement on the matter. [40056/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** As part of my Department's sea lice control strategy a series of treatment trigger levels have been specified to ensure that lice control on offshore salmon farms is optimised. This management regime has been very successful in reducing lice infestation levels nationally. Treatment triggers during the spring period are set close to zero in the range of from 0.3 to 0.5 egg bearing females per fish and are also informed by the numbers of mobile lice on the fish. Where numbers of mobile lice are high, treatments are required even in the absence of egg bearing females. The mechanism for requiring treatments is to issue a notice to treat where appropriate.

In the case referred to by the Deputy, the lice levels on the 11th of April were 0.47 ovigerous females and a total mobile count of 2.25 lice per fish. This is within the range where a notice to treat can be issued. A treatment regime was in place and no notice to treat was required. At the subsequent inspection on the 30th of April lice levels had reduced to 0.27 ovigerous females and a total mobile count of 1.16 respectively. These are well below any treatment trigger levels and reflect the efficacy of the treatment undertaken by the company.

As a general point, the sea lice controls operated by the Marine Institute, on behalf of the State are more advanced than those operating in other jurisdictions and are regarded by the E.U. Commission as representing best practice internationally.

### **Bovine Disease Controls**

342. **Deputy Paudie Coffey** asked the Minister for Agriculture, Food and the Marine his policy regarding the culling of badgers; the extent of TB outbreak here amongst badgers; the potential impact that this outbreak could have on the national herd; and if he will make a statement on the matter. [40063/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Research carried out in Ireland indicates that, up to 2008, using a detailed post mortem and histological examination, 35-50% of badgers in high cattle TB prevalence areas were infected with TB compared with an infection rate of 14.9% in areas of low cattle TB prevalence areas thereby substantiating the link between the presence of TB in cattle and in badgers. However, more recent research has shown that the percentage of badgers now infected with TB in previously high cattle prevalence areas has halved since then. The reduction in the incidence of TB in badgers is welcome and indicates an improvement in the health of the badger population. It is to be hoped this will also have knock on benefits for any future badger vaccination programme.

With regard to the impact of TB in badgers for TB in cattle, a research paper published in 2010 summarises the evidence on the role of badgers in the spread of TB in cattle both in Ireland and the UK and concludes that “badgers are directly implicated in the transmission of infection to cattle” and “the ability to eradicate tuberculosis is severely constrained while infection continues to be spread from badgers” [*Mycobacterium bovis Infection in the Eurasian Badger (Meles Meles): the Disease, Pathogenesis, Epidemiology and Control* (Science Direct)].

There is considerable evidence that the removal of badgers results in a reduction in the incidence of the disease in cattle. In summary, the first major research project into the impact of badgers on TB incidence in cattle in East Offaly found that the risk of herd breakdowns was found to be 14 times higher in the control area compared with the area from which the badgers were removed. A later study, the Four Area Project, involved the intensive and proactive removal of badgers in four “removal” areas and “reactive” culling of badgers in matched reference areas. The published results of this project also demonstrated that there was a significant reduction in TB levels in cattle following the removal of badgers. In view of this research and in order to limit the spread of TB from badgers to cattle, the Bovine TB eradication programme implemented by my Department contains a wildlife strategy involving the removal of badgers by culling when an epidemiological investigation associates a TB herd breakdown with the presence of badgers. This strategy is an important element of Ireland’s bovine TB eradication programme and has contributed to a significant reduction in the incidence of bovine tuberculosis in the cattle population in recent years. TB reactor numbers were 18,500 in 2011, the lowest recorded number in any year since the commencement of the eradication programme in the 1950s.

My Department is satisfied that the badger culling strategy has contributed to a reduction in the incidence of TB over the past number of years. However, it is my intention to replace badger culling with vaccination when research demonstrates that this is a practicable proposition. There are trials ongoing at present to determine if vaccination of badgers can provide an effective alternative to badger culling in the longer-term and to develop an efficient and effective vaccine delivery methodology.

### Forestry Grants

343. **Deputy Dan Neville** asked the Minister for Agriculture, Food and the Marine if forestry payments will be expedited in respect of a person (details supplied) in County Limerick; the reason for the delay in payment; and if he will make a statement on the matter. [40068/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** This site has a history of poor maintenance and, thus, has failed two previous inspections. The latest remedial works notified to the applicant were “The oak plot has recently been filled in with oak in the pine rows. These still need weed control for at least one growing season. Vegetation control required using herbicides. Remedial works to be completed by 20th August 2012.” The completion of this work was notified to the Forest Service by the applicant’s forestry company and the file has been referred to the forestry inspector for another inspection. The inspector is aware of the urgency of the case and will inspect the site within the next two weeks.

No further payments can issue until the site is passed and all outstanding matters are resolved. Subject to the inspector passing the site as eligible for payment, the 2nd instalment grant (which is mandated to the forestry company) and the applicant’s forestry premium will be further processed for payment.

### **Agriculture Schemes Appeals**

344. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine if a decision has been made on an appeal in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [40121/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** A request for an appeal was received by the independent Agriculture Appeals Office on the 12th of July of this year. The request is currently being processed and staff from the Appeals Office will be in touch with the person named in due course to arrange an oral hearing.

### **Aquaculture Licences**

345. **Deputy Pat Breen** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Questions Nos 334 of 11 May 2010 and 405 of 18 January 2011, the timeframe for the application; and if he will make a statement on the matter. [40125/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** As indicated in my previous replies the area for which the licences are sought is a designated Special Area of Conservation under the EU Habitats Directive and a Special Protection Area under the EU Birds Directive (Natura 2000 site).

In the case of aquaculture sites located within Natura 2000 areas my Department, in conjunction with the Marine Institute and the National Parks and Wildlife Service of the Department of Arts, Heritage and the Gaeltacht is engaged in a comprehensive programme to gather the necessary baseline data appropriate to the conservation objectives of these areas. This process is ongoing and significant progress has been made. The comprehensive data collection programme together with the setting of appropriate conservation objectives will enable all new and renewal applications to be appropriately assessed for the purpose of ensuring compliance with the EU Birds and Habitats Directives. Once the relevant data has been collected, conservation objectives for the site have to be established by the National Parks and Wildlife Service. The establishment of these conservation objectives by NPWS will allow individual licence applications to be assessed against the conservation objectives.

The area in question remains part of the package of prioritised areas under assessment. This package continues to be reviewed on a regular basis with a view to expediting the appropriate assessment process.

My Department, working with the National Parks and Wildlife Service, continues to make every effort to expedite the determination of these cases having regard to the complexities of these cases and the need to comply fully with all national and EU legislation.

### **Sale of State Assets**

346. **Deputy Michael McCarthy** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No 642 of 17 July 2012 if he will provide an update in relation to Coillte; if a final valuation has been determined and if this is the case, the next steps that will be taken in the process; if consideration is being given to the protection of the social and amenity value of some woodlands; and if he will make a statement on the matter. [40137/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** As advised in my reply on 17th July 2012, the Government decided, in the context of the State asset disposal programme, that consideration would be given to the sale of certain assets of Coillte, excluding the land. The Government decided to proceed on the basis that a long-term concession contract for the harvesting rights to Coillte's forests represents the best option for extracting value from Coillte.

The process is still at a preliminary stage as a number of issues have been identified in relation to the proposal including Coillte's strategic importance within the forestry sector, implications for employment, recreational access to Coillte forests and the protection of People's Millennium Forests located in the Coillte forest estate, all of which require in-depth consideration.

While certain work was done on the valuation of Coillte assets by the NewERA unit of the National Treasury Management Agency (NTMA), in conjunction with my Department and the Department of Public Expenditure and Reform, in advance of the decision, further work is required. Coillte Board and Management have been actively engaged in recent months with NewERA, the Department of Public Expenditure and Reform and my Department to examine the financial and other implications of developing the potential of Coillte's forest assets.

### **Departmental Bodies**

347. **Deputy John Browne** asked the Minister for Agriculture, Food and the Marine the action he will take to revamp and reassess the Aquaculture Licence Appeals Board (details supplied) and make it fit for purpose for a modern and efficient licencing system in order that the aquaculture industry can move forward and provide much needed jobs and exports in coastal communities; and if he will make a statement on the matter. [40161/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The Aquaculture Licences Appeals Board (ALAB) is an independent statutory body, with its own funding provided for by the Oireachtas under Section 36 of the Fisheries (Amendment) Act, 1997. The function of the Board is to provide an independent authority for the determination of appeals of decisions of the Minister on aquaculture licence applications. The management of ALAB's functions is the responsibility of its Board and therefore the Minister does not have a role.

The fact that the majority of locations for which aquaculture licences are sought are in areas designated as Special Areas of Conservation under the EU Habitats Directive and/or Special Protection Areas under the EU Birds Directive (so-called Natura 2000 sites) has had implications for the processing of licence applications. My Department is constrained by law from issuing or renewing aquaculture licences for sites located within Natura 2000 areas until such

time as an ‘appropriate assessment’ of the potential impacts of the proposed aquaculture and fishery activities on the conservation objectives for those areas has been conducted. The rate of issuing of Aquaculture licences has been affected by this change but as licences are issued the number of appeals may increase in the future.

The Secretary General and senior officials from my Department have met with the Chairman and members of the Board to review its resourcing and operational issues. An experienced officer from the Department has been assigned to work on administrative aspects of the ALAB operation. The operational needs of ALAB will be continually reviewed in the light of any change in circumstances.

### Fish Landings

348. **Deputy Noel Harrington** asked the Minister for Agriculture, Food and the Marine if he will provide in tabular form, the total fish landings including those from aquaculture and from visiting fishing vessels at each of the major fishery harbour centres in terms of total tonnage and value for the year 2011 and the most up to date figures for 2012; and if he will make a statement on the matter. [40349/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The following tables set out details of landings supplied by the Sea Fisheries Protection Authority into Irish Fishery Harbour Centres, including landings by Irish vessels in respect of 2011. Aquaculture data is not collected in the official EU logbook and is not available, therefore, in this format. Data for 2012 has not been fully tabulated and is not available at this time. Food Harvest 2020 recognised that the processing sector was fragmented, lacking in scale, uncompetitive in terms of production costs, too focused on export of commodity products and constrained by inconsistent supply of raw material. BIM is working to increase the number of foreign vessels which land their fish in Ireland so as to ensure a strong base on which the processing sector can continue to deliver added value to fish landings.

TABLE 1 - 2011 Landings in Irish Ports				
Vessel nationality	Landing country	Port name	Data	Total
Denmark	Ireland	Killybegs	Tonnes	1,249
-	-	-	Value €	693,007
-	Ireland Tonnes	-	-	1,249
-	Ireland Value €	-	-	693,007
DenmarkTonnes	-	-	-	1,249
DenmarkValue €	-	-	-	693,007
France	Ireland	Castletownbere	Tonnes	5,188
-	-	-	Value €	10,741,022
-	-	Dingle	Tonnes	4,972
-	-	-	Value €	9,651,225
-	-	Killybegs	Tonnes	1,237
-	-	-	Value €	2,646,708
-	Ireland Tonnes	-	-	11,397
-	Ireland Value €	-	-	23,038,955

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TABLE 1 - 2011 Landings in Irish Ports				
Vessel nationality	Landing country	Port name	Data	Total
France	Tonnes	-	-	11,397
France	Value €	-	-	23,038,955
Germany	Ireland	Castletownbere	Tonnes	112
-	-	-	Value €	372,842
-	-	Killybegs	Tonnes	74
-	-	-	Value €	44,240
-	Ireland	Tonnes	-	186
-	Ireland	Value €	-	417,082
Germany	Tonnes	-	-	186
Germany	Value €	-	-	417,082
Ireland	Ireland	Castletownbere	Tonnes	13,985
-	-	-	Value €	20,709,120
-	-	Dingle	Tonnes	4,490
-	-	-	Value €	4,999,957
-	-	Dunmore East	Tonnes	8,409
-	-	-	Value €	12,623,980
-	-	Howth	Tonnes	3,342
-	-	-	Value €	9,599,300
-	-	Killybegs	Tonnes	83,538
-	-	-	Value €	62,968,076
-	-	Ros A Mhil	Tonnes	4,230
-	-	-	Value €	9,873,577
-	Ireland	Tonnes	-	117,995
-	Ireland	Value €	-	120,774,010
Ireland	Tonnes	-	-	117,995
Ireland	Value €	-	-	120,774,010
Norway	Ireland	Killybegs	Tonnes	10,633
-	-	-	Value €	31,446,547
-	Ireland	Tonnes	-	10,633
-	Ireland	Value €	-	31,446,547
Norway	Tonnes	-	-	10,633
Norway	Value €	-	-	31,446,547
Spain	Ireland	Castletownbere	Tonnes	3,863
-	-	-	Value €	8,327,927
-	-	Dingle	Tonnes	1,308
-	-	-	Value €	2,397,639
-	-	Killybegs	Tonnes	1,824
-	-	-	Value €	4,428,099
-	Ireland	Tonnes	-	6,995
-	Ireland	Value €	-	15,153,665

TABLE 1 - 2011 Landings in Irish Ports		-	-	-
Vessel nationality	Landing country	Port name	Data	Total
Spain	Tonnes	-	-	6,995
Spain	Value €	-	-	15,153,665
United Kingdom	Ireland	Castletownbere	Tonnes	2,278
-	-	-	Value €	4,926,646
-	-	Dingle	Tonnes	156
-	-	-	Value €	373,158
-	-	Dunmore East	Tonnes	109
-	-	-	Value €	190,280
-	-	Howth	Tonnes	20
-	-	-	Value €	57,856
-	-	Killybegs	Tonnes	2,073
-	-	-	Value €	2,074,827
-	Ireland	Tonnes	-	4,635
-	Ireland	Value €	-	7,622,767
United Kingdom	Tonnes	-	-	4,635
United Kingdom	Value €	-	-	7,622,767
Total	Tonnes	-	-	153,090
Total	Value €	-	-	199,146,033

### Harbours and Piers Funding

349. **Deputy Noel Harrington** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No 148 of 10 May 2012 and Parliamentary Question No. 413 on the 10 July 2012, if he will report progress on the studies on the Bull Nose Pier on Cape Clear Island, County Cork; if he has received this report; if he will publish same; if a decision on the work that will be carried out has been taken; and if he will make a statement on the matter. [40363/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Officials from my Department attended a public information meeting at Cape Clear on 24th August 2012 where the Department's proposals for the development works at the Bull Nose Pier were outlined and discussed.

There was broad welcome for the proposed development works and I am happy to confirm that I have allocated funding under my Department's 2012 Fishery Harbour and Coastal Infrastructure Development programme to enable the completion of the preparatory consent works with a view to submitting the necessary planning application by mid October 2012.

I trust this clarifies the position.

### Genetically Modified Organisms

350. **Deputy Kevin Humphreys** asked the Minister for Agriculture, Food and the Marine if

Teagasc developed any genetically modified organisms such as potato, barley or wheat seeds, or other important vegetable or fruit species here; if the State through Teagasc retains any patents or intellectual property in any such genetically modified food; if he will explain the position with respect to GMO's and Ireland's food security; and if he will make a statement on the matter. [40484/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Teagasc have not developed any genetically modified organisms in Ireland, but were recently awarded a licence by the Environmental Protection Agency to carry out field research on a GM potato designed to resist potato blight disease. The field study is part of a publicly funded EU research project being carried out by a consortium of 22 partners representing 15 EU Member States. The GM potato variety which Teagasc are researching was generated by scientists in Wageningen University, The Netherlands, and has been made available to Teagasc via a standard material transfer agreement.

