

## Written Answers.

---

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

---

*Questions Nos. 1 to 7, inclusive, answered orally.*

### **Economic Growth Initiatives**

8. **Deputy Michael McGrath** asked the Minister for Finance his views on the opinion of the Fiscal Council that economic growth forecasts from his Department are systematically biased upwards; his plans to improve forecasting models with the Department; and if he will make a statement on the matter. [42287/12]

**Minister for Finance (Deputy Michael Noonan):** Last year, the Government established a Fiscal Advisory Council which is to, *inter alia*, assess and report periodically on the official macroeconomic and budgetary forecasts. The Council issued its third Fiscal Assessment report in September 2012. A large part of the report was devoted to assessing the appropriateness of the economic and budgetary forecasts of the Department of Finance. As the Council notes, economic and budgetary forecasts are subject to a degree of uncertainty and this is reflected in the wide range of projections and ongoing revisions. However, the findings of the Council are that the forecasts produced within the Department of Finance show no sign of optimism bias. This is one of the key conclusions of the report, and is evident for all to see. To quote from page 15 of the report, “..... *the official forecasts do not exhibit evidence of optimism bias.*”

The Fiscal Advisory Council notes that forecasts of the timing and magnitude of the recovery have been revised down by my Department in recent years, but also notes that similar revisions have been made by all institutions which forecast the Irish economy. The recovery in the global economy - on which we rely for an acceleration of export growth - has, in recent years, proved weaker than initial expectations of a number of international forecasting agencies such as the IMF and OECD.

I am sure the Deputy is familiar with the March 2011 report on Strengthening the Capacity of the Department of Finance, carried out by Canadian expert Rob Wright. It recognised that the Department’s forecasting record was as good as any other institution engaged in the process. Nonetheless, the Department has taken steps over the last eighteen months to improve its capacity in the economics field. New graduate staff with economics qualifications to MSc level have been recruited and a separate Economics Division has been set up.

My Department will publish its next set of economic and fiscal forecasts later this month to allow an informed debate in advance of December’s Budget on the fiscal space the government will be operating within.

## Common Consolidated Corporate Tax Base Proposals

9. **Deputy Éamon Ó Cuív** asked the Minister for Finance his views on whether Ireland's economic interests are being protected in the current discussion surrounding proposals for a Common Consolidated Corporate Tax base; and if he will make a statement on the matter. [42317/12]

**Minister for Finance (Deputy Michael Noonan):** On 16th March 2011 the European Commission, which has the right of initiative to bring forward legislative proposals, published its proposal for a Common Consolidated Corporate Tax Base. This represented the beginning of a process that involves a detailed examination of the proposal, line by line, by all Member States at the Council Working Group. Since the Commission's proposal has been published, Department of Finance officials, along with officials from the Revenue Commissioners have been attending the Working Party on Tax Questions which is the forum for discussions on the proposal. To date, my officials have attended meetings on a regular basis in relation to the proposal and there is still a long way to go before agreement on the Commission's proposal could be expected.

This proposal has the potential to affect the economic interests of all Member States. Therefore both I and the Government have made it clear that Ireland, like all other Member States, intends to constructively engage in that process because only in that way can we absolutely ensure that all of the arguments are brought to the table and our interests are protected.

I want to assure the Deputy that it is clearly understood that our engagement is strictly on the basis that taxation is a matter of national competence and that the principle of unanimity in taxation is fully respected.

## Credit Availability

10. **Deputy Timmy Dooley** asked the Minister for Finance in view of the failure to encourage the pillar banks to lend in adequate amount to meet demand in the economy if he is considering alternative strategies for improving access to credit; and if he will make a statement on the matter. [42298/12]

**Minister for Finance (Deputy Michael Noonan):** I do not agree with the Deputy's assertion that there has been a failure to encourage the pillar banks to lend in adequate amount to meet demand in the economy. The Government has imposed SME lending targets on the two domestic pillar banks for the three calendar years, 2011 to 2013. Both banks were required to sanction lending of at least €3 billion in 2011, €3.5 billion this year and €4 billion in 2013 for new or increased credit facilities to SMEs. Both banks achieved their 2011 targets and I would be confident of them achieving the more challenging target this year. In terms of rejection rates from banks, I would remind the Deputy that the Credit Review Office (CRO) can review decisions by the pillar banks to refuse, reduce or withdraw credit facilities, including applications for restructured credit facilities, from €1,000 up to €500,000. The CRO is overturning 55% of the refusal decisions referred to them and I would appeal to SMEs and farmers who have been refused credit by the banks to avail of the services of the CRO.

The Deputy should be aware that the Microenterprise Loan Fund Act provides for a scheme which will facilitate up to €40 million in additional lending to microenterprises over the next five years. Furthermore, the Government is in the process of facilitating up to €150 million per annum of additional credit through the Temporary Partial Credit Guarantee Scheme, designed for SME's who, because of lack of collateral or because of the specialised sector they operate

in, face difficulties in accessing bank credit.

In summary, it is vital that the banks continue to make credit available to support economic recovery. However, it is not in the interests of the banks, businesses or the economy for finance to be provided unless the business is viable and has the capacity to meet the interest payments and repay the sum borrowed. I remain open to any constructive suggestions which could augment the Government's initiatives in this area.

## **Tax Compliance**

11. **Deputy Brendan Smith** asked the Minister for Finance his views on the report of the Comptroller and Auditor General which highlighted considerable uncertainty surrounding the level of tax non-compliance and the audit processes employed by Revenue; and if he will make a statement on the matter. [42315/12]

**Minister for Finance (Deputy Michael Noonan):** I am advised by the Revenue Commissioners that they are currently reviewing the Annual Report of the Comptroller and Auditor-General for 2011, published on Thursday, September 27th, which contains a comprehensive section on Revenue. Revenue has a strong focus on making sure that everyone complies with their tax and duty responsibilities by filing the required tax return and paying the right amount of tax on time. Revenue's overall compliance strategy is to influence compliance behaviour in the community in general, including by making it as easy as possible for people to comply. In that regard, the Deputy will be aware of Ireland's high ranking in a World Bank/PSC index on ease of payment of business taxes. The Revenue Commissioners also actively support compliance by reducing the administrative burden on businesses. A measurement carried out recently in accordance with the internationally accepted Standard Cost Model, and overseen and validated by external consultants showed a reduction of 25% in the compliance cost burden for business.

Some examples of initiatives that Revenue has delivered to support tax compliance include:

- The development of its well-regarded Revenue's Online Service (ROS), incorporating the electronic filing of tax returns and tax payment. Its usage continues to grow (with increased use of Electronic Funds Transfer for tax payments). The number of payment transactions made via ROS increased by 35.6% in 2011 to 975,105, while the value of those payments increased by 16% to €32.1bn.

- The extension of mandatory electronic Filing – which now incorporates all public sector bodies, all VAT registered businesses and employers that employ more than 10 people

- The introduction of electronic Relevant Contracts Tax from January 1 2012 which, by streamlining processes has also had a very significant compliance impact.. This project

- Reduced the administrative burden on business and Revenue,
- Streamlined and modernised the administration of Relevant Contracts Tax,
- Enhanced tax compliance,
- Reduced the opportunities for fraud,
- Improved cash flow for compliant subcontractors, and
- Removed approximately 1,000,000 pieces of paper from the system.

- Principal contractors now electronically inform the Revenue Commissioners of the payments made and the associated tax implications.

It is international best practice amongst tax administrations that making it easy to comply with tax obligations encourages good compliance and I am satisfied that the Revenue Commissioners are to the forefront in that approach. The following statistics are indicators of the achievements of the Revenue Commissioners in 2011 through its strategy of encouraging voluntary compliance:

- A 95% Return and Payment Compliance for Large Cases by the Due Month,
- A 95% average of tax collected by the due date for PAYE/PRSI,
- A 91% average of tax collected by the due date for VAT, and
- A 97% average of tax collected by the due date for Preliminary Income Tax (non-PAYE).

The other aspect of Revenue's strategy to maximise tax compliance is the development of a comprehensive compliance programme. Here Revenue's approach is to undertake a range of compliance interventions that are the most appropriate to target the specific risk or risks identified and to influence the compliance behaviour of the taxpayer by so doing. By carefully selecting the cases for intervention, and carefully choosing the type of intervention, Revenue strives to maximise the use of resources and minimise the compliance burden on compliant taxpayers. In his 2011 Report, the C&AG noted 'that Revenue's risk assessment is relatively effective in targeting higher-risk cases'.

Among the outcomes that Revenue's compliance activities have delivered for 2011 are the following:

- In excess of 11,000 audits completed generating a yield of €440.5m,
- A further €81.3m collected from other assurance checks,
- 16 convictions for serious tax offences, and
- 366 published audit settlements to a value of €76m.

It is now widely accepted by Revenue administrations that there is no one absolute way to measure changes in compliance levels. Most modern administrations use a number of indicators that can be looked at as a package, to help them form a view on whether compliance levels are improving or otherwise. I am confident that the Revenue Commissioners are pursuing programmes that maximise voluntary compliance and deal in a very determined way with tax non-compliance.

### **European Banking Sector**

**12. Deputy Billy Kelleher** asked the Minister for Finance the progress that has been made to date in implementing a Europe wide system of bank supervision; and if he will make a statement on the matter. [42301/12]

**Minister for Finance (Deputy Michael Noonan):** The European Council meeting of 29 June considered a report from the President of the European Council in cooperation with the Presidents of the Commission, Eurogroup and ECB which set out building blocks for future Economic and Monetary Union. One of these building blocks is an integrated financial framework

or banking union which comprises three elements (a) an integrated system for the supervision of cross-border banks (b) a European deposit insurance scheme, and (c) a European resolution scheme. The Euro Area Summit also on 29 June called on the Commission to quickly present proposals for the setting up of a single supervisory mechanism which would be considered by the Council as a matter of urgency. Significantly the statement of the Euro area Summit clearly stated that when such a mechanism is in place for banks in the euro area the ESM could, following a regular decision, have the possibility to recapitalise banks directly. The statement also committed the Eurogroup to examining the situation of the Irish financial sector with a view to further improving the sustainability of our well-performing adjustment programme.

The Commission presented legislative proposals in September for a single supervisory mechanism conferring powers on the ECB for the supervision of all banks in the euro area, with a mechanism for non-euro countries to join on a voluntary basis.

Ireland supports in principle the development of a banking union for Europe. Our support for a single supervisor is contingent on such a system definitively breaking the link between the sovereign and the banking sector. We are also seeking to ensure that shared supervision is progressed as part of a package which will also address shared risk and mutualisation of debt. The question of retrospective application of ESM remains firmly on the table as far as Ireland is concerned and we would expect to see more detail on how this can be addressed over the coming months. Any move to a banking union must respect the integrity of the single market and be consistent with the principle of free movement of capital throughout the European Union.

The Commission called on the Council and European Parliament to adopt the legislative proposal by the end of 2012. While the timetable is ambitious we will be supporting efforts by the European Council to meet this target.

The establishment of the single supervisory mechanism is a crucial and significant first step to completing the banking union. The banking union will also require further work to develop a common system for deposit guarantees and an integrated crisis management framework.

### **Tax Reliefs Availability**

13. **Deputy Seán Crowe** asked the Minister for Finance the plans, if any, he has to publish the economic rationale for all existing tax reliefs and for all proposed tax reliefs being considered; and if he will make a statement on the matter. [42274/12]

**Minister for Finance (Deputy Michael Noonan):** The rationale for existing tax reliefs is already in the public domain. The Commission on Taxation included a comprehensive review of all tax expenditures then current in its 2009 Report, with a view to assessing their economic and social benefits. The Commission examined tax expenditures introduced in legislation up to and including Finance (No. 2) Act 2008 which had not been repealed by legislation up to Finance Act 2009.

Not many tax reliefs have been introduced since that time. However, when a relief is introduced or indeed amended or abolished, this is done via the Budget and Finance Bill process. In this way any such change is done in a public manner and the reasons, economic and otherwise, behind the proposed change are fully explained. If Deputies consider that more information is required than initially is being provided by the Minister, then Committee Stage of the Finance Bill provides an opportunity for more detailed analysis to be made. Records of these Oireachtas proceedings are themselves subsequently published.

Where a particularly major change is contemplated, an additional level of analysis is under-



taken, frequently involving a consultation process.

An example of such work recently conducted by my Department would be the Economic Impact Assessment of Potential Changes to Legacy Property Reliefs. This assessment, undertaken last year and published by my Department, included a consultation paper, engagement from over 700 submissions and an analysis, enabled the Department to understand the possible legacy costs to the State as well as the impacts on individuals and economic sectors of a change in law relating to the use of these particular reliefs.

Another example, which is currently work in progress, is the Public Consultation on Section 481 Film Tax Relief. I published a consultation paper which set out preliminary analysis and data and invited interested parties to make submissions as part of an economic impact assessment of film tax relief. The impact assessment will enable the Department to better understand the benefits that may accrue to the exchequer as well as consequences for investors, the audio-visual industry, and the wider economy arising from potential changes to the relief.

I would add also that much of the preparatory work done by my Department in relation to tax policy options and choices generally is reflected in the papers prepared for and presented to the Tax Strategy Group. These papers are subsequently published on my Department's tax policy website [www.taxpolicy.gov.ie](http://www.taxpolicy.gov.ie).

As regards proposed tax reliefs being considered, I can say that all reliefs come under review as part of the annual Budget and Finance Bill process but the Deputy will be aware that it is not the practice of the Minister for Finance to comment on possible changes in advance of Budget Day.