Responsibility for issues relating to the cultivation of GM crops in Ireland rests with the Environmental Protection Agency and the Department of Environment, Community and Local Government, while responsibility for GM foods rests with the Minister for Health and the Food Safety Authority of Ireland. My Department is responsible for issues relating to GM animal feed and the coexistence of authorised GM crops alongside non-GM crops.

Given that GM crops are not cultivated commercially in Ireland and are unlikely to be for the foreseeable future, the issue of cultivation and co-existence does not arise at present. In relation to the authorisation and use of products consisting of or containing authorised GM ingredients in animal feed, my Department adopts, on the basis of scientific evaluation, a positive but precautionary approach to EU applications for the authorisation of GM ingredients and supports applications which have been deemed to be safe by the European Food Safety Authority.

### **Genetically Modified Organisms**

351. **Deputy Kevin Humphreys** asked the Minister for Agriculture, Food and the Marine if he will confirm who owns the intellectual property or patent of the genetically modified potatoes which Teagasc is field trialling; if he will clarify if Teagasc had any role in the development of this potato; if so, if it retains any share in the patent or intellectual property relating to it; and if he will make a statement on the matter. [40485/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Teagasc were recently awarded a licence by the Environmental Protection Agency to carry out field research on a GM potato designed to resist potato blight disease. The field study is part of a publicly funded EU research project being carried out by a consortium of 22 partners representing 15 EU Member States.

The GM potato variety which Teagasc are researching was generated by scientists in Wageningen University, The Netherlands, and has been made available to Teagasc via a standard material transfer agreement. The field study is to assess the environmental impact of cultivation of the blight resistant potato on the Irish eco-system compared to that of conventional potatoes. Teagasc are not testing the commercial viability of GM potatoes and the biotech industry has no association with this public-funded research project.

### **Food Labelling**

352. **Deputy Kevin Humphreys** asked the Minister for Agriculture, Food and the Marine the plans he has, if any to protect food labelling terms such as artisan, farmhouse, local and traditional to ensure they are not open to abuse or misuse, and that small producers are protected; and if he will make a statement on the matter. [40486/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The only method to protect a designation of the type referred to by the Deputy is through the EU Scheme of Geographical Indications (GIs). Under that scheme Protected Designation of Origin, Protected Geographical Indication and Traditional Speciality Guaranteed designations can all be legally protected on the basis that they reflect the geographical area, traditions and production methods by which foods are made. There are four such products in Ireland. My Department will advise and work with producers in making applications for such designations. Details of the conditions and scheme specifications are available on my Departments website – [www.agriculture.gov.ie](http://www.agriculture.gov.ie)

I understand that at the request of the Artisan Forum, the Food Safety Authority of Ireland has agreed to produce a guidance document on voluntary advertising terms that appear on food labels such as farmhouse, artisan, hand cooked, etc. This will establish a common understanding of such terms that could serve as guidance for the food industry.

### Forestry Grants

353. **Deputy Pat Breen** asked the Minister for Agriculture, Food and the Marine when forestry payment will issue to a person (details supplied) in County Clare; and if he will make a statement on the matter. [40512/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** This contract relates to a single tract of land which is owned by two separate applicants. The land is registered in the names of both of these applicants but it was divided equally to be the subject of two forestry contracts. One of the applicants is now disputing the entitlement to one of the plantations. The Forest Service cannot pay on a contract on which there is a dispute about legal ownership. The Forest Service wrote to both applicants informing them that payments must remain suspended on both contracts until this matter is resolved by the applicants and the Forest Service is notified accordingly.

### Disadvantaged Areas Scheme Appeals

354. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine if a decision has been made on an appeal under the disadvantaged area scheme in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [40541/12]

355. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine if a decision has been made on an appeal under the disadvantaged area scheme in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [40543/12]

356. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine if a decision had been made on an appeal under the disadvantaged area scheme in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [40544/12]

357. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine if

a decision had been made on an appeal under the disadvantaged area scheme in respect of a person (details supplied) in County Kerry [40545/12]

358. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine if a decision has been made on an appeal under the disadvantaged area scheme by a person (details supplied) in County Kerry; and if he will make a statement on the matter. [40551/12]

360. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine if a decision has been made on an appeal under the disadvantage area scheme by a person (details supplied) in County Kerry; and if he will make a statement on the matter. [40556/12]

361. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine if a decision has been made on an appeal under the disadvantage area scheme by a person (details supplied) in County Kerry; and if he will make a statement on the matter. [40557/12]

362. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine if a decision has been made on an appeal under the disadvantage area scheme by a person (details supplied) in County Kerry; and if he will make a statement on the matter. [40558/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** I propose to take Questions Nos. 354 to 358, inclusive, and 360 to 362, inclusive, together.

The persons concerned are applicants under the 2012 Disadvantaged Areas Scheme. Currently, they are part of a larger group, whose cases are impacted by a requirement of a minimum stocking density of 0.3 livestock units per forage hectare and who have applied for a derogation in this regard. These applications are currently under consideration and, immediately a decision is reached, they will be notified in writing. However, should the decision be negative, a fully independent appeals procedure is available.

On a more general level, I can also confirm that payments under the 2012 Scheme are scheduled to begin issuing as and from 26 September, directly to the nominated bank accounts of Scheme applicants, whose applications have been determined at that stage. These payments will include derogation cases where the applications have successfully met terms of the scheme and are fully processed for payment.

### **Tax Code**

359. **Deputy Seamus Kirk** asked the Minister for Agriculture, Food and the Marine having regard to the targets set out in Harvest 2020, if his attention has been drawn to the disincentive if land ownership transfers to family members, under the stamp duty and gift and inheritance framework; if he has any plans to bring this matter up with the Department of Finance; and if he will make a statement on the matter. [40553/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** I am aware of the importance of improving land mobility and of encouraging greater transfer of land, and of the existing challenges in this regard. In order to assist meeting the ambitious targets set out in Food Harvest 2020, new taxation measures were introduced in last year's budget aimed at improving land mobility and farm consolidation, and encouraging transfers to younger, more progressive farmers. Two measures are of particular note in this regard;

1. Reduced stamp duty rate applying to farm transfers

## 2. Restructuring of Capital Gains Tax (CGT) retirement relief

### 1. Reduced stamp duty rate applying to farm transfers

There was a reduction in the stamp duty rate applying to the sale on agricultural land from 6% to 2%. In addition, half the rate (1%) is now applicable on transfers to close relatives until the end of 2014. This change substantially reduced the stamp duty payable on transfers of farm land by gift or by sale. The measure promotes inter-generational transfer, as the cost of lifetime transfer to transferees who do not qualify for the young trained farmer stamp duty relief has been reduced considerably.

### 2. Restructuring of Capital Gains Tax (CGT) retirement relief

Budget 2012 restructured the retirement relief available on Capital Gains Tax in order to incentivise the earlier transfer of farm assets to the next generation, and to encourage the sale of land by those farmers with no successors. As of 1st January 2014, for those farmers aged 66 and over, an upper limit of €3m will be introduced on family transfers, compared to an unlimited amount currently. On non-family transfers, the current upper limit of €750,000 will be reduced to €500,000. Applying the new limits from 1st January 2014 allows farmers already aged 66 and over to plan the orderly transfer of assets in advance of that date.

It is important to remember that these new measures do not mean that a farmer has to cease farming altogether beyond the age of 66, but it allows them to plan for a phased gradual transfer of assets to the next generation.

Retirement relief was restructured in order to encourage farmers around the normal retirement age, who have successors, to transfer their land and holdings to young, innovative, ambitious, prospective farmers. This measure encourages an improvement in the age profile of farmers, and should ensure that farmland is put to more productive use. It should be noted that there has been no change to the very important 90% agricultural relief on Capital Acquisitions Tax (CAT). This means that farms worth up to €2.5 million will continue to be fully exempt from CAT with regard to transfers to a child.

*Questions Nos. 360 to 362, inclusive, answered with Question No. 354.*

## Departmental Staff Numbers

363. **Deputy Regina Doherty** asked the Minister for Agriculture, Food and the Marine if his Department still grants leave of absence; and if not, the reason this is not considered as a neutral cost saving exercise; and if he will make a statement on the matter. [40589/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** My Department grants leave of absence on an unpaid basis in accordance with the regulations which govern such leave. Each application for such leave of absence is considered on its own merits.

## Single Payment Scheme Payments

364. **Deputy Martin Ferris** asked the Minister for Agriculture, Food and the Marine if he will provide the most recent statistics on the number of farmers receiving less than €5,000 in single farm payment, the number receiving payments below €50,000, the numbers receiving more than €50,000, the numbers receiving more than €100,000; and if he will make a statement on the matter. [40616/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The numbers of farmers in receipt of payments under the 2011 Single Payment Scheme in the categories requested were as follows:

Band	No of farmers paid SPS in 2011
Greater than 99,999.99	243
50,000 - 99,999.99	1,804
5,000 - 49,999.99	69,543
0 - 4,999.99	52,193

### Grocery Industry Competition

365. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine if, arising from recent protests by farming representatives, he is satisfied that the various super-market chains are fully committed to a fair price structure for the producer and that the use of loss leaders is not used as a means of price reduction at a time of economic difficulty; and if he will make a statement on the matter. [40638/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The negotiation of commercial contracts is essentially a matter for the contracting parties. Prices paid for products in the marketplace are a function of a number of market forces.

The Programme for Government contains a specific commitment to enact fair trade legislation in the retail sector so as to ensure balance between various players in the grocery goods sector. This comes under the remit of the Minister for Enterprise, Jobs & Innovation – Richard Bruton TD. I understand that legislation is currently being prepared by the Office of the Parliamentary Draftsman, at the request of his Department, to allow for the introduction of a statutory Code of Practice to regulate particular practices in the grocery Trade.

At EU level the high level group on better functioning of the Food Supply Chain has asked the Expert Business to Business Platform to make recommendations on a Community wide approach. The Platform has drafted guidelines of good practice but has not yet reached agreement on implementation. Discussions are continuing.

### Food Labelling

366. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine the extent to which he continues to monitor the labelling of various food products with particular reference to indicating the country of origin in respect of meat, fish and poultry products; and if he will make a statement on the matter. [40639/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The Minister for Health has overall responsibility for the general food labelling legislation and the new EU food information regulations were adopted by the Council of Health Ministers.

The Food Information for the Consumer Regulation (1169/2011/EC) extended explicit compulsory origin labelling requirements to meats other than beef, with the detailed rules to be adopted in implementing acts by 13 December 2013, following an impact assessment by the Commission. The Regulation also adopts rules on compulsory labelling where the origin or place of provenance of a food is given and where it is not the same as its primary ingredient. Insofar as meat as an ingredient is concerned, these rules are subject to the adoption of implementing acts,

which must themselves take account of an impact assessment to be carried out by the Commission and reported to the European Parliament and the Council no later than 13 December 2013. It is not expected that any subsequent implementing legislation will be effective until 2014.

The Food Safety Authority of Ireland has overall responsibility for enforcement of food labelling regulations. My Department's responsibility only extends to carrying out annual traceability and labelling audits at all approved beef processing plants and cold stores. In addition, my Department conducts inspections to monitor compliance with poultrymeat labelling provisions at processor, wholesaler and retailer level including the requirement to indicate country of origin on fresh and frozen poultrymeat (whole and cuts) in loose and prepacked form.

The requirements for the labelling of fishery and aquaculture products are set down in Council Regulation (EC) No. 104/2000, on the common organisation of the markets in fishery and aquaculture products, and Commission Regulation (EC) No. 2065/2001, laying down detailed rules for the application of Council Regulation (EC) No. 104/2000 as regards informing consumers about fishery and aquaculture products. These regulations were transposed by the European Communities (Labelling of Fishery and Aquaculture Products) Regulations, 2003 (S.I. No. 320 of 2003).

Enforcement of this legislation may be carried out by sea fisheries officers from the Sea Fisheries Protection Authority and by officers authorised under the European Communities (Labelling, Presentation and Advertising of Foodstuffs) Regulations, 2002 (S.I. No. 483 of 2002). Officers in this latter category include Environmental Health Officers and inspectors of Office of Director of Consumer Affairs.

### **Animal Welfare Issues**

367. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine the extent to which he has had discussions with producer representatives in the pig industry with reference to matters arising from meeting extra accommodation costs associated with animal welfare legislation with particular reference to the ability of producers to meet the deadlines of 1 January 2013, if he will use his influence with the planning authorities and the banking sector to ensure a coordinated effort; and if he will make a statement on the matter. [40640/12]

368. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine the extent, if any, to which he has had discussions with pig producers, the banking sector and local authorities with a view to the coordination of efforts to comply with animal welfare legislation which requires extra expenditure by the compliance date of 1 January 2013; and if he will make a statement on the matter. [40641/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** I propose to take Questions Nos. 367 and 368 together.

The pig sector remains the third largest individual component of the agri-food sector, with production, prices and exports all growing significantly during 2011. Prices have continued to increase during 2012 and are currently at record levels, some 12.53% ahead year on year, or 18c per kilo higher. The industry faces a number of challenges in the short and medium term and my Department will continue to assist the sector to resolve these issues.

New EU Animal Welfare rules set down new standards in relation to the housing of sows and will come into force on 1 January 2013. A significant number of producers have undertaken the necessary work required in order to upgrade their facilities in order to comply with the new rules.

Notwithstanding this, my Department is aware of the scale of the challenge facing pig farmers in respect of the new requirements. To this end, the Department introduced a Targeted Agricultural Modernisation Scheme (TAMS) for Sow Welfare in June 2010, with a total of €13 million being set aside under this scheme. It follows two earlier schemes in 2005 and 2007 which made payments of €6.36 million to 64 applicants.

Following discussions with producers and the evidence of the initial stages of the scheme my Department modified and improved some elements of the scheme. Grant-aid is now available at a rate of 40% to eligible producers with a maximum investment ceiling of €500,000 for the first sow house, with further amounts of €300,000 for each of the next three houses. Applications from 47 producers with a value in grant terms of €4 million were received prior to the enhancement of the scheme. Since the revised scheme was launched a further 37 applications have been received with a grant value of €7.1 million. This latter number includes a small number of the initial 47 which were withdrawn and resubmitted under the more favourable terms. The penultimate tranche closed yesterday with a final closing date for applications of 31 October 2012.

I, together with officials from my Department met with the IFA during the summer to discuss a number of issues including the new animal welfare measures. My officials continue to engage with all relevant stakeholders with a view to ensuring Ireland's compliance with the requirements by the January 2013 deadline. My Department is in regular contact with banking representatives and has encouraged them to discuss requirements with sectoral agri-food interests. It is of course important that those seeking credit present a suitable business case with detailed cash flow projections. In this context the Department also facilitated contacts between Teagasc and the Banking sector to encourage seminars and training in relation to credit application. Any farming enterprises that feel they have not been treated fairly in relation to access to credit can contact the Credit Review Office, who will review their case.

Improving access to credit is a priority on the business agenda and is an issue which the Government is addressing in a comprehensive and co-ordinated manner. To address the issue the Department of Jobs, Enterprise and Innovation will shortly launch both the Temporary Partial Credit Guarantee Scheme and a Microenterprise Loan Fund for small business. While primary production in agriculture, horticulture and fisheries are excluded from the scope of the Credit Guarantee Scheme in the light of particular restrictions under the De Minimis State Aid rules, these enterprises may be eligible under the Microenterprise Loan Fund provisions.

I am also working to improve access for Irish pigmeat to 3rd Country markets, and indeed in 2011, exports of Irish pigmeat to international (non-EU) markets increased by 25% to 43,000 tonnes. I can assure you that my Department and its agencies will continue to work closely with the industry to ensure that it can continue to develop and grow in accordance with the targets in the Food Harvest 2020 Report.