### Government Bonds

14. **Deputy Micheál Martin** asked the Minister for Finance his plans to attract non Euro investors by offering Irish government bonds denominated in US dollars; and if he will make a statement on the matter. [42306/12]

**Minister for Finance (Deputy Michael Noonan):** International investors, including non-euro investors, are already significant holders of Irish Government bonds. The NTMA inform me that, to the best of their knowledge, a large proportion of the buyers of Treasury Bills in auctions this year and of the €4.2 billion of long-term bonds issued in July were non-domestic investors and that there has been significant non-euro interest in Ireland. The €1 billion issuance of amortising bonds in August was primarily, as one would expect, driven by domestic demand. The NTMA already issue non-euro-denominated short-term commercial paper in the market. It is the policy of the NTMA to swap non-euro receipts into euro and so remove the currency exposure.

Longer-term Government bonds denominated in US dollars are another potential market for the NTMA to tap. I am aware that other eurozone sovereigns, such as Finland, Belgium, and other European sovereigns such as the Netherlands, Denmark and Sweden, have issued in that market this year. Any decision by the NTMA to issue bonds denominated in US dollars would depend on prevailing market circumstances and the attractiveness of the funding costs relative to other markets, particularly the euro.

## **Pensions Levy Issues**

15. **Deputy Dara Calleary** asked the Minister for Finance his views on whether the pension fund levy has contributed to the difficulties faced by many pension schemes in meeting funding standards issued by the pensions board; if he is considering reviewing the levy in view of this; and if he will make a statement on the matter. [42291/12]

**Minister for Finance (Deputy Michael Noonan):** The chargeable persons for the pension fund levy are the trustees or other persons (including insurance companies) with responsibility for the management of the assets of pension schemes or plans.

The payment of the levy is treated as a necessary expense of a pension scheme and the trustees or insurer, as appropriate, are entitled (where they decide to do so) to adjust current or prospective benefits payable under a scheme to take account of the levy. It is up to the trustees to decide whether and how the levy should be passed on and who should be impacted and to what extent, given the particular circumstances of the pension schemes for which they are responsible.

Where, for example, a decision is taken by the trustees of a funded Defined Benefit (DB) scheme to pass on the impact of the pension fund levy to scheme members as outlined above then the impact on the scheme in terms of meeting the minimum funding standards would be neutral.

As I understand the position, the trustees of many funded DB schemes are still in the process of considering their plans for dealing with the minimum funding standards recently issued by the Pensions Board. While I am conscious that pension schemes may have to address a number of difficult issues in meeting these requirements, I would not consider, in all the circumstances, the temporary stamp duty levy of 0.6% to be significant in this context.

In line with standard practice and in common with other tax measures, the operation of the pension fund levy will be reviewed by me in the context of the Budget and Finance Bill.

## **Mortgage Interest Rates Issues**

16. **Deputy John McGuinness** asked the Minister for Finance his views on whether a deal to remove loss making tracker mortgages from the balance sheets of covered banks would reduce the risk of those banks increasing standard variable rate mortgages, in view of the impact such increases have on customers who are unable to switch their mortgage to more competitive providers; and if he will make a statement on the matter. [42309/12]

**Minister for Finance (Deputy Michael Noonan):** Given discussions on any bank debt deal are on-going, it would be inappropriate of me to speculate over what future scenarios may arise based on those discussions and as no decision to transfer the tracker mortgage portfolio to any other entity has been taken, I cannot outline the impact that such a transfer would have. As the Deputy will be aware, the Banks' policies in relation to lending rates is a matter for the boards and management of each institution. Notwithstanding the fact that the State is a significant shareholder in various institutions, I must ensure that the banks are run on a commercial, cost effective and independent basis to ensure the value of each bank as an asset to the State, as set out in the Memorandum on Economic and Financial Policies agreed with the EU Commission, the ECB and the IMF. Relationship Frameworks have been specified that define the nature of the relationship between the Minister for Finance and the banks.

These Frameworks were published on the Department of Finance website on 30 March 2012 and can be found at:

<http://banking.finance.gov.ie/presentations-and-latest-documents/>

Ultimately the pricing of financial products, including standard variable mortgage interest rates, is a commercial decision for the management team and board of each bank, having due regard to their customers and the impact on profitability, particularly where the cost of funding to each bank, including deposit pricing, is under pressure. Neither the Central Bank nor the Department of Finance has a statutory function in relation to interest rate decisions made by individual lending institutions at any particular time.

### **Irish Stock Exchange**

17. **Deputy Robert Troy** asked the Minister for Finance his plans to hold discussions with the Irish Stock Exchange with a view to supporting its continued development; and if he will make a statement on the matter. [42320/12]

**Minister for Finance (Deputy Michael Noonan):** I would like to inform the Deputy that there is regular contact between my Department's officials and the Irish Stock Exchange. My particular function in relation to the Irish Stock Exchange is to ensure that they continue to be regulated by the Central Bank of Ireland, and authorized under the MiFID legislation. I have no specific arrangements to have discussions with the ISE at this time, but I am open to such a meeting in the future. At a broader level, I would support an ambitious enterprise policy for Ireland, which would facilitate Irish companies making their mark on a global scale. This policy is under the remit of my colleague, Minister Bruton.

### **Promissory Note Negotiations**

18. **Deputy Patrick Nulty** asked the Minister for Finance when Ireland will receive a write down of its debt burden as indicated by EU leaders following the July 2012 summit. [41267/12]

19. **Deputy Patrick Nulty** asked the Minister for Finance the steps he is taking to renegotiate the promissory note which the State must pay in relation to Irish Bank Resolution Corporation formerly Anglo Irish Bank. [41266/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 18 and 19 together.

As the Deputy is aware, the Irish Government has been working extremely hard to secure a deal on the Irish bank debt and detailed work will continue to ensure that the positive moves in Europe are harnessed to maximise the benefit to the Irish taxpayer. This is on the back of the Euro Area summit statement of 29 June of this year and the on-going work is one of the Government's key priorities.

On 12 and 13 September I travelled to Paris, Berlin and Rome for meetings with my counterparts in the respective Ministries of Finance. These meetings were part of our on-going consultations with our European colleagues, at all levels, to support broader understanding of the extent to which we are living up to our commitments under the EU-IMF Joint Programme of Assistance, as well as the remaining challenges we face.

A priority item on the agenda in each of these meetings was the issue of the promissory note.



I am glad to say that we met with strong appreciation of our situation and we were able to have very constructive dialogue in each case on our approach to this question. At this point it is not possible to guide on the potential timing of any agreed approach but we will be continuing our engagement with the Troika and our partners in the European Union with a view to a satisfactory resolution of this issue and other related questions.

### **Financial Services Regulation**

20. **Deputy Catherine Byrne** asked the Minister for Finance if he will consult with the Governor of the Central Bank of Ireland with a view to the banks capping the interest rate being charged by licensed money lenders; and if he will make a statement on the matter. [37883/12]

**Minister for Finance (Deputy Michael Noonan):** I mentioned in the House on 18 July 2012, at the conclusion of the debate on the Private Members' Bill on the issue of capping the interest rate charged by licensed moneylenders, that I would draw to the attention of the Governor of the Central Bank, the concerns and points raised during the debate. I have received a reply from the Governor and its contents are being examined. The Governor's response raises a number of significant issues which will require additional consultation between my Department and the Central Bank. The Governor did mention, however, that an interest rate cap on licensed moneylenders may lead to greater financial exclusion and more customers may resort to the use of illegal moneylenders.

### **Tax Collection**

21. **Deputy Gerry Adams** asked the Minister for Finance the way he plans to achieve a broadening of personal income tax base as promised to the international monetary fund in the letter of intent he signed in August 2011. [42260/12]

**Minister for Finance (Deputy Michael Noonan):** In the Memorandum of Understanding (MoU) under the EU / IMF Programme of Financial Support, which is reviewed quarterly with the Troika i.e. the European Commission, the International Monetary Fund and the European Central Bank, the Government has committed to consolidation measures for 2013 of at least €3.5 billion. It is proposed that this consolidation will be made up of a combination of revenue measures and expenditure reductions. In the MoU, Revenue measures to raise at least €1.25bn are proposed including:

- A broadening of the personal income tax base.
- A value-based property tax.
- A restructuring of motor taxation.
- A reduction in tax expenditures.
- An increase in excise duty and other indirect taxes.

As the Deputy will be aware, it is a long standing practice of Finance Ministers not to comment on any tax proposals that may be the subject of forthcoming Budget decisions.

## Tax Reliefs Cost

22. **Deputy Aengus Ó Snodaigh** asked the Minister for Finance if there is an estimate of the tax forgone to the State from the activity whereby propriety directors can make tax free contributions to pensions; if he has considered placing a limit on the amount that can be contributed to pensions tax free by these persons for example in the region of 20% on an individual salary. [42268/12]

**Minister for Finance (Deputy Michael Noonan):** Contributions to occupational pension schemes by employees are tax-relieved at the marginal rates of income tax applying to such individuals, subject to restrictions on the annual amount of tax-relieved contributions based on annual earnings (a maximum of €115,000 per annum applies) and age-related percentage limits of those annual earnings. To the extent that “proprietary directors” make pension contributions as employees of their business these restrictions would apply. However, employer contributions to occupational pension schemes are not included within the age-related percentage limits and the overall earnings cap for tax-relieved pension contributions referred to above. This is on the basis that employers cannot fund for pension benefits in excess of the statutory maximum of a pension of 2/3rds of final salary. I assume it is to these employer contributions that the Deputy is making reference in his question.

A review of certain tax schemes undertaken in 2005 included a review of Tax Relief for Pensions Provision which was carried out jointly by my Department and the Revenue Commissioners. The results of this review were published in February 2006 as part of Volume III of the Budget 2006 Review of Tax Schemes. Among the main conclusions of the review were that, notwithstanding the maximum funding rule of a pension of 2/3rds final salary:

“Current tax reliefs appear to be very generous in relation to individuals whose employers are in a position to make substantial tax deductible contributions to their schemes effectively without limit, particularly in circumstances where they can influence the level of employer contributions and their remuneration level”

Proprietary directors would be among the individuals being referred to in this context.

In an effort to address the issues raised in the various conclusions of the review, including the specific conclusion referred to above, various options for change were put forward which resulted in a number of significant amendments being made to the tax regime for both pensions and Approved Retirement Funds in the 2006 Budget and Finance Act.

The changes involved:

- Closing off excessive tax relieved funding for pensions through the imposition of a maximum allowable pension fund on retirement for tax purposes of €5m, with punitive tax on amounts drawn down in pension benefits in excess of that sum. (This maximum allowable pension fund for tax purposes -the Standard Fund Threshold - has since been reduced to €2.3 million).
- Imposing a cumulative limit of 25% of the Standard Fund Threshold on the maximum tax-free lump sum that can be taken on retirement. (This cumulative lifetime limit for tax-free retirement lump sums has since been reduced to €200,000).
- Restricting the capacity of individuals to use Approved Retirement Funds (ARFs) as purely long-term tax-exempt vehicles by introducing the concept of an annual imputed or notional distribution from ARFs which is taxable at the ARF owner’s marginal tax rate. (The imputed distribution was introduced on a phased basis rising to a rate of 3% of ARF assets. The imputed

distribution percentage was increased from 3% to 5% in Budget and Finance Act 2011 and to 6% in this year's Budget and Finance Act for ARFs with assets of €2 million or more.)

The fact that employer contributions to occupational pension schemes are not included within the employee age-related percentage limits and the overall earnings cap on pension contributions, was identified as an anomaly in the review and was considered among the options for change. However, the review identified difficulties with such a course of action and rather than change the treatment of employer contributions, it was considered that the imposition of the limit on the maximum allowable tax relieved pension fund (the Standard Fund Threshold) would be as effective, without giving rise to the difficulties identified in the review.

I am advised by the Revenue Commissioners that employer contributions to occupational pension schemes are returned annually to the Revenue Commissioners on an aggregate basis as part of the P35 tax return by employers. Small self-administered pension schemes (SSASs) are a particular type of occupational pension scheme which are normally single member schemes – that member generally being a proprietary director. However, Revenue systems are not capable of distinguishing between multi-member and single member schemes for the purpose of establishing the employer contributions made specifically in relation to proprietary directors as part of the P35 returns.

I am also advised by the Commissioners that a condition of approval of small self administered schemes is the supply of regular information about the scheme, including the submission of annual audited accounts of the scheme which would include contributions made. However, this material is not as yet held in a manner that would allow the information requested by the Deputy to be extracted without a significant investment of resources by them.

### **Bank Guarantee Scheme Administration**

23. **Deputy Niall Collins** asked the Minister for Finance his plans for the operation of the eligible liabilities guarantee; the implications for the public finances of any change to the scheme; and if he will make a statement on the matter. [42294/12]

**Minister for Finance (Deputy Michael Noonan):** The Deputy will be aware that the continuation of the ELG Scheme (Scheme) which has been in operation since 9 December, 2009, is subject to approval by the EU Commission every six months under State Aid Rules. The current issuance period (during which new liabilities may be guaranteed), which was approved for prolongation by the EU Commission on 1 June last, is due to terminate on 31 December, 2012. As part of the bi-annual review process, the Central Bank of Ireland (CBI) and the National Treasury Management Agency (NTMA), the Scheme Operator, have been asked for their assessments of the case for further prolongation of the ELG Scheme beyond December, 2012. When these assessments have been made available to me, I will take them into account along with the advice of my Department before deciding on whether or not to seek approval from the EU Authorities to extend the issuance period of the Scheme.

At the same time, an inter-Agency Working Group led by my Department is currently working with the brief to develop a roadmap to provide for a winding-down of the Scheme consistent with preserving financial stability. The outcome of the Group's deliberations will be discussed with the Troika Authorities over the final Quarter of this year.