*Question No. 369 answered with Question No. 74.*

### **Credit Availability**

**370. Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine if his attention has been drawn to any particular trends whereby the banking sector has reduced or in some cases removed overdraft or other lending facilities available to the farming community resulting in a diminution of the viability of farm enterprises and as a result the wider economy; if his attention has been further drawn to the extent to which such facilities have been withdrawn or reduced over the past three years; and if he will make a statement on the matter.

[40643/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** I and my Department are in regular contact with farm bodies, various national banks and the Banking Federation concerning the availability of credit to farmers. I am aware that, like many other sectors, farmers are finding it difficult to get credit due to the strict assessments introduced as a result of the global financial crisis. The banks do provide information online, via the Irish Banking Federation, as to the type of information that they require when making a decision on a loan request in the agriculture sector, however, farmers who are not satisfied with the service provided by their banks can ask for an internal review by the relevant bank and if they are still not satisfied can apply to the credit review office to have their case reviewed. Despite concerns, a relatively small number of cases from the Agri-Food sector have come before the Credit Review Office.

Over the last year some of the banks have been involved in organising information sessions and conferences to explain the credit facilities available in the sector and just this month one of the pillar banks announced its intention to expand its lending activity in the agri-sector. Nonetheless, I will continue to meet with relevant parties, including the Irish Banking Federation, on a regular basis to discuss all credit-related issues.

### **Potato Sector**

371. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine the extent to which the potato crop has been negatively affected by weather conditions in the current year; if he will intercede with the European authorities and the banking sector with a view to ensuring the survival of the sector; and if he will make a statement on the matter. [40644/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Potato yields have suffered due to the very wet weather over the summer period. In addition, quality has also been negatively affected. There are significant problems with blight in this year's crops due to high disease pressure coupled with grower's inability to spray at the appropriate times during the severe wet weather. In many cases harvested potatoes are also showing signs of rot and other wet weather conditions. Increased production costs associated with the poor weather and rising input costs for growers will have to be carried by a significantly lower marketable yield.

These poor yields are being offset somewhat by higher prices. In addition, improved weather has provided good harvesting opportunities over recent days. Unfortunately, the EU Commission does not provide funding to compensate for losses that arise due to this type of adverse weather conditions. My Department and other State agencies will continue to work with potato growers and the industry to ensure the long-term viability of the sector.

### **Common Agricultural Policy Negotiations**

372. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine if he is satisfied that sufficient measures are in place and any necessary steps are taken through the medium of the common agricultural policy to ensure the viability and the future development of the food producing sector throughout Ireland and European Union and furthermore any subsequent discussions in the context of the World Trade Organisations are not allowed to undermine or weaken the CAP; and if he will make a statement on the matter. [40645/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** I believe there is a good commitment within the EU to a strong agri-food sector and an increased recognition of the importance of the sector's contribution to the achievement of economic, social and environmental objectives. In developing the EU2020 strategy for recovery and growth in Europe, Heads of State and Government in the European Council recognised this contribution concluding that "a sustainable, productive and competitive agricultural sector will make an important contribution to the new strategy, considering the growth and employment potential of rural areas while ensuring fair competition".

The three key principles underpinning the EU Commission's proposals for reform of the Common Agricultural Policy are to preserve food production potential in the EU, to ensure sustainable management of natural resources and to maintain viable rural areas. In those circumstances, I am satisfied that there is good support to ensure the viability and future development of the food industry throughout Europe.

My own view is that food security in the European Union is the essence of what the new Common Agricultural Policy is about. Growing populations and increasing demand for protein-based foods, which is what we predominantly produce in Ireland through the dairy and meat industries, present a significant opportunity not only to continue, as the EU has been, to promote a sustainable way of producing food from an environmental and climate point of view but also to produce greater volumes of food. I will continue to make the case for sustainable intensification of food production, which is what agriculture should be all about.

As to the WTO Doha Development Round, talks are stalled at present and the prospects for conclusion of an agreement are uncertain at this point in time. Nevertheless, I will continue to maintain pressure to secure an acceptable outcome from these negotiations that does not undermine the development of European and Irish agriculture.

### **Fishing Industry Development**

373. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine the degree to which he will ensure the viability of the fishing industry with particular reference to families dependent on the sector; if he can identify a means whereby negative developments in this regard can be addressed in the short and medium term; and if he will make a statement on the matter. [40646/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The Common Fisheries Policy (CFP) is the fisheries policy of the European Union which was first put in place in 1983 and has been subject to reviews every 10 years. The current CFP is under review and is now expected to be adopted in 2013 possibly during the Irish Presidency.

My overarching goal for the new CFP is for a sustainable, profitable and self-reliant industry that protects and enhances the social and economic fabric of rural coastal communities dependent on the seafood sector, while balancing these objectives with the need to deliver a sustainable and eco-centred fisheries landscape for future generations.

In the current economic climate, we need a policy that both simplifies and reduces the administrative burden while at the same time strengthens and supports the industry's capacity to maximise employment in coastal communities dependent on fishing.

In particular, I will be pursuing initiatives that will deliver and sustain jobs in coastal communities rather than those that promote the concentration of wealth and delivery of excessive

profits for a few big international businesses. I support a system which maintains strong economic links between national quotas and the traditional fishing communities which these quotas were allocated to assist.

The Council of Fisheries Ministers under the Danish Presidency reached a general approach on the Basic CFP Regulation and the Common Organisation of the Markets at the June Fisheries Council (12 June). This is a significant, though informal, step in the process of working towards final agreement with the European Parliament under the ordinary legislative procedure.

The new CFP will have to be agreed by the European Parliament and Council for adoption under the ordinary legislative process (co-decision).

The intention of a general approach is its message for stakeholders and to the European Parliament as to the direction in which the Council feels the reform of the CFP should go. The Parliament's first reading is expected to be voted on in January. The negotiations between the Council, the Parliament and the Commission on agreeing a new Regulation are expected to take place during the first half of 2013, during the Irish Presidency.

I will continue to work with the Commission and my European colleagues to deliver a new fisheries policy that will underpin the economic and social integrity of our coastal communities dependent on the wider seafood sector.

### **Fishing Industry Development**

374. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine if he will indicate arising from the evolution of the European Fisheries Policy over the years, to what extent specific efforts at identifying the job losses in the catching and processing of fish and fish products at the various fishing ports throughout the EU including Ireland; if it is envisaged that the future development of fishery policy can address the social and economic issues arising; and if he will make a statement on the matter. [40647/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** I am not aware of any studies specifically identifying job losses in the catching and processing of fish and fish products carried out at EU level. However looking specifically at the Irish situation, figures from the Bord Iascaigh Mhara Annual Report for 1971/72 gives the number of both full and part time employed on board fishing boats as being 5,801. An employment survey from BIM gives the 2010 equivalent figure as being 5,475, a reduction of 326 over the full intervening period.

Both Food Harvest 2020 and Action Plan for Jobs 2012 recognise that most of the future growth and employment potential in the seafood sector is in the areas of processing and aquaculture. Food Harvest 2020 aims to increase employment in the seafood sector as a whole, from 11,000 to 14,000 by 2020 and to increase revenue from €700 million to €1 billion by 2020. In May of this year I announced €3.2 million in grants to 21 seafood processing companies to support investments worth €15.5 million in 2012. These investments are projected to generate over 142 additional jobs and increased sales of value added seafood products of nearly €44 million by 2015. These plans add to investment worth €7 million by 21 companies in 2011 and further investment worth €2.7 by 8 companies in 2010. Together these forward looking developments are setting a clear path to achievement of the value adding potential of the seafood sector, as identified in Food Harvest 2020 and Action Plan for Jobs 2012.

## **Agrifood Sector Issues**

375. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine the extent to which he has continued to monitor developments in the beef, lamb and dairy sectors in the context of world trade with a view to ensuring the future well-being of Irish and European products on world markets; and if he will make a statement on the matter. [40648/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** In addition to meeting my European counterparts at Council level on policy matters periodically throughout the year, developments in agricultural commodity markets are constantly monitored and discussed at monthly meetings of the management committee for the relevant sector at which Ireland is represented by officials of my Department. In the context of internal market and third country trade, DG Agriculture & Rural Development produces regular market forecasts for various agricultural sectors and its most recent short-term outlook for the meat and certain other sectors was published in June 2012.

### **Dairy sector**

The June report predicted increased EU production and exports for most dairy commodities but it is important to note how quickly the market can change. Extreme weather in different parts of the world this summer has had a significant impact on global dairy markets, as rising grain prices have led to an increase in dairy commodity prices.

Volatility in dairy prices is caused by imbalances of supply and demand in international markets, which are cyclical in nature. However, while there will always be short term fluctuations in dairy prices, the medium term prospects for global dairy markets are good. Growth in global population and wealth is forecast to stimulate strong levels of demand for dairy products. Against that background, I believe that prospects and opportunities for the dairy sector will expand significantly over the coming years. My Department and its agencies will continue to play their part in providing an appropriate framework to support the development of this critically important industry.

### **Beef Sector**

According to its analysis of the overall beef trade, the Commission expects that weak domestic demand and exchange rate movements will cause EU imports to fall by almost 6% in 2012 followed by a stabilisation in 2013. EU beef exports will be affected by a significantly reduced export capacity in 2012 and 2013 because of a shortage in domestic supply. As a result, the EU will revert to a being net beef importer in volume terms in 2012 and 2013 after the exceptional trade surplus recorded in 2011.

The EU cattle population, which was estimated at 86 million head in December 2011, has declined at an average rate of 1.1% since 2008 and this trend should persist in the near future. EU beef and veal production in 2012 is expected to decrease by 3.5% compared to 2011 and to remain largely unchanged in 2013. A consequence of these supply constraints is that EU beef prices are likely to remain at record levels for the remainder of 2012. High beef prices combined with weak internal demand will lead to a reduction in beef and veal consumption in 2012 before stabilising at the lower level in 2013.

Ireland is over 600% self sufficient in beef production and exports around 93% of slaughter output with volumes averaging approximately 0.5 million tonnes annually over the past 3 years. The outlook is for continued buoyant cattle prices on the basis that total prime cattle throughput at Department-approved meat plants is down 16% for the year to date compared to the same period in 2011. However, data on calf birth registrations in 2011 and 2012 indicates that prospects

for production growth in the beef sector in 2013 are positive. Increased supply availability can be expected to result in increased beef output and exports in the short run.

### **Lamb sector**

According to the latest forecasts from the European Commission, the European sheep flock is expected to remain relatively stable in 2012 with slaughterings also at similar levels to last year. There are uncertainties about consumption levels due to the economic situation.

Regarding the sheep sector in Ireland, slaughterings for the year 2012 up to week ending 16 September are up by 7% on the corresponding period in 2011. This points to an increase in production following the recovery in the breeding flock which was noted in 2010 and 2011. Factory prices for the year 2012 to date are approximately 2% below 2011 levels for the corresponding period. This reflects the competitive pressures in the market.

The vast majority of Irish sheepmeat is sold on EU markets, with France being the single most important export market. Although almost all Irish sheepmeat has traditionally been sold on European markets, there has been more interest shown by exporters in third country markets in recent years. My Department, in co-operation with Bord Bia and with the assistance of the Department of Foreign Affairs, has been active in negotiating access to key third country markets. In recent years we have succeeded in gaining access for Irish sheepmeat to Morocco, Tunisia, South Africa and Singapore and we are continuing to work on other possibilities. I am confident that this work will give the sector the options it needs to ensure the best returns possible going forward.

*Question No.376 answered with Question No. 74.*

### **Preschool Services**

377. **Deputy Paschal Donohoe** asked the Minister for Children and Youth Affairs the inspection regime for newly established creches; and if she will make a statement on the matter. [40062/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** Pre-school services, including childminding services, are currently regulated under the Child Care (Pre-School Services) (No. 2) Regulations 2006, as provided for under Part VII of the Child Care Act, 1991.

Under the regulations, the National Children and Family Office of the Health Service Executive (HSE) is responsible generally for inspecting pre-school services with the objective of securing the health, safety and welfare of children attending them. Pre-school inspection teams appointed by the Executive have responsibility for the notification and inspection procedures in relation to childcare services that are statutorily required to notify under the Regulations. These teams also provide an advisory service to these childcare services in order to assist them in achieving and maintaining the appropriate standard. Following inspection of a service the inspectors provide the service provider with a report on the outcome of the inspection.

The majority of pre-school services are now participating in the Early Childhood Care and Education (ECCE) programme and all participating services must be fully compliant with the Regulations. Pobal, who assist my Department with the implementation of the ECCE programme, carry out compliance visits annually to ensure that each service meets the terms and conditions of the programme. Also, my Department can ask the HSE or Pobal to carry out a compliance visit at any time if it is considered that this is necessary.

My Department has commenced work on Ireland's first-ever Early Years Strategy and in the terms of reference, as approved by Government, I expressly included the need to consider 'a robust system of regulation and inspection' for the new Early Years Strategy. I have asked the recently established Expert Advisory Group to prioritise a review of this matter.

### **Departmental Funding**

378. **Deputy Catherine Murphy** asked the Minister for Children and Youth Affairs if the Lifestart Project receives funding from her Department by way of grant aid; if so, if she will detail the locations the amount of grant aid and if there is scope to assist with funding the Offaly/Kildare Lifestart Project which is about to cease operating; and if she will make a statement on the matter. [40140/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** My Department does not fund the Lifestart Project. I understand that the project involves the provision of a child-centred learning programme for parents of children aged from birth to five years of age. My Department has requested the HSE to consider the issue raised and respond directly to the Deputy.

### **Child Protection**

379. **Deputy Finian McGrath** asked the Minister for Children and Youth Affairs the support available to a family (details supplied) in Dublin 9. [40314/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The details of this case have been brought to the attention of the HSE National Office for Children First for their attention. The HSE has statutory responsibility for the welfare and protection of children, under the Child Care Act, 1991.

The Deputy is advised that in cases where there is concern for the welfare and protection of a child, a report should be made at the earliest opportunity to the HSE and/or An Garda Síochána as set out in Children First: National Guidance for the Protection and Welfare of Children. It is in the best interests of the child, his or her family and the person reporting the concern that reports are made through the proper channels, to ensure timely reporting of the concern and the appropriate confidentiality for all involved.

The aim of the Children First National Guidance is to direct the identification, investigation, assessment, reporting, treatment and management of child safety concerns. It sets out a number of key messages relating to the duty to protect children. Among these are that the safety and welfare of children is everyone's responsibility, that children will have safer lives where everyone is attentive to their wellbeing and that people who work with children across a range of areas understand their responsibility for safe practice and the reporting of concerns.

### **National Lottery Funding Applications**

380. **Deputy Paschal Donohoe** asked the Minister for Children and Youth Affairs the progress being made regarding applications for funding under the 2012 National Lottery funding; and if she will make a statement on the matter. [40144/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** Subhead C.6 of

Vote 40 for my Department contains a funding provision of €500,000 in 2012 to support groups and organisations with an involvement in the provision of supports and services for children and young people under the application based National Lottery Funding Scheme. Full particulars of the funding scheme are available on my Department's website - [www.dcyd.gov.ie](http://www.dcyd.gov.ie)

Approximately 188 applications for support from the National Lottery have been received by my Department since January of this year and the current value of the applications from individuals, groups and organisations amounts to just over €5 million. The closing date for the submission of completed application forms is Friday, 28th September 2012 and the large number of grant applications received to date far exceed the available resources. In the circumstances, I am sure the Deputy will appreciate that it will not be possible, unfortunately, to assist all applications. However, the assessment of individual applications is continuing as part of the evaluation process and details of the projects awarded funding so far this year and the grants awarded in each instance are set out in the following table:

#### National Lottery Funding Scheme 2012

Project Name	Approved
Dime Garda Youth Diversion Project, Hardwicke Stree, Dublin 1	€4,500
CARI, 11 Lower Drumcondra Road, Dublin 9	€30,000
Adamstown Summer Camp, 13 The Pad-docks Road, Adamstown, Lucan, Co Dublin	€3,000

All applicants will be informed of the outcome of their application as soon as final decisions have been made regarding further grant disbursements.

### Children's Rights Referendum

381. **Deputy Nicky McFadden** asked the Minister for Children and Youth Affairs if the upcoming children's referendum will be held on a Saturday in order to allow young people and students to exercise their vote; and if she will make a statement on the matter. [40275/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** On 18 September, the Taoiseach announced to the Dáil that the Government has finalised the wording of a constitutional amendment on the protection of children and has decided to hold a referendum on Saturday, 10 November next.

### Inter-Country Adoptions

382. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Children and Youth Affairs if comments she made in Topical Debates earlier this year (details supplied) will mean that upon the pending signing of an agreement on intercountry adoption between Ireland and Vietnam, Vietnamese-born children with special needs will not be afforded the full protections, safeguards and rights as set out under the terms of the Hague Convention on Protection and Co-operation in Respect of Intercountry Adoption [40403/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Adoption Act, 2010, which was commenced on 1st November 2010, coincided with Ireland's formal ratification of the Hague Convention on Protection of Children and Co-operation in Respect

of Intercountry Adoption. The purpose of the Adoption Act, 2010, is to improve standards in both domestic and intercountry adoption and its enactment coincided with the establishment of the Adoption Authority of Ireland (AAI). The Adoption Authority of Ireland is an independent statutory body charged with implementing the Adoption Act, 2010. The Authority has responsibility for the direct operational implementation of legislation and Government policy. It has a quasi-judicial role and is independent in its decision-making functions. The AAI is the Central Authority with responsibility for overseeing standards in respect of the adoption process taking place within this jurisdiction.

In considering matters relating to intercountry adoption the Authority must satisfy itself that the adoption complies with the terms and conditions of the 1993 Hague Convention, which is a co-operative agreement drawn up to allow countries to mutually support one another in protecting the best interests of children in the intercountry adoption process. It is designed in such a way as to allow for mirrored mechanisms and structures to mutually assure countries of the safety and standard of intercountry adoptions in those countries. This applies to all children in the inter country adoption process, including those with special needs.

The Adoption Act, 2010, which provides the legislative framework for adoption in Ireland, is designed to provide a framework to ensure that all adoptions are effected in the best interests of the child and to the highest possible standard. The phrase ‘in the best interests of the child’ is absolutely key in this regard. It must not be forgotten that intercountry adoption is a service for those children who cannot be raised by their birth parents or cared for in their own country. The interests of the child must always be paramount throughout the adoption process. This is best achieved through the full implementation of the highest national and international standards governing adoption practice. This is the primary concern for the Adoption Authority of Ireland in conducting its business as it relates to intercountry adoption.

### **Adoption Legislation**

383. **Deputy Clare Daly** asked the Minister for Children and Youth Affairs her plans to deal with the issue of adopted persons’ right to access their own information with regard to their adoptions. [40507/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** It is intended that the Adoption (Information and Tracing) Bill will provide for the safeguarding and maintenance of all adoption records in the State with the Adoption Authority having responsibility for ensuring that adopted persons and birth parents have access to their records in accordance with the proposed Bill. However, because all persons have a constitutional right to privacy it is envisaged that there may be some restrictions on the information that could be made available without the consent of the parties involved. However, consideration of the policy issues in relation to all aspects of the proposed Bill is ongoing. It is intended that non-identifying information could be provided to an adopted person over 18 or to a birth parent. Non-identifying information is information by which another party could not reasonably be expected to be identified and could, for example, include the forename, religion, approximate age, occupation, birth details, interests, hobbies, educational history, family history and medical history. The release of medical information would be proportionate to the objective for which it is sought by or on behalf of an adopted person or a birth parent.

### **Departmental Staff Numbers**

384. **Deputy Regina Doherty** asked the Minister for Children and Youth Affairs if her Department still grants leave of absence; and if not, the reason this is not considered as a neutral cost saving exercise; and if she will make a statement on the matter. [40591/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** My Department continues to consider requests for special leave without pay in accordance with the relevant Circulars governing such leave and taking account of the operating requirements of the Department.

### Ministerial Meetings

385. **Deputy Micheál Martin** asked the Minister for Children and Youth Affairs her plans to meet the various church leaders before the Children's Referendum; and if she will make a statement on the matter. [39025/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** On 19th September, the Government published the Thirty-First Amendment of the Constitution (Children) Bill 2012 which sets out the wording for the proposed Children's Referendum which has been announced for Saturday 10th of November.

Since taking office as Minister for Children and Youth Affairs, I have engaged extensively with non-governmental organisations and other interested parties around the country in order to listen to the perspectives of a wide group of stakeholders in preparation for the referendum. I intend to continue such engagement with a view to promoting the fullest possible discussion of the proposed amendment.

### Child Protection

386. **Deputy Finian McGrath** asked the Minister for Children and Youth Affairs if he will advise on the rights and support services available in respect of a teenager (details supplied) in Dublin 9 who is at risk. [40724/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Deputy is advised that in cases where there is concern for the welfare and protection of a child, a report should be made at the earliest opportunity to the HSE and/or An Garda Síochána as set out in Children First: National Guidance for the Protection and Welfare of Children. It is in the best interests of the child, his or her family and the person reporting the concern that reports are made through the proper channels, to ensure timely reporting of the concern and the appropriate confidentiality for all involved.

The aim of the Children First National Guidance is to direct the identification, investigation, assessment, reporting, treatment and management of child safety concerns. It sets out a number of key messages relating to the duty to protect children. Among these are that the safety and welfare of children is everyone's responsibility, that children will have safer lives where everyone is attentive to their wellbeing and that people who work with children across a range of areas understand their responsibility for safe practice and the reporting of concerns.

### Child Protection

387. **Deputy Jerry Buttimer** asked the Minister for Children and Youth Affairs regarding

the recommendations pertaining to the criminal justice system contained in the Fifth Report of the Special Rapporteur on Child Protection, if she has consulted with the Department of Justice and Equality; if there is a time frame for the implementation of same; and if she will make a statement on the matter. [40734/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The 2011 Report of the Special Rapporteur for Child Protection, Dr. Geoffrey Shannon, was published on the 24th July 2012. The report is available on the websites of the Oireachtas ([www.oireachtas.ie](http://www.oireachtas.ie)) and of the Department of Children and Youth Affairs ([www.dcyu.ie](http://www.dcyu.ie)).

The report is a wide ranging report and makes a series of recommendations in relation to child protection and the criminal justice system. The key message in this report is that we must continue to implement our ongoing reform agenda for children and families. Responsibility for the areas covered in the report falls to a number of Government Departments.

The following Departments/Agencies were identified as relevant to the recommendations made by the Rapporteur;

- Department of Children and Youth Affairs;
- Department of Communications, Energy and Natural Resources;
- Department of Education and Skills;
- Department of Foreign Affairs and Trade;
- Department of Health;
- Department of Justice and Equality;
- the Health Service Executive [HSE].

All of these Departments and Agencies were consulted on the recommendations of the report prior to it being laid before the Houses of the Oireachtas. The Report identifies a number of key areas in which the Government, and the DCYA, has already made substantial reforms; and a series of issues which will be addressed in the context of the forthcoming Children's Referendum.

In relation to implementation of recommendations, each Department is responsible for those recommendations relating to their area of responsibility. Accordingly the Department of Justice and Equality is responsible for implementation of any recommendations relating to the criminal justice system.

### **Hospital Consultants Remuneration**

388. **Deputy Richard Boyd Barrett** asked the Minister for Health if he will provide a breakdown of the earnings of all hospital consultants who engage in private practice. [40158/12]

407. **Deputy Richard Boyd Barrett** asked the Minister for Health the number of hospital consultants that engage in private practice [40156/12]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 388 and 407 together.

There are currently 2,571 approved consultant posts in the public health service. Of these,

2085 have been approved on the basis that post holders may engage in private practice. The remuneration paid to medical consultants for their work in the public health service is set out in the consolidated salary scales for the health service which can be found on my Department's website. However, neither my Department nor the HSE collect details of medical consultants' earnings from private practice.

### **Special Educational Needs Staffing**

389. **Deputy Jack Wall** asked the Minister for Health if a person (details supplied) in County Kildare will be supplied with a special needs assistant for pre-school; and if he will make a statement on the matter. [40358/12]

**Minister for Health (Deputy James Reilly):** As the Deputy's question relates to service matters, I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

### **Water Fluoridation**

390. **Deputy Michael McCarthy** asked the Minister for Health the position regarding water fluoridation here; if his attention has been drawn to the growing body of evidence that links fluoridation to cancer; his plans to end water fluoridation in line with other European countries; and if he will make a statement on the matter. [40731/12]

391. **Deputy Michael McCarthy** asked the Minister for Health if he will outline the current position in relation to water fluoridation in Ireland; if his attention has been drawn to the growing body of evidence that links fluoridation to cancer, if there are plans to end water fluoridation in line with other European countries; and if he will make a statement on the matter. [40745/12]

441. **Deputy Michael Healy-Rae** asked the Minister for Health his views on the need to continue with the fluoridation of the water supply in view of the fact that this is putting peoples health at risk and that scientific studies have proven that putting fluoride in drinking water acts as a development of eurotoxin in children similar to mercury and lead ultimately reducing their IQ, and thereby produces more intellectually challenged and fewer gifted individuals, as well as a myriad of other health concerns; and if he will make a statement on the matter. [40346/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** I propose to take Questions Nos. 390, 391 and 441 together.

Water fluoridation and the use of appropriate fluorides is a major plank of public health policy in Ireland in the prevention and management of tooth decay. The Irish Expert Body on Fluorides and Health, which was established in 2004, monitors new and emerging issues on fluoride and its effects on health and related matters. The Expert Body is satisfied, having studied current peer reviewed scientific evidence worldwide, that water fluoridation causes no ill effects to the health of adults or children. There are no plans to discontinue the policy of fluoridation of public water supplies, which continues to make an effective contribution to oral health in Ireland.

### **Medical Card Eligibility**

392. **Deputy Michael Healy-Rae** asked the Minister for Health the reason persons who have suffered from cancer have had their medical card renewals refused; the reason for same when they have a long term illness. [40064/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

### Mental Health Services Report

393. **Deputy Billy Timmins** asked the Minister for Health following recent reports (details supplied) that the bulk of the €35 million promised in Budget 2012 for the development of community mental health services was going to be used to offset the Health Service Executive deficit, the way this will effect the implementation of A Vision for Change; the position regarding the implementation of a A Vision for Change; and if he will make a statement on the matter. [40069/12]

412. **Deputy Dan Neville** asked the Minister for Health the position regarding the recruitment of the approved creation of an additional 414 posts for healthcare professionals as recommended in A Vision for Change to support the delivery of modern secondary mental health care in the community [40167/12]

413. **Deputy John Paul Phelan** asked the Minister for Health the position regarding the 2012 funding for the mental health services with particular reference to the 414 additional staff that were announced for the provision of the service; if as per recent information from his Department it is still hoped that 353 of these positions will be filled before the end of 2012; and if he will make a statement on the matter. [40171/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** I propose to take Questions Nos. 393, 412 and 413 together.

Since taking office, this Government has prioritised the reform of our mental health services in line with *A Vision for Change* and is committed in particular to the delivery of more and better quality care in the community. The special allocation of €35m for mental health which was announced in Budget 2012 in line with the Programme for Government commitments will be used primarily to further strengthen Community Mental Health Teams in both Adult and Children's mental health services, to initiate the provision of psychological and counselling services in primary care, specifically for people with mental health problems and to advance activities in the area of suicide prevention.

Of the 414 posts approved to implement the €35 million package of special measures for mental health introduced in Budget 2012, 353 are with the National Recruitment Service of the HSE at various stages in the recruitment process, 321 have been put to candidates to express an interest and others are awaiting competitions or the completion of essential paperwork. Most start dates are expected to be in December to allow for the process of checking references, Garda clearance etc.

This Government remains committed to engaging these professionals as soon as is feasible and the work of completing the process remains a priority. These posts will not generate a full year cost in 2012. However, overall expenditure in mental health for 2012 is not available yet but the provisional outturn to mid-year was, like many other areas, running ahead of budget. It is not possible at this stage to say what the net end year position will be in mental health.

### Medical Card Appeals

394. **Deputy Brian Walsh** asked the Minister for Health if a decision in respect of an appeal regarding a medical card application will be expedited in respect of a person (details supplied) in County Galway; and if he will make a statement on the matter. [40083/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

### Medical Aids and Appliances Applications

395. **Deputy Patrick O'Donovan** asked the Minister for Health the unit cost for a pair of crutches purchased by the Health Service Executive; the cost to sanitise same for reuse; and if he will make a statement on the matter. [40090/12]

396. **Deputy Patrick O'Donovan** asked the Minister for Health the total cost of purchasing crutches and other walking aides for the Health Service Executive in 2011; the number of crutches and walking aides purchased for the same period; the number that were returned to the HSE; and if he will make a statement on the matter. [40091/12]

455. **Deputy Billy Kelleher** asked the Minister for Health if he has received any complaints about inaction from the Health Service Executive from a company (details supplied) in County Mayo that recycles medical equipment; and if he will make a statement on the matter. [40406/12]

474. **Deputy Tom Fleming** asked the Minister for Health the total cost of providing crutches and walking aids to the Health Service Executive patients in County Kerry in each of the past ten years and in view of the fact that these appliances are non returnable, if he will consider this policy to be an area of financial waste; if he will change this policy; and if he will make a statement on the matter. [40621/12]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 395, 396, 455 and 474 together.

As these are service matters, they have been referred to the HSE for direct reply.

### Health Services Provision

397. **Deputy Jack Wall** asked the Minister for Health his views regarding a submission (details supplied); his plans to address the concerns raised; and if he will make a statement on the matter. [40105/12]

**Minister for Health (Deputy James Reilly):** As this is a service matter it has been referred to the HSE for direct reply.

### Medical Card Applications

398. **Deputy Patrick O'Donovan** asked the Minister for Health the position regarding a medical card application review in respect of a person (details supplied) in County Limerick; and if he will make a statement on the matter. [40118/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

### **Medical Card Applications**

399. **Deputy Patrick O'Donovan** asked the Minister for Health the position regarding a medical card application in respect of a person (details supplied) in County Limerick; and if he will make a statement on the matter. [40120/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

### **Health Services Provision**

400. **Deputy Bernard J. Durkan** asked the Minister for Health the reasons community paediatric occupational therapy will no longer be offered to a person (details supplied) in County Kildare; and if he will make a statement on the matter. [40122/12]

**Minister for Health (Deputy James Reilly):** As the Deputy's question relates to service matters, I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

### **Medicinal Products Supply**

401. **Deputy Paschal Donohoe** asked the Minister for Health if his attention has been drawn to the difficulties that pharmacists are having in the procurement of cymbalta capsules which help stabilise individuals suffering from depressive illnesses; the actions he or the Health Service Executive will take to alleviate this problem; and if he will make a statement on the matter. [40123/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** Cymbalta is a medicinal product which contains the medicine duloxetine. It is licensed to treat depression and anxiety conditions. The Health Service Executive (HSE) and the Irish Medicines Board (IMB) have engaged regarding the availability of Cymbalta with the principal wholesaler responsible for placing it on the Irish market on behalf of the marketing authorisation holder. The HSE and IMB have been advised that there is sufficient availability of the product to meet the needs of patients within the State.