As regards implications for the public finances of any change to the Scheme, the Deputy will be aware that, under its terms, Participating Institutions are obliged to pay fees to the State in respect of their outstanding guaranteed liabilities. The fee rate is determined by the

EU Commission and is reviewed on a regular basis. Any decision to alter current rates would consequently have an impact on the amount of fees currently being generated by the Scheme.

The fee income expected to be received in 2012 by the Exchequer is of the order of €1bn. Any decision in the future to end the Scheme would ultimately eliminate this income. The extent of the impact would depend on how such a move was managed but as fee income is paid quarterly in arrears and as any existing guarantee –and therefore corresponding fee - would continue to apply until the maturity of the liabilities concerned, income would tend to reduce on a gradual basis. Any such change in fee income accruing to the Exchequer in the future would be taken account of in the normal Budgetary arithmetic.

I am conscious that the current level of fees being paid by the Participating Institutions in the ELG Scheme is unsustainable in the long term and is having a negative impact on their profitability. With this in mind, and with my encouragement, Irish covered banks' subsidiaries in the UK have been reducing their participation in the Scheme during 2012 by not taking on new, guaranteed deposits under the Scheme. As indicated above in the measures that I outlined, it is my intention to examine ways in which this process can be continued here in Ireland with a view to developing a plan for an orderly withdrawal of the Scheme at an appropriate time but which would, of course, continue to honour the terms of all current guarantees under the Scheme.

### **Irish Fiscal Advisory Council Reports**

**24. Deputy John Browne** asked the Minister for Finance the process that he has undertaken to review and where appropriate take on board the recommendations of the Fiscal Council's report; and if he will make a statement on the matter. [42289/12]

**Minister for Finance (Deputy Michael Noonan):** Last year, the Government established a Fiscal Advisory Council which is to report periodically on the fiscal position. In that context, I welcome the recent publication of the Council's third Fiscal Assessment Report. My Department monitors all economic developments closely and considers the analysis and recommendations in expert reports such as those produced by the Fiscal Council. These will form valuable inputs to its updated economic projections, which will be published later this month in the Medium-Term Fiscal Statement (MTFS).

The Council suggests that it would be prudent to undertake additional consolidation in 2014 and 2015. It is of course extremely important that we adhere to the deficit targets which have been set and that we restore sustainability to the public finances as soon as possible. Developments this year have been broadly in line with expectations in aggregate terms. In this context, Government will take the views of the Council into consideration.

On the other hand, I am very conscious of the potential impact this could have on economic activity. In striving to restore sustainability to the public finances, we must also be mindful of protecting the emerging economic recovery and seek to strike the right balance between the two. This balancing act is difficult but it is my view that we have a reasonable balance. The fact that the Council sees us as achieving deficit targets on the basis of the already committed adjustments reinforces my view in that regard. However, we will continue to closely monitor economic developments and will take the measures necessary to meet our deficit targets.

## Illicit Trade in Tobacco

25. **Deputy Éamon Ó Cuív** asked the Minister for Finance if his attention has been drawn to recent reports that more than €500m in revenue is lost annually as a result of tobacco smuggling; his views on whether these are accurate figures; his plans to take additional measures to combat such illegal activity; and if he will make a statement on the matter. [42313/12]

**Minister for Finance (Deputy Michael Noonan):** I assume the Deputy is referring to a Market Survey Report carried out on behalf of the Tobacco industry in the second quarter of this year. I am informed by the Revenue Commissioners that they do not accept that the figures in this report accurately measure the extent of the illicit tobacco market in Ireland for the following reasons. Firstly this survey is based on an empty discarded pack collection and does not distinguish between illicit product and product legally imported by passengers arriving in to the state from other jurisdictions. Secondly, I am informed by the Revenue Commissioners that their office and the Tobacco Control Unit of the Department of Health commissioned surveys in 2009, 2010 and 2011 to establish the level of the illicit trade in tobacco. Revenue and the Tobacco Control Unit are both satisfied that this survey is more robust and comprehensive and distinguishes between tobacco products, which are legally imported and smuggled product. The surveys for 2009 and 2010 estimated that 20% of cigarettes consumed in the State had not been taxed in this jurisdiction. This figure was further broken down as 14% illicit product and 6% legally imported by passengers arriving into the State from other jurisdictions. These findings were based on the 2006 Census population figures. By applying the most up to date population data, the 2011 census population figures, which have recently become available, IPSOS MRBI have now revised the illicit percentages to 16% for 2009 and 15% for 2010. The recently published results from the IPSOS MRBI survey for 2011 indicate that illicit consumption accounted for 15% of the market, resulting in a loss to Revenue of approximately €258m (Excise and VAT).

I am informed by the Revenue Commissioners that the tackling of this illicit trade remains a key objective.

In 2010 Revenue established a high-level internal group, chaired at Commissioner level, to examine the risks related to tobacco products tax evasion and to oversee and optimise the detection of contraband and counterfeit tobacco products. This group has promoted a number of initiatives aimed at counteracting the illicit trade in tobacco. These include the adoption of a comprehensive tobacco strategy which is published on Revenue's website [www.revenue.ie](http://www.revenue.ie). The strategy underpins a number of programmes, which are designed to complement each other in targeting the supply and demand sides of the market for contraband tobacco in Ireland. Key elements of these programmes include developing and sharing intelligence on a national, EU and international basis, development of analytics and detection technologies, and ensuring optimum deployment of resources at point of importation and within the country, in order to intercept the contraband product and to prosecute those involved.

In 2011, a total of 109.08m cigarettes with a retail value of €45.95m and 11,158 kgs of tobacco with a retail value of €4m were seized by Revenue. In addition to this Revenue has obtained one hundred and three convictions relating to cigarette smuggling, with fines of €138,800 imposed, and thirty-one custodial sentences of which twenty-one were suspended. There were a further fifty-seven convictions relating to the sale of unstamped tobacco products with fines of €115,850 imposed, and fourteen custodial sentences of which seven were suspended.

In 2012 to date a total of 81.1m cigarettes with a retail value of €36.6m and 3,338kgs of tobacco with a retail value of €1.2m have been seized by Revenue. In addition to this Revenue has obtained forty-one convictions relating to cigarette smuggling, with fines of €69,250 im-



posed, and nineteen custodial sentences of which five were suspended. There were a further fifty-two convictions relating to the sale of unstamped tobacco products with fines of €89,800 imposed, and twenty custodial sentences of which twelve were suspended.

Revenue also consistently monitors ongoing developments in available x-ray and other technologies, and the selection and deployment of detection equipment is constantly reviewed. In this regard Revenue has recently purchased an additional mobile X-Ray van which it hopes to have commissioned by the end of this year.

### **Mortgage Arrears Report Implementation**

26. **Deputy Jonathan O'Brien** asked the Minister for Finance the recommendations contained in the Keane Report that have been implemented by his Department and the actions taken on each of these recommendations. [42271/12]

68. **Deputy Denis Naughten** asked the Minister for Finance the progress he is making to assist families in mortgage difficulty; and if he will make a statement on the matter. [42246/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 26 and 68 together.

Mortgage holders who are in difficulty with their mortgage obligations in respect of their primary residence have significant protections available to them under the Central Bank's Code of Conduct on Mortgage Arrears. The Department of Social Protection's mortgage interest supplement scheme also provides for direct support to mortgage holders that have had to avail of social welfare support. Budgeting and debt advice is also available through MABS which is also funded by the Department of Social Protection.

In addition, last October the Government published the Report of the Inter-Departmental Working Group on Mortgage Arrears ("Keane Report") and the implementation of its recommendations is now a significant part of the Government's overall efforts to tackle mortgage difficulty.

A number of significant milestones have now been achieved in the implementation of the report's recommendations. These are:-

- The Personal Insolvency Bill was approved by Government on 26 June 2012 and published on 29 June 2012. The Committee stage of the Bill was passed by the Dáil on 13 September;
- The Minister for Housing and Planning formally launched the "mortgage to rent" scheme on a nationwide basis at the end of June;
- An extensive independent advice framework has now been put in place comprising of (i) an enhanced website, [www.keepingyourhome.ie](http://www.keepingyourhome.ie), (ii) a Mortgage Arrears information helpline, and (iii) a service to provide free independent 'one-to-one' professional financial advice to borrowers in mortgage distress. The advice will be provided by a panel of accountants and a protocol has been agreed between recognised accountancy bodies and the lenders. The list of accountants providing the service is located on the [keepingyourhome.ie](http://keepingyourhome.ie) website.

The Government remains very committed to progress measures to assist genuine mortgage holders in difficulty and the Government committee on mortgage arrears, which is chaired by An Taoiseach, continues to meet. It is the intention of Government to ensure that those mort-

gage holders in genuine difficulty will receive appropriate assistance and a high priority has been assigned by Government to the implementation of this broad range of measures to assist those experiencing difficulty on their mortgage across the relevant Departments and agencies.

### **Tax Reliefs Availability**

27. **Deputy Mary Lou McDonald** asked the Minister for Finance if he will provide an update on the operation of the SARP tax relief passed in Budget 2012, including the number of persons who have availed of this tax relief; the total amount of relief awarded and the number of jobs that have been directly created as a result of this relief. [42261/12]

**Minister for Finance (Deputy Michael Noonan):** Section 14 of Finance Act 2012 introduced the Special Assignee Relief Programme which is designed to reduce the cost to employers of assigning key individuals in their companies from abroad to take up positions in the Irish based operations of their employer. The programme provides for an exemption from income tax on 30% of salary between €75,000 and €500,000 for employees that are assigned for a minimum of 1 year. The exemption is available for a maximum of 5 years. The scheme operates through the PAYE system as a deduction from income tax, but USC and PRSI continue to be payable on the full income amount.

The scheme has been introduced for an initial three-year period ending on 31 December 2014, in order to allow for review. Any assignee that avails of the scheme during this time will have access to the relief for the period of their assignment, up to the maximum 5 years.

Paragraph 10 of Section 14 provides that relevant employers must submit an annual return to the Revenue Commissioners detailing, inter alia, the number of employees and the amounts of exempt income claimed under the programme. This return will not be sought until after the end of the tax year in order to ensure that an accurate picture of take up levels over a full tax year can be provided. Therefore, given that 2012 is the first year of the programme, it will be 2013 before reliable statistics on its uptake will be available.

### **Mortgage Interest Rates Issues**

28. **Deputy Brian Stanley** asked the Minister for Finance his views on the recent decision by Bank of Ireland to increase the interest rates on their variable rate mortgages; if he has had any contact with the bank since the decision was made; his views on whether the decision will further exacerbate the mortgage crisis and if he believes that the decision should be reversed. [42269/12]

**Minister for Finance (Deputy Michael Noonan):** As the Deputy will be aware, the Bank of Ireland's policies in relation to lending rates is a matter for the board and management of the institution. Notwithstanding the fact that the State is a significant shareholder, I must ensure that the bank is run on a commercial, cost effective and independent basis to ensure the value of the bank as an asset to the State, as set out in the Memorandum on Economic and Financial Policies agreed with the EU Commission, the ECB and the IMF. A Relationship Framework has been specified that defines the nature of the relationship between the Minister for Finance and the bank. This Framework was published on 30 March 2012 and can be found on my department's website. (<http://banking.finance.gov.ie/presentations-and-latest-documents/>). Ultimately the pricing of financial products, including standard variable mortgage interest rates, is a commercial decision for the management team and board of the bank, having due regard to their customers and the impact on profitability, particularly where the cost of funding to the bank,

including deposit pricing, is under pressure. Neither the Central Bank nor the Department of Finance has a statutory function in relation to interest rate decisions made by individual lending institutions at any particular time.

The Government and BOI are acutely aware of the social and economic impacts that any lending rate increases may have in the current environment. However, the bank has informed me that the majority of its lending products are currently priced on a par with their peers, with interest rate increases required in order to return the Bank to profitability and long term viability.

### Banking Sector Staff Issues

29. **Deputy Gerry Adams** asked the Minister for Finance the rationale for the appointment of a person (details supplied) as a director of AIB; if he was consulted on this appointment and if the Government consented to the appointment. [42259/12]

**Minister for Finance (Deputy Michael Noonan):** As the Deputy will be aware, Relationship Frameworks have been specified that define the nature of the relationship between the Minister for Finance and the banks. These Frameworks were published on 30 March 2012 and can be found at; <http://banking.finance.gov.ie/presentations-and-latest-documents/>. Per the Relationship Framework with AIB, “the Minister will continue to work with the Board to strengthen its membership through the appointment of suitably qualified, independent non-executives”. In this regard, the Board is expected to consult with the Minister in respect of any Board appointments that it proposes.

The process for independent non-executives selection involves the relevant board of AIB identifying what vacancies they have and the relevant skills they require. To help facilitate the selection process, the Department of Finance placed advertisements in the national papers during 2011 seeking expressions of interest from suitably qualified persons for inclusion among those to be appointed or nominated to the Bank’s Board of Directors. This formed part of the commitments given in the Programme for Government. The bank considers potential candidates from this group, as well as from other sources.

With respects to the individual whose details were supplied in this PQ, I was informed that he passed the Central Bank of Ireland’s Fitness and Probity (F&P) Review. As a result coupled with his extensive financial experience, I had no objection to his appointment.

### Budget 2013

30. **Deputy Seán Crowe** asked the Minister for Finance the plans, if any, he has to gender proof each of the various options being considered for Budget 2013; the plans, the Government has to publish a distributional analysis of each of the various options being considered with specific reference to gender; and if he will make a statement on the matter. [42273/12]

59. **Deputy Jonathan O’Brien** asked the Minister for Finance the plans, if any, he has to equality proof each of the various options being considered for Budget 2013; the plans the Government has to prepare and publish a distributional analysis of each of the various options being considered; and if he will make a statement on the matter. [42272/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 30 and 59 together.

With regard to budgetary matters, when focusing on the primary objectives of reducing the

deficit and returning sustainability to the public finances, it has been of vital importance to the Government to spread the burden of the adjustments made in as fair and equitable a manner as possible, while also seeking to minimise their negative impact on economic growth.

There are currently no plans to specifically equality and gender proof Budget 2013. That said however, the Deputies should be aware that the Programme for Government does contain a clear commitment requiring all public bodies to take due note of equality and human rights in carrying out their functions. I would also remind the Deputy that the State and its bodies must, of course, comply with all provisions of equality legislation in the development and delivery of its policies and services.

Furthermore, when proposals are put to Government there is a requirement to indicate clearly, whether there is any impact of the proposal on, amongst other things, gender equality, persons experiencing or at risk of poverty or social exclusion and people with disabilities.

The Deputies should also be aware that a distributional analysis of proposed budget measures is performed each year based on income levels.

### House Sales

31. **Deputy Seamus Kirk** asked the Minister for Finance his views on whether the continued low level of transactions in the housing market reflects a failure to communicate to potential first time buyers the impending end of mortgage interest relief for owner occupiers; and if he will make a statement on the matter. [42303/12]

**Minister for Finance (Deputy Michael Noonan):** I would not accept that the low level of transactions in the housing market reflects a failure to communicate to potential first-time buyers the impending end of mortgage interest relief for owner occupiers on 31 December 2012. In Budget 2012, I confirmed that mortgage interest relief would no longer be available to house purchasers who purchase after the end of 2012 and that it will be fully abolished from 2018. This was clear in all budget briefing. Furthermore, I reconfirmed this at the press conference on 8th February 2012 to announce the publication of the Finance Bill 2012.

I have re-iterated this point on a number of occasions since, including in a speech at the Property Industry Ireland conference last June and most recently on Friday last the 28th September in a speech at the Construction Industry Federation Annual Conference. I have stated clearly that there will be no extension of mortgage interest relief for those who purchase after 2012. This point has been reported widely in the national media.

Detailed information on Mortgage Interest Relief including the fact that it is no longer available to house purchasers who purchase after the end of 2012 is available on the Revenue website – [www.Revenue.ie](http://www.Revenue.ie).

### Tax Reliefs Cost

32. **Deputy Michael Colreavy** asked the Minister for Finance the plans, if any, he has to prepare and publish a full cost benefit analysis, including the cost to the Exchequer, of all existing tax reliefs; and if he will make a statement on the matter. [42275/12]

**Minister for Finance (Deputy Michael Noonan):** The issue of cost benefit analysis of tax expenditures was considered by the Commission on Taxation. The Commission was of the opinion that tax expenditures should be the subject of ongoing evaluation and appropriate and

timely cost benefit analysis. This is to ensure that they are both economically efficient and that parliamentary oversight can be well informed. However, there is an underlying principle of proportionality in cost benefit analysis. In other words - the level of resources invested in carrying out the analysis should be commensurate with the scale of the expenditure involved.

In addition sufficient time is needed to undertake the analysis required for various measures.

An example of such work recently conducted by my Department would be the Economic Impact Assessment of Potential Changes to Legacy Property Reliefs. This assessment, undertaken last year and published by my Department, included a consultation paper, engagement from over 700 submissions and an analysis, enabled the Department to understand the possible legacy costs to the State as well as the impacts on individuals and economic sectors of a change in law relating to the use of these particular reliefs.

Another example, which is currently work in progress, is the Public Consultation on Section 481 Film Tax Relief. I published a consultation paper which set out preliminary analysis and data and invited interested parties to make submissions as part of an economic impact assessment of film tax relief. The impact assessment will enable the Department to better understand the benefits that may accrue to the exchequer as well as consequences for investors, the audio-visual industry, and the wider economy arising from potential changes to the relief.

Such approaches provide a transparent and comprehensive process in line with best international practice for policy evaluation.

I would note further that costs of tax credits, allowances and reliefs are provided by the Office of the Revenue Commissioners in their Annual Statistical Reports. The most recent figures related to tax expenditures appear in the 2010 report, which sets out the total identifiable costs to the Exchequer of all income tax and corporation tax allowances, reliefs, exemptions and tax credits available for 2008 and 2009, the most recent year for which information is available. The work of updating cost details for the following year is well advanced and Revenue hope to be in a position to publish them in the near future.

Finally, I would advise the Deputy that all tax reliefs are kept under review and as a matter of course form part of the Tax Strategy Group's (TSG) discussions in advance of the Budget. The TSG papers are subsequently published on the Department of Finance's tax policy website: [www.taxpolicy.gov.ie](http://www.taxpolicy.gov.ie).

### Credit Unions Statistics

33. **Deputy Barry Cowen** asked the Minister for Finance if he is satisfied with the progress being made in re-structuring the credit union sector; and if he will make a statement on the matter. [42296/12]

**Minister for Finance (Deputy Michael Noonan):** The Final Report of the Commission on Credit Unions was agreed unanimously by its members, including representatives of the credit union movement. The Commission recommended that the credit union sector should be re-structured on a voluntary, time-bound and incentivised basis and that the Credit Union Restructuring Board (ReBo) should be established to facilitate and oversee the restructuring process.

The Credit Union Bill 2012 was published on 28 September 2012 and implements over 60 of the Commission's recommendations. The Bill makes provision for the establishment of ReBo on a statutory basis and sets out the functions of the board and staff of ReBo. This new legislation also provides the basis for the restructuring of the sector over time in a way that is



stable and protects credit union members.

I want to ensure that progress on restructuring is not delayed pending enactment of the Credit Union Bill and so I have established the Board of ReBo on an administrative basis in the meantime. The Board consists of 13 members and its composition reflects the recommendation in the Commission report, comprising five independent members as well as members from credit union representative bodies, the Central Bank and the Department of Finance. The Board was established on 31 August 2012 and held its first meeting on 28 September 2012.

The first phase of ReBo's work will involve undertaking preliminary engagement with credit unions during Quarter 4 of 2012. I am pleased that progress is in line with the timeline as set out by the Commission on Credit Unions.

## **Budget 2012**

34. **Deputy Dessie Ellis** asked the Minister for Finance the plans, if any, he has to conduct and publish an analysis of the net employment effects of the measures taken in Budget 2012; and if he will make a statement on the matter. [42277/12]

**Minister for Finance (Deputy Michael Noonan):** The Government framed Budget 2012 in such a way as to make it as job-friendly as possible, with various sectoral measures aimed at job creation. As I stated on Budget day, the primary purpose of the Budget was to support the creation and retention of jobs in the short-, medium- and long-term. It should be acknowledged that while restoring the public finances to a sound footing is crucial for Ireland's future, consolidation can have a negative short-run impact on the economy. However, it is the framing of this consolidation which is important and I want to assure the Deputy that the Government is conscious of the need to minimise the impact of consolidation on the labour market.

I would like to point out that employment data are presented in net terms and information on gross flows into and out of employment is not available. This unfortunately makes it difficult to assess the number of jobs created by any policy initiative.

Having said that, I think it's fair to say that there are tentative signs of stabilisation in labour market conditions, albeit at a very weak level. For instance, the latest data from the Live Register show an annual decrease of 8,106 (-1.9%) people on the Live Register in September.

So leaving aside the fact that quantifying the impact is difficult, I am confident that the measures targeted at job creation for the different sectors of the economy in Budget 2012, as well as the measures introduced by the Jobs Initiative and the Action Plan for Jobs, such as reducing the rate of VAT in the high value-added tourism sector, are playing an important role in both creating and sustaining employment.

Finally, I want to reiterate that addressing the labour market difficulties remains the Government's biggest challenge and, accordingly, Government is giving its highest priority to job protection and job creation.

## **Tax Collection**

35. **Deputy John Halligan** asked the Minister for Finance if he will consider a wealth tax as an alternative to property tax; and if he will make a statement on the matter. [42324/12]

57. **Deputy Richard Boyd Barrett** asked the Minister for Finance if he will consider a

wealth tax as an alternative to property tax; and if he will make a statement on the matter. [42283/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 35 and 57 together.

The Government has decided, as part of our commitment under the EU/IMF programme of financial support to Ireland, to introduce an annual recurring property tax. This forms part of a long term policy to broaden the tax base, to provide a stable funding base for local government and to assist the strengthening of democracy at local level. A Bill to introduce the tax will be published with the forthcoming Budget.

The Government does not propose at this time to introduce a wealth tax, although all taxes and potential taxation options are constantly reviewed.

Asset values increase and decrease over time and in the context of recent economic circumstances, they may have declined considerably in many cases. Thus, if the value of an asset or of an individual's wealth is measured at a particular time there is no guarantee that the asset value or the individual's wealth will remain at that level or increase from that point. This would make it difficult to predict the potential yield from a wealth tax and would have to be borne in mind in terms of its consistency as a source of revenue. Although property valuations have also experienced much fluctuation in recent years, international experience shows that an annual recurring property tax is a stable source of revenue and is therefore an important base-broadening measure for the Irish tax system.

To estimate the potential revenue from a wealth tax, we would need to identify the wealth held by individuals, which is not possible at present.

I am informed by the Revenue Commissioners that they have no statistical basis for compiling estimates in relation to a potentially annually recurring tax on wealth. Although an individual's assets and liabilities are declared in a limited number of specific circumstances - for example, after a death - Revenue state that it is not in a position to link an individual's income to her/his financial assets. It would therefore be difficult to gauge the likely return from a tax on wealth.

I am informed by the Central Statistics Office that the institutional sector accounts do not give an indication of the number of households or persons classified by the categories of wealth they hold. These statistics are based on aggregate information collected from financial institutions and do not contain the demographic details which would enable such a breakdown of the statistics. However, I understand that, following discussions between the Department of Public Enterprise and Reform, the CSO and the Central Bank, the CSO has commenced a "Household Finance and Consumption Survey", which will include, *inter alia*, a survey of wealth. The first results of this survey will be available in 2014. The data to be collected by the CSO as part of this survey is primarily targeted as general information on the financial situation and behaviour of households.

### Bank Branch Closures

36. **Deputy Clare Daly** asked the Minister for Finance if he will intervene with AIB in relation to the proposed closure of the branch in Rush, County Dublin, which affects more than 10% of the total numbers affected by the 67 closures, concentrated in one community. [42247/12]

**Minister for Finance (Deputy Michael Noonan):** As you will be aware, operational deci-

sions for the covered banks – AIB, Bank of Ireland, IBRC and Permanent TSB - remain the responsibility of the boards and managements of the institutions. Notwithstanding the fact that the State is a significant shareholder in these institutions, I must ensure that the banks are run on a commercial, cost effective and independent basis to ensure the value of the banks as an asset to the State. The Relationship Frameworks between the Minister for Finance and each bank define the nature of the relationships with those banks as per the Memorandum on Economic and Financial Policies agreed with the EU Commission, the ECB and the IMF. These Frameworks were published on 30 March 2012 and can be found at; <http://banking.finance.gov.ie/presentations-and-latest-documents/>. As I have stated previously, the Deputy will appreciate that it is an inevitable, but unfortunate, consequence of the necessary restructuring of the banking system – and return to viability - that branches in certain towns and villages will be closed. I appreciate that the branch closures will have an impact on certain towns and villages, but I do expect that all the banks involved to work with their customers to ensure that they minimise the impact of the closures.

However, specifically in relation to Rush, AIB has informed me that the receiving branch will be the Balbriggan branch. Additionally Rush has a post office which will be offering AIB banking services to customers and AIB will retain 3 branches within less than 10 miles of Rush with the closest branch under 5 miles from Rush.

### Stock Markets Regulation

37. **Deputy Denis Naughten** asked the Minister for Finance the steps being taken to regulate food securities trading on the stock market; and if he will make a statement on the matter. [42245/12]

**Minister for Finance (Deputy Michael Noonan):** As outlined to the Deputy previously, food securities trading forms part of the regulation of derivatives. These can be divided into OTC (over-the-counter) derivatives and derivatives traded on exchanges. The regulation of both types of derivatives features in formal proposals by the EU Commission. OTC derivatives are now regulated by the European Markets Infrastructure Regulation (EMIR). This EU Regulation, which is directly applicable in all Member States, entered into force on 16 August 2012.

In relation to derivatives traded on exchanges, the existing regulatory regime which comes from the 2004 EU Markets in Financial Instruments Directive (MiFID) is currently being reviewed at EU level. The negotiations on the MiFID review ('MiFID 2' and 'MiFIR') are still underway in the Council of the EU and the European Parliament. The trading of derivatives is part of this agenda.

EMIR and MiFID 2/MiFIR are expected to result in a tighter regime for all derivatives, including food securities, whether traded OTC or through exchanges. The measures are intended to keep pace with trends in derivatives trading, and in line with G20 commitments. When finalised, these EU legislative initiatives will come into force in all Member States.

The Central Bank of Ireland is the competent authority in this country for the purposes of derivatives legislation.

### Tax Yield

38. **Deputy Sandra McLellan** asked the Minister for Finance the amount of money that

would be raised in a full year by limiting the business and agriculture reliefs for Capital Acquisitions Tax by reducing the level of discount on market value before tax is calculated from 90% to 50% and by introducing a €3 million ceiling on the qualifying amount; and if he will make a statement on the matter. [42279/12]

**Minister for Finance (Deputy Michael Noonan):** I am advised by the Revenue Commissioners that the estimated full year yield from reducing Business Relief and Agricultural Relief from 90% to 50% would be in the region of €30 million and €70 million respectively. In arriving at an estimate of yield from these changes it has been taken into account that a reduction in the Business and Agricultural Reliefs may not produce a corresponding tax increase due to the availability of unused exemption thresholds.

It is not possible to estimate the yield from imposing a ceiling of €3 million on the qualifying amount.