In order to ensure that stocks of this product are continuously maintained, it has been necessary for the principal wholesaler to introduce measures to manage the supply of this product to other wholesalers and pharmacies. These measures have been necessary to address the depletion of stocks on the Irish market for Irish patients because of export of the product from Ireland to other EU markets. This is known as parallel distribution and is permitted under EU law. Parallel export has the potential to result in product shortages on the Irish market.

The measures introduced by the principal wholesaler to maintain a necessary stock of this product on the Irish market include limitations on the quantity of the product that can be ordered, in one transaction, by other wholesalers. The allocations from the principal wholesaler have been determined based on historical demand and, therefore should reflect current patient needs. There have been a small number of temporary shortages which have been quickly re-

solved. The HSE and the IMB will keep the situation under review.

My Department has been engaging with the IMB, the HSE and the Pharmaceutical Society of Ireland (PSI) to identify ways in which the Irish system can manage medicines shortages as effectively as possible in order to minimise the impact on patients. The IMB and HSE work closely with each other to operationally manage medicines shortages when they arise. The PSI has recently published guidance to registered pharmacists on managing medicines shortages. International efforts to effectively manage medicines shortages are also being considered.

### **Health Services Expenditure**

402. **Deputy John McGuinness** asked the Minister for Health if the Health Service Executive has made a payment to a school (details supplied) in County Kilkenny; if so, the amount granted; and if he will make a statement on the matter. [40126/12]

**Minister for Health (Deputy James Reilly):** I referred this matter to the Health Service Executive for direct reply.

### **Hospital Staff**

403. **Deputy John McGuinness** asked the Minister for Health if the ten new midwife positions approved by him for St. Luke's Hospital, County Kilkenny, have now been filled; the number of applicants for the ten positions and the date each one was appointed; and if he will make a statement on the matter. [40128/12]

**Minister for Health (Deputy James Reilly):** As this is a service matter, it has been referred to the HSE for attention and direct reply to the Deputy.

### **Health Services Provision**

404. **Deputy Bernard J. Durkan** asked the Minister for Health the options available to a person (details supplied) in County Kildare; and if he will make a statement on the matter. [40142/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** I wish to inform the Deputy that where the issue of a Primary Medical Certificate is refused, the applicant may appeal this refusal to the Disabled Drivers Medical Board of Appeal, National Rehabilitation Hospital, Rochestown Avenue, Dun Laoghaire, Co. Dublin. This is an independent Board whose decision is final. Appeals should normally be made within 28 days of refusal. Where the Board considers that the person concerned meets the criteria it will issue the required certificate. It is of course open to a person to re-apply for a Primary Medical Certificate should a change occur in his/her medical condition to the extent that the medical criteria might now be met.

### **Medical Card Applications**

405. **Deputy Patrick O'Donovan** asked the Minister for Health the position regarding a medical application in respect of a person (details supplied) in County Limerick; and if he will

make a statement on the matter. [40152/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

### **Hospital Consultants Remuneration**

406. **Deputy Richard Boyd Barrett** asked the Minister for Health the amount paid in consultants' fees by private health insurers annually; and the amount additionally paid to them by persons [40155/12]

**Minister for Health (Deputy James Reilly):** Last year the Health Insurance Authority requested the private health insurers (Aviva, Quinn/ya, VHI) to provide a breakdown of their Returned Benefits for the second half of 2011 into public hospital costs, private hospital costs and consultant costs. Returned Benefits represent approximately 85% of total health insurance claims and do not include claims for Outpatient attendance. The Authority has advised that the data shows that consultant fees paid by private health insurers amount to €203m for the second half of 2011, representing 25% of a total of €811m. The equivalent figure for the first half of 2012 is €183m, representing 22% of a total of €829m. Figures for additional amounts paid to consultants by private patients are not collated.

*Question No. 407 answered with Question No. 388.*

### **Medical Card Applications**

408. **Deputy Seán Ó Feargháil** asked the Minister for Health if he will approve an application for a medical card in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [40159/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

### **Medical Card Applications**

409. **Deputy Mattie McGrath** asked the Minister for Health when a decision will issue on a medical card review in respect of a person (details supplied) in County Tipperary; and if he will make a statement on the matter. [40160/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

### **Nursing Homes Support Scheme**

410. **Deputy Bernard J. Durkan** asked the Minister for Health if and when support under the nursing home support scheme will be granted in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [40162/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** As this is a service matter it has been referred to the Health Service Executive for direct reply.

### Health Services Staff Issues

411. **Deputy Dan Neville** asked the Minister for Health the position regarding the appointment of a Director to the National Suicide Prevention Office [40164/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** As the National Office for Suicide Prevention was established by the HSE in 2005 and is part of the internal organisation of that body the issue raised is a matter for the HSE. On that basis the question has been referred to the HSE for direct reply.

*Questions Nos. 412 and 413 answered with Question No. 393.*

### Health Services Provision

414. **Deputy Jack Wall** asked the Minister for Health if the documentation supplied will be added to the file of a person (details supplied) in County Kildare. [40172/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

### HSE Governance

415. **Deputy Terence Flanagan** asked the Minister for Health the date on which the board of the Health Service Executive will be abolished; and if he will make a statement on the matter. [40173/12]

416. **Deputy Terence Flanagan** asked the Minister for Health his views on the new governance of the Health Service Executive; and if he will make a statement on the matter. [40174/12]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 415 and 416 together.

In line with the Programme for Government commitments, a series of legislative changes are planned to bring about radical reform of the health services which will see the introduction of Universal Health insurance. The Health Service Executive (Governance) Bill 2012 was published last July. The Bill provides for the abolition of the Board of the HSE under the Health Act 2004 and the putting in place of a new governance structure. The Board will be replaced by a Directorate, headed by a Director General and with strengthened accountability arrangements for the HSE. The Bill is scheduled to be second stage in the Seanad on Wednesday 26 September.

In tandem with the proposed new governance structures, new administrative structures will be put in place in the HSE, to reflect the need for a greater operational management focus on the delivery of key services and greater transparency about funding, service delivery and accountability. These new governance and administrative arrangements represent important first steps in the process of delivering the reform agenda contained in the Programme for Government. The next steps, which will include measures to facilitate clearer and better integrated delivery and funding arrangements, are under consideration at present.

### Lourdes Hospital Redress Scheme Extension

417. **Deputy Gerald Nash** asked the Minister for Health the position regarding his commitment to extend the Neary redress scheme; and if he will make a statement on the matter. [40176/12]

**Minister for Health (Deputy James Reilly):** A commitment was given in the Programme for Government to seek a mechanism to compensate those women who were excluded on age grounds alone from the Lourdes Hospital Redress Scheme. The Scheme of Redress approved by Government was a non-statutory, ex-gratia scheme. Awards were determined by an independent Redress Board in 2007 and 2008. My Department has been engaged in a review to identify the most appropriate mechanism to compensate those women excluded from the scheme on age grounds alone. This review has included taking instructions and legal advice, including advice from the Office of the Attorney General, with a view to bringing proposals to Government for decision. This process has not yet been completed.

### **Medicinal Products Supply**

418. **Deputy Terence Flanagan** asked the Minister for Health the reason a medication (details supplied) is no longer available on the medical card; and if he will make a statement on the matter. [40178/12]

450. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if Oestoeze is covered by the medical card and drug payment scheme; if he will commit to ensuring that it is, in view of the relative expense and clinical importance of same; and if he will make a statement on the matter. [40381/12]

461. **Deputy David Stanton** asked the Minister for Health if there are any alternative glucosamine products available to medical card holders free of charge under the GMS scheme since the recent removal of a drug, Dona, from the scheme; and if he will make a statement on the matter. [40500/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** I propose to take Questions Nos. 418, 450 and 461 together.

In the current financial environment the Health Service Executive (HSE) is facing a challenge to deliver services in a way that will minimise any adverse impact on patients and continue to protect, as far as possible, the most vulnerable citizens. Unfortunately, it has been necessary to suspend from the HSE Reimbursement List certain products which have been found not be cost effective. Glucosamine is indicated for the management of symptoms of osteoarthritis. The National Centre for Pharmoeconomics (NCPE) have assessed the cost-effectiveness of glucosamine on two occasions and concluded that it did not offer value for money to the HSE. However, glucosamine products are available over the counter without prescriptions.

### **Mobility Allowance Appeals**

419. **Deputy John O'Mahony** asked the Minister for Health when a decision will be made in relation to an appeal in respect of a person (details supplied) in County Mayo in relation to an application for mobility allowance; the reason this case is on-going for more than 13 months; the reason this file has not been assessed; and if he will make a statement on the matter. [40213/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** As the Dep-

uty's question relates to service matters I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

### **Medical Card Applications**

420. **Deputy John O'Mahony** asked the Minister for Health when a person (details supplied) in County Mayo will receive a decision on their application for a medical card; and if he will make a statement on the matter. [40214/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy as a matter of urgency.

### **Accident and Emergency Services Provision**

421. **Deputy Terence Flanagan** asked the Minister for Health his views on the running of the accident and emergency departments and other departments at hospitals (details supplied); if there is any forthcoming developments at these hospitals; and if he will make a statement on the matter. [40215/12]

**Minister for Health (Deputy James Reilly):** As this is a service matter, it has been referred to the Health Service Executive for direct reply.

### **Medical Card Applications**

422. **Deputy John O'Mahony** asked the Minister for Health when a person (details supplied) in County Mayo will receive a decision on their application for a medical card; and if he will make a statement on the matter. [40220/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

### **Medical Card Applications**

423. **Deputy John O'Mahony** asked the Minister for Health when a person (details supplied) in County Mayo will receive a decision on their application for a medical card; and if he will make a statement on the matter. [40221/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

### **Medical Card Applications**

424. **Deputy John O'Mahony** asked the Minister for Health when a person (details supplied) in County Mayo will receive a decision on their application for a medical card; and if he will make a statement on the matter. [40225/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

### **General Practitioner Services**

425. **Deputy Terence Flanagan** asked the Minister for Health his views on the rollout of the free general practitioner in order that more patients will leave Beaumont Hospital, Dublin, for home or nursing homes; and if he will make a statement on the matter. [40227/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** The Programme for Government commits to reforming the current public health system by introducing Universal Health Insurance with equal access to care for all. As part of this, the Government is committed to introducing, on a phased basis, GP care without fees within its first term of office. Primary legislation is required to give effect to Government commitment to introduce a universal GP service without fees.

Legislation to allow the Minister for Health to make regulations to extend access to GP services without fees to persons with prescribed illnesses is currently being drafted by this Department and the Office of the Attorney General and will be published shortly. Implementation dates and application details will be announced in due course.

### **Health Services Provision**

426. **Deputy Terence Flanagan** asked the Minister for Health his views on the provision of more step down beds and rehabilitation in order that more patients will leave Beaumont Hospital, Dublin, for home or nursing homes; and if he will make a statement on the matter. [40228/12]

**Minister for Health (Deputy James Reilly):** As this is a service matter, it has been referred to the Health Service Executive for direct reply.

### **Health Services Provision**

427. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which a person (details supplied) in County Laois is making satisfactory progress and in accordance with their requirements; and if he will make a statement on the matter. [40232/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** As this is a service matter it has been referred to the Health Service Executive for direct reply.

### **Medical Card Applications**

428. **Deputy John O'Mahony** asked the Minister for Health when a person (details supplied) in County Mayo will receive a decision on their applications for medical cards; the reasons for the withdrawal of their cards; and if he will make a statement on the matter. [40239/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

## Hospital Services

429. **Deputy Seán Crowe** asked the Minister for Health the reason a pregnant person in Dublin is given an anomaly scan and a similar patient outside the city, and its hinterland, is not catered for in the public health system; and if he will make a statement on the matter. [40241/12]

**Minister for Health (Deputy James Reilly):** As this is a service matter, it has been referred to the Health Service Executive for direct reply.

## Hospital Waiting Lists

430. **Deputy Nicky McFadden** asked the Minister for Health when an appointment in respect of a person (details supplied) in County Westmeath will be confirmed; and if he will make a statement on the matter. [40297/12]

**Minister for Health (Deputy James Reilly):** As this is a service matter, it has been referred to the Health Service Executive for direct reply.

## Ministerial Meetings

431. **Deputy Pádraig Mac Lochlainn** asked the Minister for Health when he will meet with public representatives in County Donegal, including Oireachtas members and the members of Letterkenny Town Council, to hear their concerns on the funding problems at Letterkenny General Hospital and to discuss solutions. [40304/12]

**Minister for Health (Deputy James Reilly):** The normal process is that requests to meet with me are arranged through the Minister's Office, which deals with many such requests on a daily basis. In many cases, matters are more appropriately dealt with at local level.

## Hospital Services

432. **Deputy Dara Calleary** asked the Minister for Health the provisions he has made in respect of individual medical card holders who can now only be seen by consultants in their own locality in view of the fact that many such medical card holders have long standing relationships with consultants in areas other than their locality and in particular the options available to a medical card holder in County Mayo (details supplied); and if he will make a statement on the matter. [40316/12]

**Minister for Health (Deputy James Reilly):** As this is a service matter, it has been referred to the Health Service Executive for direct reply.

## Medicinal Products Licensing

433. **Deputy Martin Ferris** asked the Minister for Health if his attention has been drawn to the improvement in the condition of Cystic Fibrosis patients who are treated with a new drug Kalydeco. [40317/12]

434. **Deputy Martin Ferris** asked the Minister for Health when he will license Kalydeco in order that Cystic Fibrosis sufferers may be treated with the drug. [40318/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** I propose to take Questions Nos. 433 and 434 together.

The HSE has recently received an application for Kayldeco's inclusion under the Community Drugs Scheme. In accordance with normal procedures, The National Centre for Pharmacoeconomics will be conducting a Health Technology Assessment on the product before any reimbursement decision is made by the HSE.

### Medical Card Eligibility

435. **Deputy David Stanton** asked the Minister for Health the progress being made in providing general practitioner visit cards to persons who are on the long term illness scheme; and if he will make a statement on the matter. [40321/12]

444. **Deputy Jack Wall** asked the Minister for Health the up-to-date position in relation to the general practitioner only card being issued to those on long term illness; and if he will make a statement on the matter. [40359/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** I propose to take Questions Nos. 435 and 444 together.

The Programme for Government commits to reforming the current public health system by introducing Universal Health Insurance with equal access to care for all. As part of this, the Government is committed to introducing, on a phased basis, GP care without fees within its first term of office. Primary legislation is required to give effect to Government commitment to introduce a universal GP service without fees.

Legislation to allow the Minister for Health to make regulations to extend access to GP services without fees to persons with prescribed illnesses is currently being drafted by this Department and the Office of the Attorney General and will be published shortly. Implementation dates and application details will be announced in due course.

### Medical Card Drugs

436. **Deputy Willie O'Dea** asked the Minister for Health the reason there has been a withdrawal of coverage for gluten free products to coeliac patients under the medical card scheme and if he will reconsider this matter. [40325/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** In the current financial environment the Health Service Executive (HSE) is facing a challenge to deliver services in a way that will minimise any adverse impact on patients and continue to protect, as far as possible, the most vulnerable citizens. Unfortunately, it has become necessary for the HSE to suspend certain products from its list of reimbursable items. This includes gluten-free products.