It should be noted that these estimates are based upon an assumption that there would be no behavioural impact from such changes, which could lead to a less than expected result from a change to the tax base. In addition, the realisation of any estimated yield from an increase in taxation on assets relating to property is subject to movements in the value of such assets which are currently occurring in the economy.

### **Bank Debt Restructuring**

39. **Deputy Brendan Smith** asked the Minister for Finance his plans to safeguard the State's investment in Irish Life; and if he will make a statement on the matter. [42319/12]

**Minister for Finance (Deputy Michael Noonan):** I will oversee Irish Life in a manner similar to the Covered Banks with a relationship framework detailing the roles and responsibilities of the board which will operate on an independent commercial basis and with certain matters requiring approval or consultation with me. Operational decisions will remain the responsibility of the board and management.

### **Insurance Industry Issues**

40. **Deputy Michael Moynihan** asked the Minister for Finance if he is satisfied that all possible efforts, particularly in terms of claims management are being undertaken in order to mitigate the cost of the winding down of Quinn Insurance; and if he will make a statement on the matter. [42312/12]

**Minister for Finance (Deputy Michael Noonan):** Management of the wind down of Quinn Insurance, including claims management, is the responsibility of the Joint Administrators, under the supervision of the High Court. However the State is required to advance funds to meet the cost of the wind down. While these funds are ultimately recovered through the industry levy, it is a matter of concern to ensure in as much as is possible that the cost of the wind down is kept to a minimum. The position is that under a Transaction Services Agreement (TSA) entered into as part of the QIL sale agreement, Liberty is obliged to provide a number of services to QIL until November 2014, including the settlement of claims in the part of the business under administration.

The Joint Administrators have advised me that they have recruited a new CEO who has extensive experience in the insurance industry to oversee the operation of the TSA and in par-

ticular the settlement of claims. In addition, as part of a new enhanced governance structure a claims advisory committee (CAC) has been set up to guide and advise the Joint Administrators and QIL management on future claims strategy and policy. You should note that Ciaran Breen Director of the State Claims Agency has been appointed as Chair of this Group at my request. I have been advised by the Joint Administrators that the CAC is currently devising a robust and distinct strategy for managing the settlement of their outstanding claims going forward with a view to settling them as quickly as possible and at the lowest possible cost.

The Joint Administrators have also indicated to me that in light of the historic volatility in claims reserves, they have spent considerable time reviewing and improving claims controls. Based on independent reviews carried out to date they are much more confident in the underlying controls and processes governing file estimation. The Joint Administrators advise me that taken together, these arrangements will allow them to manage claims in a more cost effective way. In the circumstances outlined above, I am satisfied that all reasonable efforts, particularly in terms of claims management are being undertaken by the Joint Administrators in order to mitigate the cost of the winding down of Quinn Insurance. I can assure the Deputy that my officials will continue to work closely with the Joint Administrators on this matter in order to achieve this objective of minimising costs.

### **Universal Social Charge Payments**

41. **Deputy Sandra McLellan** asked the Minister for Finance the amount of money that would be raised in a full year by extension of the Universal Social Charge to all capital gains, whether liable to Capital Gains Tax or not; and if he will make a statement on the matter. [42280/12]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the Revenue Commissioners that sufficient basic data are not available on which to base a reliable estimate of the yield to the Exchequer from this proposal, as information is not required on tax returns in relation to all capital gains. Accordingly, it is not possible to provide the specific information requested by the Deputy.

### **Tax Code**

42. **Deputy Mick Wallace** asked the Minister for Finance his views on the use of aggressive tax structures by multinational corporations such as Microsoft in order to save itself billions in taxes; and if he will make a statement on the matter. [42322/12]

**Minister for Finance (Deputy Michael Noonan):** I am precluded from discussing the tax affairs of any particular individual or company nor can I discuss the tax administration regimes established in other jurisdictions. However, in general terms I would like to advise the Deputy that a recently published report of the United States Senate Permanent Sub-Committee on Investigations of their hearing on Offshore Profit Shifting and the U.S. Tax Code gave prominence to the tax arrangements of two U.S. multinational corporations, both of which have operations in Ireland. The Report finds that U.S. multinational corporations are able to significantly reduce their tax liabilities by legal international tax planning arrangements - there was no allegation of fraud or evasion - and makes recommendations on how U.S. tax law could be improved.

Ireland is not mentioned as a tax haven in the Report - and rightly so. The international community does not regard Ireland as a tax haven. Ireland has a comprehensive taxation system covering income, capital and indirect taxes. Tax Treaties with the United States and many other



countries confirm our international standing. The January 2011 *Global Forum Peer Review Report* on Ireland's legal and regulatory framework for transparency and exchange of information found that Ireland has an effective system for the exchange of information in tax matters and is fully compliant with OECD standards.

Ireland is bound by the same rules on State Aid, the Code of Conduct on Business Taxation, and rulings of the Court of Justice as all EU Member States. Ireland does not support harmful tax competition. Ireland continues to participate fully in the EU Code of Conduct Group, which addresses harmful tax competition, and in the OECD Forum on Harmful Tax Practices.

### Tax Collection Forecasts

43. **Deputy Robert Troy** asked the Minister for Finance his views regarding the trend in the Exchequer returns in recent months, particularly in relation to tax receipts when compared with the same period last year; and if he will make a statement on the matter. [42316/12]

**Minister for Finance (Deputy Michael Noonan):** The deputy should be aware that I issued a joint press release with my colleague, the Minister for Public Expenditure and Reform on Tuesday 02 October to coincide with the release of the end-September returns. As outlined, the Exchequer Returns for the period to end-September provide further evidence that the Government is restoring the public finances to a more sustainable position. The tax base is growing; the majority of Departments are managing expenditure within allocations and where there are overruns action is being taken to bring these under control. September 2012 is the third month this year in which Exchequer revenues exceeded expenditure. As regards tax receipts, specifically while there was some minor weakening in the third quarter taxes are significantly ahead of the same period last year and €385 million (1.5%) ahead of profile as a cumulative basis at end-September. Three of the 'big four' tax heads - income tax, corporation tax and VAT - continue to perform ahead of profile with three quarters of the year already passed. This is a positive development as we strive to reduce the deficit in our public finances further.

We cannot lose sight of the fact that, despite the significant progress made, the deficit, at €11 billion for the first nine months of the year, remains too high and the Government is committed to reducing it further in the coming years.

### National Pensions Reserve Fund Administration

44. **Deputy Willie O'Dea** asked the Minister for Finance the procedures that have been put in place to prevent a recurrence of the overcharging of the National Pension Reserve Fund in respect of a portfolio liquidation as highlighted by the recent report of the Comptroller and Auditor General. [42318/12]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the National Treasury Management Agency (NTMA), as Manager of the National Pensions Reserve Fund (NPRF), that the recommendations of the Comptroller and Auditor General on the issues that have arisen in respect of the portfolio liquidation of the National Pensions Reserve Fund are set out in section 4.60 of the Report of the Comptroller and Auditor General for 2011. The NTMA and the NPRF Commission accept those recommendations. The NTMA is in addition proposing to take a number of other steps to mitigate risks specifically associated with activities such as those encountered in the case of overcharging in question, as set out in paragraph 4.48 of the Report. In relation to the specific cases of overcharging, it should be noted that:

- The NTMA suspended State Street Bank Europe Ltd (SSBE) from its panel of transition managers when questions arose about the application of commissions by SSBE after NTMA queried the departure of two senior executives;

- SSBE is authorized and regulated by the UK Financial Services Authority and the NTMA has informed the Authority about the charging issues with SSBE at the request of the NPRF Commission;

- the overcharging involved the application of unauthorised commissions to NPRF trades in a manner that was never visible to the NPRF or its global custodian and had the effect of reducing the sale proceeds obtained by the NPRF by 0.07%, and

- it would appear that the unauthorised commissions were not identified either by SSBE's internal controls and procedures or by its internal audit or compliance functions.

The measures identified by the NTMA relate to, where possible, assessing settlement arrangements for trades, engaging the NPRF's internal auditor where it is cost-effective to audit the books of the transition manager relating to the NPRF transactions and seeking to promote the development of improved market standards and practices.

The recommendations of the Comptroller and Auditor General include a recommendation that the NTMA should consider referring trade data for review by a third-party firm, reviewing if penalty terms should be included in contracts and reporting matters of this nature to the relevant regulatory authorities even though there may be no legal obligation to make such a report.

### **Bank Debt Restructuring**

45. **Deputy Willie O'Dea** asked the Minister for Finance if he is satisfied that adequate oversight exists in terms of the asset disposal programme being undertaken by the covered banks in order to protect the interests of the taxpayer; and if he will make a statement on the matter. [42314/12]

**Minister for Finance (Deputy Michael Noonan):** As you will be aware, the three PLAR banks are required to deleverage their balance sheets, including inter alia by disposal of loan portfolios as outlined in the Central Bank's Financial Measures Programme 2011. IBRC is subject to an EC Restructuring Plan which requires it to work out its balance sheet over time, including where possible via disposal of loan books. To this end, each of the banks have established dedicated Non-core units focused on managing sales processes and are required to report quarterly to the Central Bank which monitors their progress in achieving their deleveraging programmes. Each bank has a deleveraging committee to govern, monitor and oversee its deleveraging plans. Representatives from my department and the Central Bank attend the meetings of those committees, as non-voting observers. My department has established a Deleveraging Review Committee to oversee and monitor the operation of the institutions' deleveraging committees and to refer transactions that give rise to actual or financial stability considerations to the Central Bank for joint consideration. Additionally, each quarter, the banks and the Authorities meet with and update the External Partners (IMF/EU/ECB) as to the progress of the plans including asset sales.

In most instances the Banks have also employed expert professional sales advisors to assist in ensuring that the sales process undertaken maximises sales proceeds. These processes are conducted under strict confidentiality rules to ensure the economic position of the bank's and by extension the taxpayer as majority or part owner is fully protected. As referred to above the Deleveraging Committees and the Main Boards of the Banks must approve all material

sales conducted by the banks. To date significant progress has been made. Total deleveraging achieved across government supported banks was €53bn as at 30 April 2012. Deleveraging has been achieved within planned assumed discounts. From a capital perspective, the loss incurred on the divestment of these assets is broadly offset by a reduction in the level of risk weighted assets. The layers of Governance described above, give me sufficient comfort that adequate oversight is in place to protect the interests of the taxpayer.

### Job Creation

46. **Deputy Sean Fleming** asked the Minister for Finance his views on the success to date of plans announced in July 2011 to create an additional net 10,000 new jobs in the Irish Financial Service Centre; the progress made on promoting Islamic Finance products and the Green IFSC; and if he will make a statement on the matter. [42300/12]

**Minister for Finance (Deputy Michael Noonan):** I should say at the outset that ultimately it is the industry itself that creates employment by growing existing business and developing new initiatives such as the Green IFSC and Islamic Finance which the Deputy refers to in his question. The Government's new strategy for the development of the International Financial Services sector was issued approximately 14 months ago. Over this period, both the public and private sectors have been working together through the Clearing House Group, which is organised through Department of An Taoiseach to execute the strategy across a broad front.

There have been notable investment wins by IDA Ireland including Northern Trust, Mastercard, Paypal, HedgeServ, ICBC Leasing and CIMB Principal Islamic. Clearly, the Strategy is a 5 year one and we should have reasonable expectations about what will be achieved so early in its implementation and in view of the ongoing challenges facing the sector internationally. That said, progress and business delivery to date has been very positive. In relation to Islamic Finance - we are now seeing a gathering momentum in this area.

The IDA, accompanied by the Department of Finance, have recently completed a five-day promotional programme in Singapore and Kuala Lumpur with a special focus on Islamic Finance. The programme included meetings with several key prospective investors at the Global Islamic Finance Forum (GIFF). In August 2012 the Irish Funds Industry Association welcomed the CIMB-Principal Islamic Asset Management Irish UCITS funds range, the first Malaysian fund promoter to establish funds in Ireland. In relation to the Green IFSC, I would firstly highlight that a number of measures were introduced in Finance Acts 2011 and 2012 to support this initiative.

Finance Act 2011 introduced the Employment and Investment Incentive (EII) to replace the Business Expansion Scheme (BES). The changes introduced in EII now allow for an increased lifetime limit that can be raised by a company to €10 million (up from €2 million). They also provide for an increase in the amount that can be raised within a twelve-month period of €2.5 million (up from €1.5 million). The new scheme also allows for green energy companies to be deemed to have commenced trading when they have made an application for a grid connection agreement. Under the previous BES, such companies were not considered to have commenced trading until they had begun to produce energy.

In addition, under Section 110 of the tax code which deals with securitisation transactions, Finance Act 2011 broadened the scope of the 'qualifying assets' which can be held by a Section 110 company to include a broader range of 'carbon offsets'. Most recently, Finance Act 2012 extended tax relief for corporate investment in renewable energy projects and expanded the scope of Section 110 to explicitly include forest carbon offsets.

In relation to other developments, I am informed that Summit Finuas and Green IFSC, in partnership with Government's Skillnets, has invested €700,000 in sustainable finance education. Ireland is leading the way in green finance education and over 70 professionals in the finance and enterprise sectors will have a MsC, Diploma or Postgraduate Certificate in the area of sustainable energy finance by mid 2013. An Taoiseach, Enda Kenny with Green IFSC launched the Global Green Asset Management Network in March 2012 at the New York Stock Exchange in order to accelerate the growth in green assets managed, domiciled or serviced from Ireland, setting the target of US \$200 billion by 2017. With some \$16 billion already managed, serviced or domiciled from Ireland, Green IFSC will shortly begin a global road show, lead by former Taoiseach of Ireland & current IFSC President, John Bruton, to highlight why Ireland is the prime jurisdiction of choice for green asset management. The first international event takes place in New York 28th / 29th November.