Gluten-free products have become more widely available in supermarkets in recent years and tend to be significantly cheaper than products sold through community pharmacies. A Supplementary Welfare Allowance Adult Diet Supplement may be awarded by the Department of Social Protection to eligible persons. Persons wishing to apply for this allowance can do so by completing an application form which can be downloaded at the following link: <http://www.welfare.ie/EN/Forms/Documents/swa9.pdf>. Separate application forms are available for children.

For persons who are not awarded a Diet Supplement, monies spent on gluten-free foods can be taken into account for tax purposes.

### Drug Treatment Programmes Availability

437. **Deputy Dominic Hannigan** asked the Minister for Health the plans he has for drug and alcohol addiction services in counties Louth and Meath; and if he will make a statement on the matter. [40328/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** The Government is committed to the objectives of the National Drugs Strategy and to continuing support for drug and alcohol addiction services across the country. Over €980,000 has been allocated from the Drugs Initiative of my Department this year to community drugs projects supported by the North East Regional Drugs Task Force. Details of the projects supported by the Task Force, including those based in Louth and Meath, are set out in the following table.

Project Name	2012 Allocation
North East Family Support Network	5,000
Task Force Operational Budget	168,090
Meath Community Drug & Alcohol Response	126,500
Turas Aftercare Programme	200,000
CDA Trust Ltd	185,000
ISPCC Teen Focus Louth	20,000
ISPCC Teen Focus Meath	20,000
Louth/Meath Community Drug & Alcohol Team	126,500
Turas Counselling Service Louth	15,358
Ana Liffey Drug Project	55,000
Tabor House	20,000
Cocaine Initiative	44,643
Total	986,091

I have asked the HSE to respond directly to the Deputy in relation to the drug and alcohol addiction services they provide in Louth and Meath.

### Medical Card Delays

438. **Deputy Thomas P. Broughan** asked the Minister for Health the current waiting time for an application for a medical card and a general practitioner card; the number of applicants currently waiting for their medical card and GP application to be processed; and if he will make a statement on the matter. [40342/12]

439. **Deputy Thomas P. Broughan** asked the Minister for Health the current waiting time for medical card appeal; the number of applicants currently waiting for their medical card appeal to be assessed and a decision made; and if he will make a statement on the matter. [40343/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** I propose to

take Questions Nos. 438 and 439 together.

The Health Service Executive has stated that on 1st September 2012, 96% of all complete medical card applications and renewals had been processed within the 15 day target and 213 applications had yet to be processed. I have asked the Health Service Executive for a report on the waiting time for medical card appeals. I will revert to the Deputy on the matter as soon as possible.

### **Hospital Staff**

440. **Deputy Thomas P. Broughan** asked the Minister for Health if she will report on the recent agreement with hospital consultants; if there will be any implications for long-standing plans he has to increase the number of consultants in the health system so as to address ongoing long waiting times for patients; and if he will make a statement on the matter. [40344/12]

**Minister for Health (Deputy James Reilly):** Following a request on 13 September by senior health service management on behalf of the Government, intensive discussions between health service employers and the two consultant representative bodies commenced immediately at the Labour Relations Commission. These dealt with a range of matters, including measures to ensure that the relevant parts of the Health Sectoral Agreement within the Public Service Agreement 2010-2014 can be given effect. These discussions were also attended by officials from my Department and the Department of Public Expenditure and Reform and concluded on 17 September 2012.

The outcome of this engagement is that detailed proposals have been agreed between the parties. Amongst the key provisions of this agreement are that:

- Consultants will be available for rostering for any five days out of seven as opposed to weekdays as at present;
- There can be rostering of consultants where required on 16/7 (8 a.m. to midnight) or 24/7 basis in services where this is required;
- Clinical Directors will have a strengthened management role in respect of consultants;
- There will be cooperation with a range of measures to support improved Community and Mental Health services;
- Consultants commit to expeditious processing and signing of claims for submission to private health insurers;
- There will be more cost-effective arrangements for funding of continuing medical education.

Separately, Government will apply a 30% reduction in salary for future consultant appointees. Management proposals to reduce the “rest day” arrangements that currently apply and the elimination of the fee to consultant psychiatrists for giving a second opinion under the Mental Health Act 2001 will be referred to the Labour Court, in line with the procedures provided for in the Public Service Agreement. The issue of “historic rest days” will be referred to the Labour Court in line with normal procedures.

Government policy is to increase the number and availability of consultants in the public health service. This policy is reflected in the 2008 Consultant Contract and the outcome of the recent discussions. The revised salary levels for new consultants will facilitate the appointment

of more consultants, which will directly enhance the care of patients through increased provision of consultant-delivered services.

*Question No. 441 answered with Question No. 390.*

### **Medical Card Appeals**

442. **Deputy Mattie McGrath** asked the Minister for Health the reason a cancer patient (details supplied) who is currently undergoing radiotherapy and other medical treatment at significant cost has been refused a medical card; if she will ensure that the appeal against this decision is dealt with as a matter of urgency; and if he will make a statement on the matter. [40352/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy as a matter of urgency.

### **Mobility Allowance Applications**

443. **Deputy Jack Wall** asked the Minister for Health if will consider a mobility allowance request for a person (details supplied) in County Kildare; and if he will make a statement on the matter. [40356/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** The Revenue Commissioners operate a Disabled Drivers and Disabled Passengers Tax Concessions Scheme, whereby a family member of a disabled passenger can qualify for tax relief linked to the purchase of vehicles, provided he/she is living with and is responsible for the transport of the disabled person in question, has acquired the vehicle for that purpose and the disabled passenger is the holder of a Primary Medical Certificate. Applications for Primary Medical Certificates are processed by the Health Service Executive (HSE), through local health offices.

The Mobility Allowance is a means tested, monthly payment, payable by the Health Service Executive. I have arranged for this matter to be referred to the Health Service Executive for a direct reply to the Deputy.

*Question No. 444 answered with Question No. 435.*

### **Health Screening Programmes**

445. **Deputy Brian Walsh** asked the Minister for Health if he will provide details of measures being taken to address delays in conducting health screening and development checks for children in County Galway; and if he will make a statement on the matter. [40361/12]

**Minister for Health (Deputy James Reilly):** As this is a service matter it has been referred to the HSE for direct reply.

### **Nursing Home Services**

446. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the number of public

nursing home beds closed in 2012 up to the end of August; the number closed since March 2011; and if he will make a statement on the matter. [40362/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** As this is a service matter it has been referred to the Health Service Executive for direct reply.

### Care of the Elderly

447. **Deputy Patrick O'Donovan** asked the Minister for Health when he will bring forward legislation to set standards for the provision of home care for elderly people by private commercial companies in receipt of funding from the Health Service Executive; if he has plans to have the sector inspected by the Health Information and Quality Authority; if she intends to allow a complaint/investigation procedure to be put in place; and if he will make a statement on the matter. [40364/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** *Government for National Recovery, 2011-2016* commits the Government to developing and implementing national standards for home support services, which will be subject to inspection by the Health and Information Quality Authority (HIQA). All relevant implications arising from this proposal will obviously have to be taken into account including, for example, a recent report by the Law Reform Commission entitled *Legal Aspects of Professional Home Care*, which in itself is a follow up to its 2009 consultation paper *Legal Aspects of Carers*.

Primary legislation and resources will be required for the introduction of a statutory regulation system for home care services. The question of possible changes to legislation, including regulation, inspection and complaints procedures for Home Care services for older people is at present under consideration. The Department is examining this matter in the overall context of the licensing of Health Care providers. Legislation is currently being prepared and various options are being considered, including the complex legal issues involved, and the need to prioritise legislation across the Social Care area overall.

It should be noted that statutory regulation or licensing is only one way of improving the safety and quality of services and that other measures have or are being taken to improve Home Support services delivered by, or on behalf of, the Health Service Executive (HSE). This approach is reflected in the HSE Service Plan 2012, and includes a new public *Procurement Framework* for Home Care services (with quality and screening requirements); new *National Quality Guidelines for Home Support Services*, and new *National Home Help Guidelines*. These various measures, taken together, have been designed to improve relevant aspects of HSE Home Care provision nationally, pending progression of the legislative proposals raised by the Deputy.

### Mental Health Services Provision

448. **Deputy Patrick Nulty** asked the Minister for Health the number of persons who have been discharged from psychiatric hospitals and the type of accommodation that they have been discharged into in each of the years 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011 and to date in 2012 in tabular form; and if he will make a statement on the matter. [40371/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** The number of discharges from psychiatric units and hospitals during the period 2004-2010 is set out in the following table.

Year	Number of Discharges
2004	21,938
2005	21,265
2006	20,098
2007	20,498
2008	20,603
2009	20,213
2010	19,614

The figures for 2011 and 2012 are not yet available. Information on the type of accommodation to which patients are discharged is not collected.

### National Children's Hospital Location

449. **Deputy Patrick Nulty** asked the Minister for Health when the report of the review group on the national children's hospital, the Dolphin Report, will be published; the reason for the delay; and if he will make a statement on the matter. [40375/12]

**Minister for Health (Deputy James Reilly):** As you will be aware, I established an independent Review Group to consider the implications of the decision of An Bórd Pleanála, received on 23 February 2012, to reject the planning application for the proposed construction of a national paediatric hospital on the site of the Mater Misericordiae Hospital. The aim of the Review was to consider all the possible options for the earliest possible delivery of a new children's hospital. In June, the Group presented its report, to which I am giving careful consideration and which I will be bringing to Government shortly. I intend to publish the Group's report when this process is complete.

*Question No. 450 answered with Question No. 418.*

### Medical Card Eligibility

451. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if he will provide in detail the changes to the medical card eligibility criteria during the period 2011-2012; and if he will make a statement on the matter. [40382/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** There have been no amendments made to the medical card eligibility criteria over the 2011-2012 period. However, a number of changes have been made to the way in which medical card applications are processed by the Health Service Executive (HSE). Any medical card holder undergoing a review, who genuinely engages with that review, will not have their entitlement withdrawn before the review is complete, regardless of the expiry date shown on their medical card. In cases where a decision is made not to grant a medical card, the applicant is informed of the decision and is notified of their right to appeal this decision. Contact details for the appeals office are provided to them. Where a person submits an appeal to a decision not to renew a medical card within 21 days of that decision, they retain their medical card or GP visit card until the appeal is decided. The Appeals officer notifies the appellant of the final decision in the case.

In relation to those persons under the age of 25 years who apply for medical cards, in future being on age related Supplementary Welfare Allowance will not, in itself, prohibit a person from being awarded a medical card or a GP visit card.

The HSE has implemented a set of guidelines in relation to the provision of emergency medical cards for patients who are terminally ill, or who are seriously ill and in urgent need of medical care that they cannot afford. Emergency medical cards are issued within twenty-four hours of receipt of the required patient details and the letter of confirmation of the condition from a doctor or a medical consultant. With the exception of terminally ill patients, the HSE issues all emergency cards on the basis that the patient is eligible for a medical card on the basis of means or undue hardship, and that the applicant will follow up with a full application within a number of weeks of receiving the emergency card. As a result, emergency medical cards are issued to a named individual, with a limited eligibility period of six months. The arrangement is slightly different for persons with a terminal illness. Terminally ill patients are given an emergency medical card for six months. Given the nature and urgency of the issue, the HSE has appropriate escalation routes to ensure that the person gets the card as quickly as possible.

The Health Service Executive has confirmed that 96% of fully completed applications and reviews are now processed within 15 days.

### **Hospital Waiting Lists**

452. **Deputy John Browne** asked the Minister for Health if she will have an early assessment arranged for a person (details supplied) in County Kilkenny who has been waiting for a knee operation for some time at Waterford Regional Hospital; and if he will make a statement on the matter. [40389/12]

**Minister for Health (Deputy James Reilly):** As this is a service matter, it has been referred to the Health Service Executive for direct reply.

### **Medical Aids and Appliances Applications**

453. **Deputy John Browne** asked the Minister for Health if he will arrange to have a replacement hearing aid approved for a person (details supplied) in County Kilkenny who needs it as a matter of urgency. [40393/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** As this is a service matter it has been referred to the HSE for direct reply.

### **Health Services Provision**

454. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the extent to which language barriers affect public health service delivery here; the amount of money spent on translation services for frontline medical services for non-English speaking patients/staff; if technological services (details supplied) have been considered in addressing this need; [40404/12]

**Minister for Health (Deputy James Reilly):** As this is a service matter it has been referred to the Parliamentary Affairs Division of the Health Service Executive for attention and direct reply to the Deputy.

*Question No. 455 answered with Question No. 395.*

## **Long-Term Illness Scheme Budget**

456. **Deputy Seamus Kirk** asked the Minister for Health the number of persons who are partaking in the long term illness programme; if he will provide a full patient breakdown in relation to diseases and the total cost to the Exchequer of running the programme; and if he will make a statement on the matter. [40461/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** The information requested is currently being collated by the HSE and will be forwarded to the Deputy as soon as it is available.

### **General Practitioner Services**

457. **Deputy Seamus Kirk** asked the Minister for Health the position regarding free general practitioner visit announced in Budget 2012, for persons who are under the long term illness programme; the date on which this will commence and the total cost to the Exchequer; and if he will make a statement on the matter. [40462/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** The Programme for Government commits to reforming the current public health system by introducing Universal Health Insurance with equal access to care for all. As part of this, the Government is committed to introducing, on a phased basis, GP care without fees within its first term of office. Primary legislation is required to give effect to Government commitment to introduce a universal GP service without fees.

Legislation to allow the Minister for Health to make regulations to extend access to GP services without fees to persons with prescribed illnesses is currently being drafted by this Department and the Office of the Attorney General and will be published shortly. Implementation dates and application details will be announced in due course.

An annual budget of €15 million was provided for the first phase of the roll out of GP care without fees.

### **Regional Health Forums**

458. **Deputy Patrick O'Donovan** asked the Minister for Health the amount paid per meeting in expenses to members of each of the Regional Health Forum since its creation. [40463/12]

**Minister for Health (Deputy James Reilly):** The Health Service Executive provides the necessary administrative services to enable the Regional Health Forums to perform their functions. I have therefore referred the Deputy's question to the Parliamentary Affairs Division of the Executive for attention and direct reply to the Deputy.

### **Hospital Services**

459. **Deputy Jack Wall** asked the Minister for Health when a person (details supplied) in County Kildare will receive an appointment date for surgery; and if he will make a statement on the matter. [40470/12]

**Minister for Health (Deputy James Reilly):** As this is a service matter, it has been referred

to the Health Service Executive for direct reply.

### **Medical Card Drugs**

460. **Deputy David Stanton** asked the Minister for Health if there are any alternative omega 3 tricycleride products available to medical card holders free of charge under the GMS scheme since the recent removal of a drug, Omacor, from the scheme; and if he will make a statement on the matter. [40499/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** The product in question has been identified both nationally and internationally as not being cost effective or being of lesser benefit to patients. In the current financial environment the Health Service Executive (HSE) is facing a challenge to deliver services in a way that will minimise any adverse impact on patients and continue to protect, as far as possible, the most vulnerable citizens.

There are no alternative Omega-3 triglyceride products available under the Community Drugs Scheme. However, these products are available over the counter.

*Question No. 461 answered with Question No. 418.*

### **Mental Health Services Provision**

462. **Deputy Mattie McGrath** asked the Minister for Health the services available to a person (details supplied) in County Tipperary who requires a secure placement in a Psychiatric Unit since the closure of St. Michael's Psychiatric Unit; and if he will make a statement on the matter. [40504/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** As this is a service matter the question has been referred to the HSE for direct reply.

### **National Advisory Committee on Drugs Meetings**

463. **Deputy Brian Stanley** asked the Minister for Health when the National Advisory Committee on Drugs will be re-constituted [40526/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** The reconstitution of the National Advisory Committee on Drugs is currently under consideration with a view to finalising arrangements in the area before the end of the year.

### **Hospital Services**

464. **Deputy Billy Timmins** asked the Minister for Health the position regarding treatment in respect of a person (details supplied) who is a patient in Tallaght Hospital, Dublin; and if he will make a statement on the matter. [40534/12]

**Minister for Health (Deputy James Reilly):** As this is a service matter, it has been referred to the Health Service Executive for direct reply.

## Medicinal Products Supply

465. **Deputy Patrick O'Donovan** asked the Minister for Health if he will examine the current situation in which Alprazolam is being purchased without prescription through the internet; his views on the addictive qualities of this drug; his views in relation to the health implications of the unregulated sale of the drug; and if he will make a statement on the matter. [40539/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** Alprazolam belongs to a group of medicines called benzodiazepines. Benzodiazepines are commonly used to treat anxiety, sleep disturbance and insomnia and are known to be associated with dependence and withdrawal symptoms. Consequently, benzodiazepines are usually recommended for short-term treatment only. The Irish Medicines Board-approved prescribing information for alprazolam products states that they are only to be used when the symptoms of anxiety are severe. It is also recommended that treatment with an alprazolam product should be as short as possible and generally not more than 8 to 12 weeks, including a tapering off process.

In Ireland, benzodiazepines are prescription-only medicinal products. Under the Medicinal Products (Prescription and Control of Supply) Regulations, it is prohibited for a person to supply a prescription medicine except in accordance with a prescription and the supply must be made from a registered pharmacy by or under the personal supervision of a registered pharmacist. A person who contravenes these Regulations is guilty of an offence. The Regulations also make it illegal for prescription medicines to be supplied by mail order. The definition of mail order includes reference to electronic custom solicitation and order for supply. This includes ordering prescription medicines through internet sites.

The Irish Medicines Board is aware of illegal supply of alprazolam from internet sites outside Ireland and is working closely with the Revenue's Customs Service officials to detain supplies on entry to Ireland and, where possible, with counterpart agencies in other countries to stop the supply.

Furthermore, my Department is reviewing the Misuse of Drugs Regulations with a view to introducing additional controls on certain prescription drugs, including benzodiazepines. These include the introduction of import and export controls as well as an offence of unauthorised possession, thereby assisting the law enforcement roles of Customs and of the Garda Síochána. My Department is consulting with key stakeholders in relation to the proposed amendments and it is anticipated that new legislation will be introduced by early 2013.

## Health Services Provision

466. **Deputy James Bannon** asked the Minister for Health the position regarding the provision of free GP visits in respect of a person (details supplied) in County Longford with a long-term illness; and if he will make a statement on the matter. [40567/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

## Orthodontic Services Fees

467. **Deputy Michael Healy-Rae** asked the Minister for Health if he will provide the waiting list over the past two and a half years of young persons seeking orthodontic treatment in County Kerry in tabular form; the steps that are being taken to ensure that persons will receive

these necessary treatments in a speedy fashion; and if he will make a statement on the matter. [40585/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** As this is a service matter it has been referred to the HSE for direct reply.

### **Medical Card Delays**

468. **Deputy Regina Doherty** asked the Minister for Health the reason a person (details supplied) has been waiting for more than 15 months for a medical card and now faces a five month wait for an MRI scan; and if he will make a statement on the matter. [40586/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

### **Health Services Staff Issues**

469. **Deputy Regina Doherty** asked the Minister for Health the reason applications for leave of absence have been stopped; and if he will make a statement on the matter. [40587/12]

**Minister for Health (Deputy James Reilly):** As this is a service matter it has been referred to the Health Service Executive for direct reply.

### **Health Services Staff Issues**

470. **Deputy Regina Doherty** asked the Minister for Health if a member of staff leaves the health service and then returns, if their term of service and grade remain on record, or are they considered as a new recruit; and if he will make a statement on the matter. [40588/12]

**Minister for Health (Deputy James Reilly):** As this is a service matter it has been referred to the Health Service Executive for direct reply.

### **Departmental Staff Numbers**

471. **Deputy Regina Doherty** asked the Minister for Health if his Department still grants leave of absence; and if not, the reason this is not considered as a neutral cost saving exercise; and if he will make a statement on the matter. [40598/12]

**Minister for Health (Deputy James Reilly):** My department is prepared to consider applications from staff members for career breaks within parameters that apply across the Civil Service . Such applications are assessed individually based on the merits of each case.

### **Hospital Appointments Administration**

472. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health when a person (details supplied) will receive an appointment at Cork University Hospital; and if he will make a statement on the matter. [40608/12]

**Minister for Health (Deputy James Reilly):** As this is a service matter, it has been referred to the Health Service Executive for direct reply.

### Health Services Provision

473. **Deputy Emmet Stagg** asked the Minister for Health further to Parliamentary Question No. 695 of 14 February 2012, if he will report further on the process in introducing a pilot scheme; and if he will make a statement on the matter. [40610/12]

**Minister for Health (Deputy James Reilly):** It has not been possible to progress this issue in the manner previously proposed principally due to resource issues. However, my Department intends at the earliest opportunity to explore with the HSE alternative possibilities in this regard.

*Question No. 474 answered with Question No. 395.*

### Medical Card Applications

475. **Deputy Seán Ó Fearghail** asked the Minister for Health if he will approve a medical card in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [40635/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

### Health Services Provision

476. **Deputy Finian McGrath** asked the Minister for Health if he will support a case of a person (details supplied) [40723/12]

**Minister for Health (Deputy James Reilly):** As this is a service matter, it has been referred to the Health Service Executive for direct reply.

### Health Services Expenditure

477. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the total cost of taxi services and other private transport services paid for by the Health Service Executive for the years 2010, 2011 and 2012; if he will provide a breakdown of same based on year, HSE region and reason for service [40725/12]

**Minister for Health (Deputy James Reilly):** As this is a service matter, it has been referred to the Health Service Executive for direct reply.

### Health Services Expenditure

478. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the total expenditure by his Department and the Health Service Executive on room and venue hire for the years 2010, 2011 and to date in 2012; and if he will provide a breakdown of same by year, HSE region and

event type [40726/12]

**Minister for Health (Deputy James Reilly):** The information in respect of my Department is currently being collated and will be forwarded to the Deputy as soon as it is available. With regard to the Health Service Executive the question has been forwarded to the Parliamentary Affairs Division for attention and direct reply to the Deputy.

### HSE Staff Responsibilities

479. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the number of administration, clerical and management staff employed by the Health Service Executive and his Department on 1 June 2012; and if he will provide a breakdown of same based on HSE region, grade and work location [40727/12]

**Minister for Health (Deputy James Reilly):** The information in respect of my Department is detailed in the following table:

1st June 2012	
GRADE	No. of Staff
Secretary General	1
Assistant Secretary	5
Chief Medical Officer	1
Principal Officer	26
Assistant Principal Officer	79
Administrative Officer	10
Higher Executive Officer	77
Executive Officer	57
Staff Officer	10
Clerical Officer	65
Senior Statistician	1
Legal Advisor	1
Press Advisor	1
Special Advisors to the Minister	2
Personal Secretary to the Minister	2
Personal Assistant to the Minister	3
Health Promotion Policy Advisor	1
Chief Environmental Health Officer	1
Deputy Chief Medical Officer	3
Advisory Counsel Grade III	2
Professional Accountant Grade 1	1
Statistician	2

With regard to the Health Service Executive, they have been asked to collate the data sought as soon as possible and it will be provided directly to the Deputy by them when available.

### Health Services Expenditure

480. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the total cost of rents

paid by the Health Service Executive and his Department for the period 2010 to 2012 inclusive; if he will provide a breakdown of same by year, HSE region and purpose of expenditure [40728/12]

**Minister for Health (Deputy James Reilly):** Management of the Health Service Executive property portfolio is a service matter. Therefore your question has been referred to the Executive for direct reply.

In relation to my Department, the position with regard to the total cost of rents paid for the period 2010 to 2012 inclusive is as follows:

Premises	2010	2011	2012 to end September
Irish Life Building	€98,500	€98,500	€73,875
Ormond Quay	Nil	€48,000	€36,000

**Irish Life Building, Block D:** Formerly accommodated the Office of the Disability Appeals Officer. This office is now located within my Department's Headquarters.

**1 Ormond Quay Lower:** Formerly accommodated the Irish Council for Bioethics. This lease was signed by the Council when it was still a separate corporate entity. As part of the winding up of this entity, my Department absorbed the staff on a secondment basis and took on the lease on Ormond Quay.

My Department is actively seeking an alternative use for these premises for the remainder of their leases.

### Road Safety

481. **Deputy Robert Dowds** asked the Minister for Transport, Tourism and Sport if he will outline the law in relation to cyclists wearing safety helmets. [40554/12]

482. **Deputy Robert Dowds** asked the Minister for Transport, Tourism and Sport if he will consider making the wearing of safety helmets mandatory for all cyclists. [40555/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I propose to take Questions Nos. 481 and 482 together.

At the present the Road Traffic Acts do not provide for the wearing of helmets by cyclists. There has been much debate in recent times relating to the wearing of helmets by cyclists and whether or not such wearing should be made compulsory. The consensus of those bodies concerned with road safety has been that the wearing of helmets by cyclists is best promoted on a voluntary basis by way of educational and publicity campaigns, such as those undertaken by the Road Safety Authority (RSA), rather than to impose a legal requirement with consequent prosecutions and penalties for contravention, particularly in the case of minors.

### Cycling Facilities

483. **Deputy Brian Walsh** asked the Minister for Transport, Tourism and Sport if he will provide an update in relation to the proposed public bike scheme in Galway city; and if he will make a statement on the matter. [40051/12]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly):** My Department remains committed to exploring a range of mechanisms to seek to secure public bikes schemes in other cities in the state, building on the success of the Dublin Bikes scheme. While schemes in other cities are technically feasible, their commercial viability would require a collaborative approach with the private sector. Funding provision to meet the capital investment costs of the roll-out of public bikes in other cities has been identified within the 5-year capital funding allocation for Smarter Travel and Carbon Reduction Measures. However, operational funding is not available from within the constrained current funding allocation.

My Department, in seeking a means to progress the City Bikes Scheme, is currently exploring, along with the National Transport Authority, the launching of an “expressions of interest” in scheme sponsorship procedure to further the process of engagement with potential private sector funding.

### **Road Safety Authority Staff**

484. **Deputy Paschal Donohoe** asked the Minister for Transport, Tourism and Sport the numbers currently employed as staff with the Roads Safety Authority both on the administrative and non-administrative sections of the authority; and if he will make a statement on the matter. [40057/12]

485. **Deputy Paschal Donohoe** asked the Minister for Transport, Tourism and Sport the policy of the Roads Safety Authority in respects of re-hiring retired testers; the numbers currently being re-hired by the authority; and if he will make a statement on the matter. [40058/12]

486. **Deputy Paschal Donohoe** asked the Minister for Transport, Tourism and Sport the amount that was paid in compensation to Roads Safety Authority testers in respect of OUTS; and if he will make a statement on the matter. [40059/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I propose to take Questions Nos. 484 to 486, inclusive, together.

The matters addressed in these questions are matters for the Road Safety Authority, and I have referred them to the Authority for direct reply. I would ask the Deputy to contact my office if a reply has not been received within ten days.

### **Road Safety**

487. **Deputy Paschal Donohoe** asked the Minister for Transport, Tourism and Sport the process for the establishment of test centres as local training headquarters; the number of these headquarters that now exist; his plans for the establishment of new headquarters; and if he will make a statement on the matter. [40060/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The subject matter of this question is a matter for the Road Safety Authority, and I have therefore referred the question to the Authority for direct reply. I would ask the Deputy to contact my office if a reply has not been received within ten days.

## Road Safety

488. **Deputy Paschal Donohoe** asked the Minister for Transport, Tourism and Sport the amount of money spent by the Roads Safety Authority on the bike to bike testing scheme; the number of bikes purchased for this test; the number of tests that have taken place since the test was introduced; and if he will make a statement on the matter. [40061/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The subject matter of this question is a matter for the Road Safety Authority, and I have therefore referred the question to the Authority for direct reply. I would ask the Deputy to contact my office if a reply has not been received within ten days.

## Rail Network

489. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport the current status of plans to open a rail stop at Crusheen on the Ennis to Galway line; and if he will make a statement on the matter. [40070/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** Arrangements for the construction of railway stations are an operational matter for Iarnród Éireann. I have therefore referred the question to Iarnród Eireann for direct reply. Please advise my private office if you do not receive a reply within ten working days.

## Driving Licence Issues

490. **Deputy Seán Ó Fearghail** asked the Minister for Transport, Tourism and Sport if he will consider the issues raised in correspondence (details supplied); and if he will make a statement on the matter. [40104/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** Under EU rules, Member States are required to move to a plastic card driver licence commencing in 2013. There has been widespread support for this move. The new format of licence will be more convenient to carry than the current laminated paper licence, and also more durable.

In parallel with this change, we are also moving from a system in which driving licences are issued through the Local Authorities to a system in which the Road Safety Authority (RSA) will be the sole national driver licensing authority. The recently passed Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 includes provisions to make the RSA the national driver licensing authority.

The new system will come on stream during 2013. It will involve three outsourced elements, a card production facility, a front office for engaging with the customer, and a back office to process applications. This system will be overseen by a unit based in the RSA itself. I understand that the RSA intend to ask tenderers for the front office service to offer their own proposals for the capture of photo ID. The matter of what kind of photo ID is therefore not predetermined.

As in any outsourcing process, the RSA must follow public procurement rules. As a general principle, state agencies are expected to find the most cost-efficient way of doing business in order to deliver maximum value for money for the public. I do not see in this context that we can require an agency to design a tendering process to suit a particular industry. However, as I

have indicated, nothing has been predetermined in terms of what kind of photo-capture will be involved in the new system.

### **Taxi Regulations**

491. **Deputy Paschal Donohoe** asked the Minister for Transport, Tourism and Sport the number of recommendations of the Taxi Review Group report that have been implemented; his plans to implement the outstanding proposals; if he will clarify in his reply whether signage on the side of taxi vehicles will be implemented and if this signage will be permanent or if drivers will be able to remove it from their vehicles at the end of a shift; and if he will make a statement on the matter. [40148/12]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly):** The National Transport Authority (NTA) has responsibility for the regulation of the taxi industry under the Taxi Regulation Act, 2003, and is also the lead agency with responsibility for implementation of the recommendations of the Taxi Regulation Review Report. I understand from the NTA that work is progressing on all 46 Actions proposed and ten of the actions have been implemented to date.

Action 31 of the Review Report proposes the introduction of a distinctive branding on taxis, including wheelchair accessible taxis, to take the form of a semi-permanent decal to be applied, potentially, to the doors on either side of the vehicle. Planning has started on this Action and consultation on the final design has taken place with the Taxi Advisory Committee. I understand that the proposed decals would remain on the vehicle for whatever the period of time that vehicle is licensed and being operated as a small public service vehicle. The timetable for implementation of the remaining actions is set out in the Review Report and updates regarding the implementation of the Actions can be obtained under the taxi section on the NTA website.

### **Rail Services**

492. **Deputy Brian Walsh** asked the Minister for Transport, Tourism and Sport if his attention has been drawn to the fact that there is still no online booking facility for the Galway-Limerick train service; and if he will make a statement on the matter. [40163/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The issue raised is an operational matter for Irish Rail. I have referred the Deputy's question to the company for direct reply. Please advise my private office if you do not receive a reply within ten working days.