### Debt Relief

47. **Deputy Bernard J. Durkan** asked the Minister for Finance the extent to which this country has benefitted from interest rate or other reductions affecting debt and repayment levels arising from the banking collapse and downturn in the economy in respect of interest, conditions and terms regarding repayments in the short, medium and long term; the total benefits achieved on behalf of the Irish taxpayers in relation to modification and improvement of the arrangements entered into arising from EU and IMF rescue bailout, banking and other debt provision; if he can yet identify how further savings on behalf of the Exchequer and taxpayers here can be achieved in the future; and if he will make a statement on the matter. [42282/12]

88. **Deputy Bernard J. Durkan** asked the Minister for Finance the progress made to date in achieving improvements by way of terms and or interest rates in respect of this country's borrowings arising from the EU debt rescue provisions entered into by his predecessors; the actual monetary value of such improvements to date; and if he will make a statement on the matter. [42526/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 47 and 88 together.

When the Programme of Financial Support was initially agreed in late 2010, the average interest rate on the €67.5 billion available to drawdown from the external sources was estimated by the EU Commission to be 5.82% on the basis of market rates at the time of the agreement. The average life of the borrowings, which involve a combination of longer and shorter dated maturities, was initially set at 7.5 years. The Euro Area Heads of State or Government (HOSG) agreed on 21 July 2011 to reduce the cost of the European Financial Stability Facility (EFSF), which will disburse €17.7 billion, to interest rates equivalent to those of the EU Balance of Payments facility i.e. close to, without going below, the EFSF's cost of funding.

The amendments to the EFSF framework have removed the interest rate margin on EFSF funds and these were incorporated into a new legal agreement on the 27th October 2011 in which the interest rate margin, which was 2.47%, is now defined as zero. The agreement incorporates a guarantee commitment fee of 0.1% per annum and a service fee to cover the cost of operations of the EFSF. It also provides that EFSF lending done after that point will be done on a floating rate basis. It is estimated that the overall reduction in the interest rate margin which Ireland pays to the EFSF is estimated to be in the region of 2.7 to 2.8 percentage points which includes the margin and other structural changes. The original weighted average maturity of Ireland's EFSF loans has been increased to 15 years.

In October 2011, the EU Council of Ministers approved an EU Commission proposal to eliminate the margin of 2.925% on the EFSM facility which, when fully drawn, will amount to €22.5 billion. This applied to EFSM disbursements back to the date upon which they were issued. The actual cost of funding depends on the prevailing market rates at the time of each drawdown. The original weighted average maturity of EFSM was extended from 7.5 years to 12.5 years. Lengthening of maturities provides benefits in terms of phasing of loans and ensuring that the profile of redemptions is more orderly – avoiding as far as possible exceptionally large amounts in particular years. By contrast, money borrowed at longer maturities is generally more expensive. However, on balance, savings arising from maturity extension are significant though complex to calculate. Given these changes, the total savings on the original EU facilities with an average life of 7.5 years is some €9 billion, or approximately 5.7% of 2011 GDP. This reduces the annual repayment on these loans by an average of €1.2 billion per year over 7.5 years.

In addition, the cost of Ireland's IMF loans is falling as a result of an increase in our IMF quota effective from March 2011 and a further quota increase when the quota changes agreed in 2010 come into effect. This further quota increase is expected to become effective in the near future and to result in an overall improvement of the order of 100 basis points on the interest rate on our IMF loans. The overall benefit of these interest rate reductions is estimated to be some €1.9 billion. These expected savings may change either upwards or downwards in the light of future quota revisions.

The United Kingdom bilateral loan of GBP3.3 billion has been re-negotiated to remove the interest rate margin of GBP 2.29% although the base interest rate has been changed from a GBP interest rate swap level to the UK Debt Management Office cost of funds plus a service fee of 0.18%. The bilateral loans with Sweden and Denmark, which will amount to total disbursements of €1 billion by the end of the programme, were negotiated after the interest rate margin reductions on both the EFSF and EFSM facilities and their interest rate is floating three month EURIBOR plus a margin 1.00%. For 2012, the interest rate margin reductions in the EU and bilateral loans amount to some €929 million. When the impact of the IMF changes are taken into account, the savings amount to some €960 million on a General Government basis or a reduction of our interest repayment in 2012 of 0.60% of the current 2012 GDP estimate.

As noted above, our EU programme funding is being provided at, or close to, the cost of funds for the lenders. The scope for on our programme interest payments is therefore limited.

However, we are also seeking ways to alleviate the cost burden of assisting the banking sector. Arising out of the 29th June 2012 statement by the Euro Area Heads of State or Government that "... it is imperative to break the vicious circle between banks and sovereigns" work is continuing at a technical level to put in place both the single supervisory mechanism, and the European Stability Mechanism's direct banking recapitalisation facility, at the earliest possible date.

### State Savings Schemes

48. **Deputy Peadar Tóibín** asked the Minister for Finance the amount that could be raised for the State if interest from savings bonds was not exempt from tax. [42266/12]

**Minister for Finance (Deputy Michael Noonan):** The interest paid on Savings Bonds has always been tax-free to Irish residents. Interest is applied on maturity, which is after 3 years, or on encashment, which could be at any stage during the life of the Savings Bond. Based on the estimated interest payout on Savings Bonds in 2012 of €146 million, if this was subject to



the higher DIRT (Deposit Interest Retention Tax) rate of 33% it would lead to an estimated tax yield in 2012 of some €48 million. The higher 33% rate of DIRT applies when interest is paid less frequently than annually, as is the case with Savings Bonds. The standard DIRT rate of 30% applies to interest paid annually or more frequently than annually and therefore is not appropriate to Savings Bonds which have no annual interest payments and all interest is paid on maturity or encashment.

### **Mortgage Arrears Proposals**

49. **Deputy Charlie McConalogue** asked the Minister for Finance his views on reports that 50,000 buy to let mortgages are in arrears; the way this is impacting on the overall housing market; his plans to address same; and if he will make a statement on the matter. [42307/12]

**Minister for Finance (Deputy Michael Noonan):** The Central Bank of Ireland is engaging with all regulated mortgage lenders to ensure they have a robust strategy in place, incorporating a range of short and long term arrangements, to deal with mortgage arrears, both in respect of private residential mortgages and buy to let properties. To date there has been no official statistics on arrears in the buy to let market. However the Central Bank has informed me that its quarterly arrears statistics has recently been enhanced and that it will include this data in its publication for the quarter ending September 2012 which is scheduled for release in December.

My Department is closely monitoring developments in the property market. Officials in my Department have already held meetings with the banks and relevant stakeholders in the industry to assess best policy approaches. However intervention in the property market is fraught with unintended consequences as the Deputy will be aware and I will continue to take account of the Central Bank's quarterly statistics in developing strategy.

### **Tax Collection Forecasts**

50. **Deputy Peadar Tóibín** asked the Minister for Finance if an estimate has been made of the tax that could be raised for the State if Revenue audit activity was increased by 20% in 2013 specifically to target black market activity; and if there is a cost associated with increasing audit activity, for example, additional recruited staff for Revenue. [42265/12]

**Minister for Finance (Deputy Michael Noonan):** 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. I am advised by the Revenue Commissioners that its compliance programmes are under constant review to ensure that they are focussed on the areas of greatest risk, including risks from the shadow economy, and that this approach contributes to optimising the effectiveness of their audit resources. The results of its audit and compliance programmes are published each year in the Revenue Annual Report and in 2011, Revenue carried out over 11,000 audits that resulted in additional yield of €440.5m to the Exchequer, with a further €81.3m collected from other compliance interventions and assurance checks,

The type of initiatives aimed specifically at shadow economy activity include:-

- Joint Investigation and information sharing activities with the Department of Social Protection aimed at uncovering either non-declaration or under declaration of income and/or

fraudulent DSP claims;- Strengthening tax 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 the more effective investigation of white-collar crime;

- A comprehensive package of measures in relation to Excise (Oils) including, a requirement for separate licences for auto-fuel traders and marked fuel traders, a 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;

- Regulations introduced in 2011 requiring Government Departments and State Bodies to supply details of payments made to 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;

- Holding meetings with trade and representative bodies through The Hidden Economy Monitoring Group where mutual interest issues are discussed;

- Focussing Revenue investigations on the use of computer programmes or electronic devices to alter or conceal sales records;

- Streetscape programmes, in which every cash business in an area is visited, without prior announcement, have been carried out to detect unregistered businesses and non-recording of cash sales.

The Deputy will appreciate that the scale and range of activities carried out by the Revenue Commissioners to tackle the shadow economy are extensive. In addition, the nature of these activities is highly resource intensive however, as is the case with all public service organisations, the Revenue Commissioners must play its part in meeting Government policy on public service staffing numbers. I am satisfied that Revenue is optimising the outputs from its existing audit and compliance resource, and as the Deputy will see from the list of activities above, audit, which is costly for business and for Revenue, can only be a part of a broader strategy.

As part of its published Comprehensive Review of Expenditure for 2011, the Revenue Commissioners indicated that by increasing audit, investigation and compliance resources by approximately 125 qualified staff, which they estimate would cost €6.5m per annum, an estimated additional yield of €100m per annum could be achieved. I can confirm to the Deputy that all proposals of this nature are kept under ongoing review by my colleague the Minister for Public Expenditure and Reform and the Government in the context of other tasks assigned to the Revenue Commissioners and competing demands for resources across the public service.

### **Promissory Note Negotiations**

51. **Deputy Pearse Doherty** asked the Minister for Finance if he will provide an update on the on-going negotiations with the Troika on the promissory note technical paper and in view of the fact that the paper was to be finalised by February 2012, the reason for the delay and an

estimated date for its publication. [42257/12]

**Minister for Finance (Deputy Michael Noonan):** As the Deputy is aware, the Irish Government has been working extremely hard to secure a deal on the Irish bank debt and detailed work will continue to ensure that the positive moves in Europe are harnessed to maximise the benefit to the Irish taxpayer. This remains one of the Government's key priorities. We will continue to target the reduction of the burden to the State of funding the bank recapitalisation and due consideration is being given to various mechanisms to achieve this goal. As previously advised to the Deputy in July, the idea of the common paper was initially mooted in January/February of this year and there have been no firm deadlines as to the delivery of the paper. Nonetheless, on-going discussions with the Troika are considering all options for the restructuring of the notes in terms of the source of funding, the duration of the notes, the interest rate applicable etc.

It is not possible to give guidance on the timing of these negotiations as to do so could impede our ability to achieve the best possible results for the Irish taxpayer, but every effort is being made to expedite the on-going process.

### Proposed Legislation

52. **Deputy Patrick O'Donovan** asked the Minister for Finance his plans to bring forward legislation or regulations to control debt management agencies and advisors; and if he will make a statement on the matter. [41255/12]

**Minister for Finance (Deputy Michael Noonan):** The Government is committed to having in place an effective regulatory/supervisory system for those firms which provide a debt management and/or a debt advice service. I have received Government approval to bring forward an amendment, at the Committee Stage, of the Central Bank (Supervision and Enforcement) Bill 2011 to provide for a regulatory regime for debt management and debt advice companies.

### Tax Code

53. **Deputy Richard Boyd Barrett** asked the Minister for Finance if he will consider higher taxes on incomes of more than €100,000; and if he will make a statement on the matter. [42323/12]

60. **Deputy John Halligan** asked the Minister for Finance if he will consider higher taxes on incomes of more than €100,000; and if he will make a statement on the matter. [42284/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 53 and 60 together.

The position is as stated in the Programme for Government that as part of the Government's fiscal strategy we will maintain the current rates of income tax together with bands and credits. In addition, we will not increase the top marginal rates of taxes on income. There are no plans at this time to depart from this policy.

### Tax Reliefs Availability

54. **Deputy Mary Lou McDonald** asked the Minister for Finance if he will provide a report

on all new tax reliefs provided for in budget 2012 including the number of persons or companies who have availed of each tax relief; the total amount of relief awarded under each relief; and the number of jobs that have been directly created as a result of each relief. [42262/12]

**Minister for Finance (Deputy Michael Noonan):** In relation to costs, the estimated full year costs and/or yields of the tax revenue measures introduced in *Budget 2012* are set out on pages B5 – B 11 of the *Summary of 2012 Budget and Estimates Measures Policy Changes* section of the Budget 2012 book. To enable meaningful evaluation to take place, the reliefs need to have been in place for some period of time. As 2012 is the earliest year in which the changes can take effect, information on the take-up of these tax reliefs will not be available until appropriate tax returns for 2012 are provided to the Revenue Commissioners.

The analysis of tax reliefs or expenditures was considered by the Commission on Taxation. The Commission was of the opinion that tax expenditures should be the subject of ongoing evaluation and appropriate and timely cost benefit analysis. This is to ensure that they are both economically efficient and that parliamentary oversight can be well informed. I would generally agree with the view of the Commission but regard has to be had to the principle of proportionality in relation to any analysis. In other words, the level of resources invested in carrying out the analysis should be commensurate with the scale of the expenditure involved and of course sufficient time is needed to undertake the analysis required.

Finally, I would advise the Deputy that all tax reliefs are kept under review and form part of the Tax Strategy Group's (TSG) discussions in advance of the Budget. The TSG papers are subsequently published on the Department of Finance's tax policy website: [www.taxpolicy.gov.ie](http://www.taxpolicy.gov.ie).