### **Rail Network**

493. **Deputy Paschal Donohoe** asked the Minister for Transport, Tourism and Sport when he expects construction work to begin on the replacement of a level crossing (details supplied) in Dublin 7. [40168/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** As Minister for Transport, Tourism and Sport, I have responsibility for policy and overall funding in relation to public transport. Following the establishment of the National Transport Authority (NTA) on December 2009, the implementation and development of infrastructure projects in the Greater Dublin Area (GDA), comes under the remit of the NTA. Noting this I have referred the Dep-

uty's question to the NTA for direct reply. Please advise my private office if you don't receive a reply within ten working days.

### **Consultancy Contracts**

494. **Deputy Charlie McConalogue** asked the Minister for Transport, Tourism and Sport if he will provide the actual list of the names and addresses of all the external consultees who were consulted in both the Fisher Report and the Fearon Report in relation to the Malin Head Coastal Radio Station, County Donegal, instead of the suggested list as provided previously; and if he will make a statement on the matter. [40169/12]

498. **Deputy Pádraig Mac Lochlainn** asked the Minister for Transport, Tourism and Sport if he will provide copies of the various drafts of the Fisher Report to Oireachtas members in counties Kerry and Donegal. [40193/12]

499. **Deputy Pádraig Mac Lochlainn** asked the Minister for Transport, Tourism and Sport if he will provide a list of those consulted in the preparation of the Fisher Report. [40194/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I propose to take Questions Nos. 494, 498 and 499 together.

The Department of Transport Tourism and Sport (DTTAS) appointed Fisher Associates to carry out a review of the Irish Coast Guard (IRCG) in June 2011. An element of the proposal involved Fishers consulting with the relevant stakeholders both internal and external. In order to encourage a frank exchange of views my Department did not participate in the actual discussions but facilitated the proceedings by providing a venue for some of the meetings. Fishers placed a particular emphasis on the confidentiality of this consultative work in preparing the report. In this regard it is imperative that the confidential nature of the background papers relating to this process is respected. In any case my Department does not have the names and addresses of individuals and/or groups associated with this consultation process.

It should also be noted that the consultants themselves may also have engaged in discussions with stakeholders by email and telephone. To assist the consultants the IRCG gave them an indicative list of stakeholders. This is attached for information.

There is also a reference to a "Fearon Report". This relates to an internal briefing note prepared by a member of the Management Board of the Department. In this case there was no formal external consultation process involved. The Fisher reports on the Irish Coastguard and the Marine Survey Office are available on the Departments website.

### **Road Traffic Legislation**

495. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport if he will consider extending Statutory Instrument 695 of 2011 to include civil defence vehicles; and if he will make a statement on the matter. [40182/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I have received no request from the Civil Defence Board to have their vehicles brought within the ambit of SI 695 of 2011. Should I receive such a request I will, of course, give it every consideration.

### **Marine Safety**

496. **Deputy Charlie McConalogue** asked the Minister for Transport, Tourism and Sport the position regarding the proposed new coastguard station in Killybegs, County Donegal; and if he will make a statement on the matter. [40187/12]

501. **Deputy Pádraig Mac Lochlainn** asked the Minister for Transport, Tourism and Sport the budget for the building of a new coastguard station at Killybegs, County Donegal. [40196/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I propose to take Questions Nos. 496 and 501 together.

The OPW is currently building a combined sea pollution response base and volunteer stationhouse on Killybegs pier for the Coast Guard. The Stores and Maintenance Base will house the national sea pollution response stockpile for the area from Lough Foyle to the Shannon. The volunteer stationhouse will provide shoreline response, lifeboat and cliff rescue facilities for the area from Ballyshannon, Co Sligo to Ardara, Co. Donegal. The projected cost is €1.762m.

### Departmental Expenditure

497. **Deputy Pádraig Mac Lochlainn** asked the Minister for Transport, Tourism and Sport if he will provide a full breakdown of costs for the recently completed refurbishment of Malin Head Marine Rescue Sub Centre, County Donegal. [40192/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The breakdown of the costs of the refurbishments at Malin Marine Rescue Sub Co-ordination Centre, County Donegal is as follows:

Building Renovation (re-wiring, new flooring and general clean-up)	€63,000
Communications architecture	€30,000
Ancillaries	€10,000
Technology Installation	€25,000
Total	€128,000

Additional upgrade costs to transfer Malin to digital technology and which could be re-located and re-used elsewhere in another Coast Guard Coordination Centre are:

One equipment cabin:	€40,000
Integrated Communications Node:	€553,000

*Questions Nos. 498 and 499 answered with Question No. 494.*

### Marine Safety

500. **Deputy Pádraig Mac Lochlainn** asked the Minister for Transport, Tourism and Sport the projected costs for the purchase and fit out of the proposed new Marine Rescue station proposed to be built in Dublin close to the existing station. [40195/12]

503. **Deputy Charlie McConalogue** asked the Minister for Transport, Tourism and Sport the projected costs for the purchase and fit out of the new station proposed by management as part of the coast guard station review which will be built separately from the existing station in Dublin; and if he will make a statement on the matter. [40219/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I propose to take Questions Nos. 500 and 503 together.

There are currently no plans to purchase or fit out a new Marine Rescue station in Dublin. The Irish Coast Guard was the subject of a recent report from Consultants Fishers Ltd, U.K. The report identified a number of key issues that need to be addressed further to ensure more effective marine emergency services. I announced the setting up of a Departmental Team to consider the matters raised in the Report and to prepare an Action Plan. This Action Plan will be presented to Government in October 2012.

All matters relevant to the Coast Guard will be examined including what is best application of resources to ensure the most effective response from the maritime emergency services. Within that context a number of future models for maritime emergency coordination in Ireland will be considered.

*Question No. 501 answered with Question No. 496.*

### **Road Safety**

502. **Deputy Dominic Hannigan** asked the Minister for Transport, Tourism and Sport if there are any plans for a standard 30kph speed limit within town and village boundaries; and if he will make a statement on the matter. [40218/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** Earlier this year, I announced that a review of speed limits would be undertaken and to that end, my Department established a stakeholder group to progress this work. The Automobile Association, An Garda Síochána, the Road Safety Authority, the National Roads Authority, representatives of local authorities and the National Transport Authority accepted my invitation to participate in the Working Group, which has met on a number of occasions since its formation.

As the Deputy will appreciate, this is a very complex issue which requires detailed consideration as it involves a broad review of general speed limits, along with the specific limits in place on certain roads. I anticipate that the Group will report to me by year's end, and I will give careful consideration to any recommendations contained in their Report. In the meantime, I have no plans to implement a standard 30 KPH speed limit within village and town boundaries.

The Deputy may be aware that Section 9 of the Road Traffic Act, 2004, allows road authorities to make bye-laws which allow the application of special speed limits on public roads within in their administrative areas. To assist in setting special speed limits, my Department issued Guidelines for the Application of Special Speed Limits to all local authorities in January 2011 and the onus is on local authorities to take them into account in relation to any special speed limits set.

*Question No. 503 answered with Question No. 500.*

### **Sports Capital Programme Applications**

504. **Deputy Paul J. Connaughton** asked the Minister for Transport, Tourism and Sport when successful applicants under the sports capital grants scheme will be notified; and if he will make a statement on the matter. [40238/12]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring):** My Department has received over 2,350 applications for funding under the 2012 Sports Capital Programme. This is the largest number applications ever received under the Programme.

Departmental officials have started processing all applications and this process will take some time due to the volume of applications received. I expect to be able to announce the list of successful applicants later this year.

### **Fáilte Ireland Funding**

505. **Deputy Seán Kenny** asked the Minister for Transport, Tourism and Sport if he will provide a breakdown of Fáilte Ireland funding allocated to North Dublin each of the past five years and to date in 2012, including financial supports under capital programmes, festivals and tourism events; and if he will make a statement on the matter. [40301/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The matter raised is an operational matter for Fáilte Ireland. I have referred the question to Fáilte Ireland for directly reply. Please contact my private office if a reply is not received within ten working days.

### **Ministerial Correspondence**

506. **Deputy Pádraig Mac Lochlainn** asked the Minister for Transport, Tourism and Sport when this Deputy may expect a response from him to the correspondence emailed to him on 31 July 2012 appealing to the him to take responsibility for ensuring that the young trainee pilots and their families impacted by the breakdown in the commercial relationship between the Pilot Training College in Waterford and the Florida Institute of Technology are provided with alternative training at no additional cost that enables them to attain their pilot's licence. [40347/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I regret the delay but a response has now issued to the Deputy on the matter.

### **Dublin Bus Services**

507. **Deputy Terence Flanagan** asked the Minister for Transport, Tourism and Sport if he will provide a bus service from an area (details supplied) to the main reception of Beaumont Hospital, Dublin; and if he will make a statement on the matter. [40365/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The provision of bus services is an operational matter for Dublin Bus, in conjunction with the National Transport Authority, and not one in which I have any role. I have referred the Deputy's question to the company for direct reply. Please advise my private office if you do not receive a reply within ten working days.

### **Rail Services**

508. **Deputy Joan Collins** asked the Minister for Transport, Tourism and Sport his views on a matter (details supplied) regarding the Luas lines; and if he will make a statement on the matter. [40457/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** This is an operational matter for the Railway Procurement Agency (RPA) in conjunction with the Luas operator, Veolia Transport. I have referred the Deputy's question to the RPA for direct reply. Please advise my private office if you do not receive a reply within 10 working days.

### **Bus Éireann Services**

509. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport if he will consider retaining Bus Éireann's route 2 service (details supplied) to areas such as Inch and Ballincor; and if he will make a statement on the matter. [40473/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** This is an operational matter for Bus Éireann in conjunction with the National Transport Authority and not one in which I have any role. I have referred the Deputy's question to the company for direct reply. Please advise my private office if you do not receive a reply within ten working days.

### **Sports Capital Programme Applications**

510. **Deputy Michael Creed** asked the Minister for Transport, Tourism and Sport when he expects to complete his Departments validation of applications made under the Sports Capital Programme 2012; and if he will make a statement on the matter. [40487/12]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring):** My Department has received over 2,350 applications for funding under the 2012 Sports Capital Programme. This is the largest number of applications ever received under the Programme.

Departmental officials have started processing all applications and this process will take some time due to the volume of applications received. I expect to be able to announce the list of successful applicants later this year.

### **Smarter Transport**

511. **Deputy Michelle Mulherin** asked the Minister for Transport, Tourism and Sport the objectives of the sport active travel towns funding scheme; the grounds on which an application for funding under the scheme by an organisation (details supplied) was turned down; the scheme's objectives that were not met by this application; and if he will make a statement on the matter. [40516/12]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly):** Active Travel Towns is a Smarter Travel Programme designed to secure modal shift to walking and cycling in towns by engaging with the local community, allied with infrastructural change.

The rationale underpinning the development of an Active Travel Towns programme was that in order to continue on a trajectory towards securing our national cycle policy target of 10% of all trips to be made by bike by 2020, securing increased bicycle (and walking) mode share requires a focus to be placed on population and employment centres, i.e. delivery of increased cycling and walking mode share in urban areas.

There was considerable interest in the programme and significantly more proposals were submitted than funding was available. An assessment panel considered all the applications submitted and selected those applications which best met these objectives i.e. that can deliver modal shift to walking and cycling within their town through the delivery of infrastructure and measures to promote behavioural change.

The proposal submitted by Ballina Town Council was considered worthwhile in its support for active travel, leisure cycling and tourism. The assessment panel considered that while the proposal contained links from existing infrastructure to the town centre it lacked sufficient focus on urban modal shift and focused instead to a great degree on leisure cycling. It therefore did not fully meet with the objectives of the Active Travel Towns programme and was not ranked high enough for inclusion in the final selection.

### **Pension Provisions**

512. **Deputy Joe Higgins** asked the Minister for Transport, Tourism and Sport if he will amend Statutory Instrument No. 242 of 1945 arising from the Section 44 of the Transport Act 1994 which governs the terms of the occupational pension scheme of the CIE group of companies particularly the specification that employees who if over 50 years may not enter the pension scheme. [40550/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The terms and conditions of the pension schemes for Córas Iompair Éireann (CIÉ) employees are a matter in the first instance for the Board of CIÉ.

I have been informed by CIÉ that the rules of the Córas Iompair Éireann Pension Scheme for Regular Wages Staff allow staff members to join the scheme before their 50th Birthday. The benefits to be derived by members are calculated based on actual service as a percentage of potential service to 65 years of age. At present there are no proposals to allow staff over 50 years of age to join the scheme.

### **Departmental Staff Numbers**

513. **Deputy Regina Doherty** asked the Minister for Transport, Tourism and Sport if his Department still grants leave of absence; if not, the reason this is not considered as a neutral cost saving exercise; and if he will make a statement on the matter. [40603/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** My Department grants leave of absence in accordance with 'Circular 18/1998: Special leave without pay for Career Break', which is available on the Government website [www.circulars.gov.ie](http://www.circulars.gov.ie) at the following link: <http://circulars.gov.ie/yearindex/1998/>.

For absences shorter than the 6 months minimum for career breaks, my Department grants leave of absence e.g. parental and maternity leave, in accordance with the appropriate circulars.

Approval of applications for leave of absence are subject to the business requirements in the area in which the applicant works and to the exigencies of the business of the Department.

### **Sports Capital Programme Applications**

514. **Deputy Martin Ferris** asked the Minister for Transport, Tourism and Sport the position regarding a sports grant in respect of an organisation (details supplied) in County Kerry. [40606/12]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring):** My Department has received over 2,350 applications for funding under the 2012 Sports Capital Programme. This is the largest number of applications ever received under the Programme.

Departmental officials have started processing all applications and this process will take some time due to the volume of applications received. I expect to be able to announce the list of successful applicants later this year.

### **Pension Provisions**

515. **Deputy Michael McGrath** asked the Minister for Transport, Tourism and Sport the steps he is taking to address the dispute between the workers of Aer Lingus, Dublin Airport Authority and former SRT workers and the relevant employer organisations arising from the difficulties in the Irish airlines (general employees) superannuation scheme; and if he will make a statement on the matter. [40617/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The question refers to the Irish Airlines (General Employees) Superannuation Scheme (IASS) which is a multi-employer scheme involving Aer Lingus, the Dublin Airport Authority and SR Technics.

Resolution of the funding difficulties in the scheme is a matter for the trustees, the companies participating in the scheme and the members and I understand that the parties are participating in discussions with the assistance of the Labour Relations Commission in an effort to find a solution to the current difficulties.

As I have no function in relation to the pension scheme, my Department is not a party to these discussions.

### **Driving Licence Renewals**

516. **Deputy Peter Mathews** asked the Minister for Transport, Tourism and Sport if it is necessary when renewing your driving licence to provide an eye sight certificate if you continue to wear corrective lenses that is wore corrective lenses on previous driving licences; and if he will make a statement on the matter. [40653/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** It depends on the age of the applicant. Applicants for a first learner permit must provide an eyesight report. If that report indicates that they must wear corrective lenses then this is noted on their licence and follows them through the licensing system, and will be noted on subsequent learner permits and on their full licence, when they obtain it. They should therefore not need a further eyesight report when renewing their learner permit, or subsequently when receiving or renewing their full licence. In cases where a person ceases to need corrective lenses - for example after laser eye surgery - they are required to undergo an eye test to prove that they no longer need the lenses.

Applicants for renewal of a driving licence who are over the age of 70 are required to produce an eyesight report at each renewal. This is common practice internationally, and is based on the recognition that eyesight can deteriorate with age, with a potentially serious impact on

the individual's capacity to drive.