### Budget Consultation Process

55. **Deputy Brian Stanley** asked the Minister for Finance if his attention has been drawn to the Autumn 2012 Quarterly Economic Observer report from the Nevin Economic Research Institute; if he has considered their alternative budgetary approach to that currently being implemented by him; and if so, if he will outline in broad terms his response to the proposals. [42270/12]

**Minister for Finance (Deputy Michael Noonan):** I am aware of the report referred to by the Deputy. The Government is eager to hear reasonable proposals for budget measures from all interested parties and organisations. We will consider them fully and give them due consideration. Last year's *Medium-Term Fiscal Statement* set out a multi-annual fiscal consolidation strategy agreed by Government for the period to 2015. It showed the levels of consolidation it is estimated are necessary to deliver annual General Government deficit targets. It also showed the proposed split between expenditure and revenue measures and within expenditure, between current and capital measures.

The Government is committed to meeting annual General Government deficit targets and to reducing the deficit below 3% of GDP by 2015. In that context it is clear that there remains a large deficit in our public finances that must be closed further in the coming years and this will require adjustments to both expenditure and revenue.

The objective of Government is to ensure that consolidation is implemented in a credible manner, while seeking to minimise the impact on the economy and the labour market. In line with the economic literature and the broad consensus amongst various economic agencies the Government believes the most effective and growth friendly way to implement such consolidation measures is by concentrating the majority of the adjustments on the expenditure side. Con-

sequently, around two-thirds of the forthcoming adjustments are expected to be realised from expenditure. However, revenue raising measures have and will continue to be an important part of the overall adjustment process.

### **Tax Reliefs Availability**

56. **Deputy Pádraig Mac Lochlainn** asked the Minister for Finance if he will list what is considered deductible for tax purposes for those self-declaring annual returns. [42263/12]

**Minister for Finance (Deputy Michael Noonan):** I assume that the Deputy is referring to what may be appropriate to deduct in the context of the computation of profits from all sources by those who are required to submit an annual tax return to the Revenue Commissioners under the Pay and File system. I am advised by the Revenue Commissioners that there is no standard list of what is deductible for tax purposes for either companies or individuals that submit annual tax returns. The nature and extent of deductions will vary depending on the type of income or business involved. For example, deductions in relation to rental income are limited to the items listed in section 97 of the Taxes Consolidation Act 1997. These are expenses related to rent, rates, maintenance, repairs, property management expenses, insurance and interest.

In general, profits in relation to a business are based on the profits as computed in accordance with normal accounting rules. This is subject to specific rules in the tax code such as those which provide that certain deductions may not be claimed for tax purposes. For example, section 81 of the Taxes Consolidation Act 1997 ensures that only expenses which are incurred wholly and exclusively for business purposes are deductible. Moreover, entertainment expenses, even if incurred for business purposes, are not deductible.

*Question No. 57 answered with Question No. 35.*

### **Tax Reliefs Cost**

58. **Deputy Michael Colreavy** asked the Minister for Finance if he will publish the direct cost to the Exchequer of all existing tax reliefs, including a distributional analysis of which households by income decile group are expected to benefit from each existing tax relief; which firms are expected to benefit; and if he will make a statement on the matter. [42276/12]

**Minister for Finance (Deputy Michael Noonan):** As regards tax reliefs currently available, a comprehensive summary of these was provided recently in my reply to PQ 38291/12 and a copy of this reply has been provided to the Deputy. That reply contains details, as advised to me by the Revenue Commissioners, of the total identifiable costs to the Exchequer relating to income tax and corporation tax allowances, reliefs, exemptions and tax credits available. The information relates to 2008 and 2009, the most recent year for which the necessary detailed information is available. A breakdown of these estimates of cost by income deciles is not available and could not be provided without undertaking an extensive and costly development of the Revenue tax model.

*Question No. 59 answered with Question No. 30.*

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



### Proposed Legislation

61. **Deputy Pearse Doherty** asked the Minister for Finance the date on which the Finance (Property tax) Bill 2012 will be published. [42258/12]

**Minister for Finance (Deputy Michael Noonan):** It is intended to publish the Finance (Local Property Tax) Bill on Budget Day.

### Tax Yield

62. **Deputy Catherine Murphy** asked the Minister for Finance if he will provide figures for the total corporation tax receipts broken down by sector and industry for the years 1990 to date in 2012; if he will provide details of the various rates of corporation tax for the same period; if figures are available for the effective corporation tax take by sector and industry for the past eight years including to date in 2012; if he will outline the projected corporate tax profile by sector and industry by 2015; and if he will make a statement on the matter. [42243/12]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the Revenue Commissioners that the relevant information on total corporation tax receipts broken down by sector for the years 2007, 2008, 2009 and 2010 are available from the Revenue Statistical Reports which are accessible on the Revenue website at [www.Revenue.ie](http://www.Revenue.ie). The information is located in Table TR6, under the main chapter heading of Total Revenue. That table provides a percentage breakdown of the net receipt of PAYE, VAT, Income Tax, Corporation Tax and Capital Gains Tax by trade sector. The corresponding figures for 2011 will be included as soon as possible in the Statistical Report for 2011. Corresponding figures for earlier years and projections for later years are not available on a similar basis.

The information requested by the Deputy of the various rates of corporation tax for the period 1990 to 2012 is shown in the following table:

Year	Standard Rate of Corporation Tax applicable to profits earned in the year
1990	43%
1991	43% & 40%
1992	40%
1993	40%
1994	40%
1995	38% & 40%
1996	38%
1997	38% & 36%
1998	32%
1999	28%
2000	24%
2001	20%
2002	16%
2003	12.5%
2004	12.5%
2005	12.5%
2006	12.5%

Year	Standard Rate of Corporation Tax applicable to profits earned in the year
2007	12.5%
2008	12.5%
2009	12.5%
2010	12.5%
2011	12.5%
2012	12.5%

Note: Where two tax rates are shown for a year it denotes a rate change applying during the year.

I assume that when the Deputy refers to effective corporation tax she is referring to the effective corporation tax rate. In that regard I wish to advise the Deputy that companies operating in Ireland over the past eight years have been chargeable to corporation tax at the 12.5% rate on their trading profits. A higher 25% rate applies in respect of investment, rental and other non-trading profits and profits from certain petroleum, mining or land dealing activities. Companies' capital gains are effectively chargeable at the capital gains tax rate and the rate was increased:

- from 20% to 22% for disposals on or after 15 October 2008;
- to 25% for disposals on or after 8 April 2009 and
- to 30% for disposals on or after 7 December 2011.

The 10% corporation tax rate for profits from manufacturing expired at the end of 2010 and the 12.5% rate now applies to such profits.

There are different ways of measuring the effective rate of corporation tax depending on the variables that are used. As there is no single internationally agreed comparative measure in place, I am not in a position to provide such a measure for the period referred to by the Deputy. However, I mentioned previously that an effective rate of corporation tax of 11.9% was estimated for Ireland in a *Paying Taxes* study produced by the World Bank and PricewaterhouseCoopers in 2011 as part of an annual *Doing Business* report. The study includes a measurement of effective tax rates across 183 countries based on the tax obligations of a standardised company operating in each country and using standard assumptions regarding exemptions, deductions and allowances. Projected corporation tax profiles are not produced at the disaggregated level requested by the Deputy.

### Tax Code

63. **Deputy Brendan Griffin** asked the Minister for Finance following the recent public consultation process, if he will reform tax residence rules with a view to boosting State revenue; his views on whether the current regime is too lenient in favour of tax exiles; and if he will make a statement on the matter. [42244/12]

**Minister for Finance (Deputy Michael Noonan):** The Programme for Government indicated that, as part of its fiscal policy, the Government will ensure that “tax exiles” make a fair contribution to the Exchequer. In Budget 2012 I abolished the “citizenship condition” for payment of the Domicile Levy to ensure that individuals could not avoid the levy by renouncing their citizenship. I also stated that I intend to keep the contentious issue of the tax treatment of “tax exiles” (which is linked to the tax residence rules) under constant review.

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 possible further changes in 2013. I launched the process 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.

As to whether our current regime is too lenient, while the application of the rules in particular circumstances is being considered, the taxation of individuals in the State is broadly in line with the system prevailing in most other OECD jurisdictions, that is to say —

(a) individuals who are resident in the State for tax purposes are taxable here on their world-wide income; and

(b) individuals who are not resident for tax purposes pay tax here only on income arising in the State and on income derived from working here.

### **European Stability Mechanism**

64. **Deputy Thomas Pringle** asked the Minister for Finance if he is concerned by the recent statement by the German, Dutch and Finnish foreign Ministers suggesting that the European Stability Mechanism should not be used to provide debt relief for past banking losses taken on by states such as Ireland; the implications that this has for Ireland's campaign for debt relief; and if he will make a statement on the matter. [42285/12]

65. **Deputy Bernard J. Durkan** asked the Minister for Finance the extent to which he expects to garner support amongst fellow EU Eurozone Ministers for a meaningful review of this country's debt repayments arising from the bailout or other conditions with particular reference to the need to ensure that each member state is treated similarly in terms of interest and repayment conditions or requirements and keeping in mind individual members states' compliance with good practice and procedures to date and the agreement reached at the heads of Government meeting in June 2012; if he will further endeavour along with his EU colleagues to attempt to ensure solidarity and unity of purpose by all member states particularly those within the Eurozone in dealing with economic and fiscal instability; and if he will make a statement on the matter. [42281/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 64 and 65 together.

The statement by the three Finance Ministers from Germany, Netherlands and Finland on 25 September addresses issues already decided upon by Eurozone leaders when they met in Brussels on 29 June. The Heads of State or Government made two important decisions at that time. The first was to "affirm that it is imperative to break the vicious circle between banks and sovereigns." The second was that "The Eurogroup will examine the situation of the Irish financial sector with the view of further improving the sustainability of the well-performing adjustment programme. Similar cases will be treated equally." The commitment to equal treatment is very important.

Apart from the various technical meetings with Troika members, Ireland continues to be

fully engaged in the process by the Eurogroup and Heads of State or Government on how these commitments will be implemented. Apart from the various technical meetings with Troika members, we are pursuing a diplomatic offensive which has included officials from my Department travelling recently to several capitals; my own visits to Paris, Berlin, Rome and onto the Informal Ecofin in Cyprus; and the Taoiseach's meeting with several colleagues at the level of Heads of Government. All our interlocutors agreed that the imperative is to move ahead urgently to implement all of the important decisions taken on 29 June.

In advancing our ideas, we are conscious that other member states will also put forward their proposals. In the nature of EU business, there may be differences of interpretation but these must be within the context of the over-arching principles agreed on 29 June. Ireland's position is clear in this regard and work is continuing in line with the 29 June Summit agreement to break the link between banks and sovereign and the principle that similar cases will be treated equally. We have followed up on that basis as a matter of urgency following the latest developments.

We want to continue to work in a constructive spirit to enhance the sustainability of our debt. We have made strong solid progress in implementing the terms of our EU/IMF programme and have lived up to all of our commitments. The financial markets have recognized this and this is reflected in the reduction of our bond spreads in recent months. Let me be clear, the Heads of State or Government have made a decision on these issues and we continue to work within that framework to deliver the best possible outcome for the Irish taxpayer.

## **Budget 2012**

66. **Deputy Dessie Ellis** asked the Minister for Finance the plans, if any, he has to conduct and publish analysis of the net effect on gross domestic product and gross national product of the measures taken in Budget 2012; the plans the Government has to conduct and publish any analysis of the output effects; and if he will make a statement on the matter. [42278/12]

**Minister for Finance (Deputy Michael Noonan):** The Government framed Budget 2012 in such a way as to make it as growth-friendly as possible. As I stated on Budget day last December, Budget 2012 balances the need to restore confidence in Ireland's fiscal position with the key objective of supporting economic growth that delivers jobs. Budget 2012 implemented the necessary corrections to keep Ireland on track with our fiscal targets to bring down the deficit and stabilise public debt. While the short-run impact of fiscal consolidation may see a reduction in economic output, over the medium term there can be positive effects such as increased confidence and a reduction in the risk premium as the deficit is reduced and debt is put on a declining path. In addition, it must be recalled that Ireland is a small, open economy with imports comprising a large share of final demand. This means that a substantial part of fiscal consolidation leaks out of the economy in the shape of lower imports.

Despite large consolidation efforts in recent years GDP growth of 1.4% was recorded in 2011 and almost all commentators are agreed that GDP will increase again in 2012. This performance is bringing benefits in the form of a fall in bond yields in recent months and successful re-engagement with the markets by the NTMA.

My Department will publish its next set of economic and fiscal forecasts later this month.

## Tax Code

67. **Deputy Aengus Ó Snodaigh** asked the Minister for Finance the amount that could be raised for the Exchequer if a value limit was in place on principal private residences currently exempt from Capital Gains Tax, of €300,000. [42267/12]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the Revenue Commissioners that, as information on the value of capital gains arising from the disposal of principal private residences is not required in capital gains tax returns, there is no dedicated basis for separately identifying the yield that would arise from applying capital gains tax to sales of principal private residences. Accordingly, the specific information requested by the Deputy is not available.

*Question No. 68 answered with Question No. 26.*

## Credit Availability

69. **Deputy John McGuinness** asked the Minister for Finance his views on figures released by the Central Bank of Ireland in August which showed that it is not lending to small and medium enterprises; and if he will make a statement on the matter. [41641/12]

**Minister for Finance (Deputy Michael Noonan):** I presume the Deputy is referring to Volume 2012, No.8 of the Economic Letter Series published by the Central Bank on 22 August last, entitled “*Irish SME credit supply and demand: comparisons across surveys and countries.*” I welcome all analysis in this key area which is used to inform all stakeholders. However, the Deputy should note that the Economic Letter contains a footnote stating that the views expressed in this paper are those of the authors and do not necessarily reflect those of the Central Bank of Ireland or the ESCB. The figures published in the report are based upon previously published data and I should point out that they show that Ireland has the second highest rejection rate rather than the highest as stated by the Deputy. While this rejection rate is obviously a concern, I feel that it is important not to always focus on the worst aspect of such reports. Business confidence is crucial in the restoration of the credit market and the continued negative narrative is unhelpful. The report also found that there was a slight improvement in the rejection rates compared with the previous survey.

The findings of the Mazars survey commissioned by my Department and other independent surveys, such as the SAFE survey, are used by the Department of Finance and the Credit Review Office to inform discussions with banks on this key area of the Irish economy and that the pillar banks, in particular adhere to their lending commitments under the recapitalisation agreements. Robust discussions have taken place between the Department, the Credit Review Office and the banks to ensure that the banks are lending into the real economy. In addition, the Government, through the EMC, continue to meet with the banks on a regular basis to underscore the requirement to have credit available to viable SMEs to facilitate and support the recovery of the economy.

In terms of rejection rates from banks in general, I would remind the Deputy that the Credit Review Office (CRO) can review decisions by the pillar banks to refuse, reduce or withdraw credit facilities (including applications for restructured credit facilities) from €1,000 up to €500,000. The Credit Review Office is overturning 55% of the refusals decisions referred to them and I would appeal to SMEs and farmers who have been refused credit by the banks to avail of the services of the CRO.



The latest initiatives by my colleague the Minister for Jobs, Enterprise and Innovation in relation to the credit guarantee scheme and the microfinance loan fund should also assist the flow of credit to SMEs.

In summary, it is vital that the banks continue to make credit available to support economic recovery. However, it is not in the interest of the banks, businesses or the economy for finance to be provided unless the business is viable and has the capacity to meet the interest payments and repay the sum borrowed. I remain open to any constructive suggestions which could augment the Government's initiatives in this area.

### **Human Rights Issues**

70. **Deputy Michael Healy-Rae** asked the Tánaiste and Minister for Foreign Affairs and Trade his views on correspondence (details supplied) regarding ongoing human rights abuses in occupied Palestinian territories; and if he will make a statement on the matter. [42490/12]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** The letter which is the subject of the Deputy's Question appears to be part of a letter writing campaign organised by Trócaire. Similar letters have been sent to most, if not all, members of the Oireachtas, calling for a ban on the importation to the EU of the products of Israeli settlements. A number of Deputies have already been in contact with me in relation to the letters received. I intend very shortly to write to all Deputies setting out my views on the subjects raised in this letter, which I have already broadly set out in various statements and replies to Questions in the House and which have also already been conveyed directly to Trócaire.

### **Public Services Provision**

71. **Deputy Brian Stanley** asked the Tánaiste and Minister for Foreign Affairs and Trade if his Department works with local authorities in the delivery of services; and if so, the details of same. [42563/12]

72. **Deputy Brian Stanley** asked the Tánaiste and Minister for Foreign Affairs and Trade if his Department engage with local authorities in the provision of services and if so the details of same. [42584/12]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** I propose to take Questions Nos. 71 and 72 together.

My Department does not deliver any of its services through local authorities.

### **Postal Services**

73. **Deputy Clare Daly** asked the Minister for Finance the reason parcel companies (details supplied) have no revenue customs on their premises and An Post is the only parcel depot that has customs personnel present. [42507/12]

**Minister for Finance (Deputy Michael Noonan):** I am advised by the Revenue Commissioners that throughout the EU, the customs control regime that applies to universal postal service providers, such as An Post, is significantly different from that which applies in respect of ordinary fast parcel operators. Postal operators are exempt from the normal customs require-

ment to submit manifests, containing details of individual shipments that can be subjected to electronic risk analysis in advance of release of goods into free circulation. Therefore, while the need for Customs attendance at fast parcel depots can be informed by the results of risk analysis, this option is not available in respect of postal consignments and it is necessary to maintain a physical presence at the main depots where postal consignments are brought into the State so as to exercise real time control prior to their release. I can further advise that the premises of the named traders are visited by Customs officers on a daily basis to examine goods and to perform import and export controls.

### Departmental Appointments

74. **Deputy Luke ‘Ming’ Flanagan** asked the Minister for Finance if he will list all the current positions, where the appointment was made by his Department held by retired senior civil servants; and if he will make a statement on the matter. [42666/12]

**Minister for Finance (Deputy Michael Noonan):** This Department is redirecting our own primary focus more towards the identification and implementation of measures which will contribute to enhanced confidence, delivering sustainable growth in our economy and thereby repair the damage caused to the lives of citizens, the economy and the banking sector. This involves the reassignment and training of our existing teams so that they can develop greater technical, management and leadership skills necessary to the challenge. We will challenge and acknowledge the efforts of our key performing staff by further developing their skills and add to the value they contribute to the Department. In parallel, we will be adding to our teams to supplement our skills base where gaps are identified. This will also be necessary for succession planning for the work of future generations of our department.

The addition of any new staff to date has occurred through a combination of employment via open competition and the secondment of staff from other areas of the Civil/Public Service and private sector. This Department, following a competitive competition by the Public Appointments Service (PAS), has recruited graduates in the following disciplines to meet the needs of the Department: Human Resources (HR), Law, Accountancy, Economics, Finance/Banking and Tax Policy.

### Tax Reliefs Availability

75. **Deputy Michael McGrath** asked the Minister for Finance in relation to the deadline of 31 December 2012 for first time buyers to avail of mortgage interest relief, if he will explain specifically the stage a borrower has to have reached in order to qualify, for example, mortgage drawn down and mortgage repayment; and if he will make a statement on the matter. [42406/12]

**Minister for Finance (Deputy Michael Noonan):** The position is that tax relief is available up to and including the tax year 2017 on interest paid on a qualifying home loan taken out on or after 1 January 2004 and on or before 31 December 2012. Such relief is not confined to first time buyers. In addition, tax relief is not available on the interest paid on a loan taken out on or after 1 January 2013. As regards the deadline, the loan must have been drawn down by 31 December 2012.

A qualifying loan for mortgage interest relief is one which without having been used for any other purpose, is or are used in the purchase, repair, development or improvement of a claimant's principal private residence. Eligibility for the tax relief on the interest paid on such loan is not contingent on the claimant having made a repayment on that loan prior to 31 December

2012.

### **Tax Reliefs Availability**

76. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Finance if there are tax reliefs available to private nursing homes; if he will identify said reliefs; the cost of such reliefs in 2011 and to date in 2012; and if he will make a statement on the matter. [42416/12]

**Minister for Finance (Deputy Michael Noonan):** I am advised by the Revenue Commissioners that accelerated capital allowances were available in respect of capital expenditure incurred on the construction or refurbishment of certain health related facilities including private registered nursing homes, residential units associated with registered nursing homes and approved convalescent homes. However, all these schemes have now come to an end and no current expenditure on the provision of any of the above facilities qualifies for the capital allowances relief. In relation to private registered nursing homes, the termination date for incurring qualifying expenditure was 31 December 2009 but where certain conditions were met a later termination date of either 30 June 2010 or 30 June 2011 may have applied. The nursing home must come within the meaning of section 2 of the Health (Nursing Homes) Act, 1990 and must be registered under section 4 of that Act.

A separate scheme of capital allowances was available for residential units constructed on the site of, or on a site immediately adjacent to the site of, a registered nursing home. The units must be operated or managed by a registered nursing home and an on-site caretaker must be provided. Certain other conditions must also be met in relation to the number, design and occupation etc. of the units and in relation to the provision of back-up medical care. The allowances were originally available for qualifying expenditure incurred up to 25 March 2007, and were finally phased out by end April 2010.

In relation to convalescent homes, the termination date for incurring qualifying expenditure was 31 December 2009 but where certain conditions were met a later termination date of either 30 June 2010 or 30 June 2011 may have applied. A convalescent home provides medical and nursing care for individuals recovering from treatment in a hospital. The hospital in question must be one that provides treatment for acutely ill patients. The convalescent home must satisfy the requirements of Section 4 and 6 of the Health (Nursing Homes) Act, 1990 and any regulations made under section 6 of that Act as if it were a nursing home within the meaning of section 2 of that Act.

Qualifying expenditure incurred under all of the above schemes could be written-off at a rate of 15% per annum for 6 years and 10% in year 7. Expenditure incurred on work carried out after the various termination dates does not qualify for any allowances. As mentioned already, all these schemes have come to an end and no current expenditure on the provision of any of the above facilities qualifies for the capital allowances relief. Furthermore, provisions which I introduced in the Finance Act 2012 (section 17) will ensure that with effect from 2015, the Exchequer cost of the legacy of these and other property based schemes will rapidly decline.

I am informed by the Revenue Commissioners that data for the tax years 2011 and 2012 is not yet available as the income tax returns for those years are not due for filing until October 2012 and October 2013 respectively.

Based on the information that has been received and collated to date for the tax year 2010, the latest year available, a total of €43 million was included in 696 claims for capital allowances for the construction of nursing homes. This figure would correspond to a maximum Exchequer

cost of the order of €17 million for these returns in terms of income tax and corporation tax forgone. These estimates are calculated before the application of the restriction on the use of certain reliefs by high earners which took effect from 1 January 2007. This restriction on high earners was extended by Section 23 Finance Act 2010.

### **Insurance Industry Regulation**

**77. Deputy Joe Higgins** asked the Minister for Finance if he will confirm that, when car insurers are authorised by way of written consent for the insured including specific instruction to pay the garage/shop for windscreen replacement, and, following said instruction the insurer settles the claim by sending payment to the insured rather than the garage/shop, and, the insured does not subsequently make payment to the garage/shop, that in this case, the insured has incurred a tax liability under Section 535 and 536 of the Taxes Consolidation Act (1997) and that the insurer by not issuing payment to the garage/shop is in contravention of Statutory Instrument 651 of 2003 EC (Fourth Motor Insurance Directive) Regulations, Road Traffic Act (1961) and Consumer Protection Code 2012. [42431/12]

**Minister for Finance (Deputy Michael Noonan):** The day to day responsibility for the supervision and authorisation of financial institutions is a matter for the Central Bank which is statutorily independent in the exercise of its regulatory functions. As such the matter was referred to the Bank for its views. The Bank has indicated that there is no basis for an investigation into this matter as it does not believe there has been any breach of insurance regulations or the consumer code. In relation to the tax aspect of the question the Revenue Commissioners have informed me that in the circumstances outlined in the question, it would seem that the insured has incurred a capital gains tax liability under Section 535 of the Taxes Consolidation Act, 1997. However, an annual exemption of 1,270 Euro is provided for in the capital gains tax code in the case of gains made by individuals. In addition, if the payment received by the insured is used to acquire a replacement windscreen, this would be treated as tax neutral, provided the individual concerned makes a claim to the Revenue Commissioners for this treatment to apply.

### **Banks Recapitalisation**

**78. Deputy Thomas Pringle** asked the Minister for Finance if he will provide a breakdown of the way the €7.5 billion given during the banks recapitalisation for mortgage debt has been used; which banks received this capital and the amount of this has been used to deal with the mortgage debt crisis. [42440/12]

**Minister for Finance (Deputy Michael Noonan):** As the Deputy will be aware, the Irish banks were required to raise €24 billion in capital following the 2011 Prudential Capital Assessment Review to remain above a minimum capital target of 10.5% Core Tier 1 in the base scenario and 6% Core Tier 1 in the stress Scenario. The Central Bank made its decision on required recapitalisation based on loan-loss projections along with further calculations concerning the prospective income, expenditure, and deleveraging plans of the banks as outlined in the 2011 Financial Measures Programme Report. To arrive at a stressed loan-loss estimate that was fully credible to the international markets, the Central Bank engaged BlackRock Solutions, a specialist in analysing potential loan losses under stressed conditions. I reiterate that the stress test scenarios were designed to represent extreme but plausible events, but were not forecasts. In terms of mortgages, the Central Bank has informed me that the following projected losses for the period 2011-13 were used for capital determination purposes:

€million	-	AIB	-	BOI	-	ILP	-	EBS	-	Total
Type	Base	Stress	Base	Stress	Base	Stress	Base	Stress	Base	Stress
Residential Mortgages	€2,005 million	€3,066 million	€1,361 million	€2,366 million	€1,624 million	€2,679 million	€848 million	€1,380 million	€5,838 million	€9,491 million
Total	€9,545 million	€12,604 million	€7,380 million	€10,119 million	€2,114 million	€3,421 million	€975 million	€1,577 million	€20,014 million	€27,722 million

In terms of troubled mortgage customers, the Central Bank is now engaging with all regulated mortgage lenders to ensure that each lender has appropriate strategies and plans to deal appropriately with all its customers experiencing mortgage difficulties. In addition, the protections of the Central Bank's Code of Conduct on Mortgage Arrears will continue to be available to co-operating borrowers who are experiencing difficulty on their mortgage in respect of their principal private residence.

### Bank Guarantee Scheme Bond Repayments

79. **Deputy Joanna Tuffy** asked the Minister for Finance if he will provide an update on all moneys repaid to the State by the banks (details supplied); and if he will make a statement on the matter. [42472/12]

**Minister for Finance (Deputy Michael Noonan):** I note similarities between the Deputy's question and the Deputy's Question No. 65 of 26 April last. In this context, I propose to answer the Deputy's question by giving an update on the position since my reply on 26 April last. The total fees received to date from the covered banks in respect of both the CIFS and ELG schemes amount to €3.362 billion, which does not include interest accrued. This amount comprises €758.4 million in respect of the CIFS and €2,604.2 million in respect of the ELG scheme. A breakdown of fees paid by year for each of the covered banks can be seen in the following tables:

#### ELG fees paid to date by Participating Institutions:

Year	IL&P	BoI	AIB	IBRC	EBS	Total
2010	€95.9 million	€275.5 million	€299.3 million	€149.9 million	€34.2 million	€854.8 million
2011	€172.9 million	€448.7 million	€464.9 million	€85.5 million	€62.6 million	€1,234.6 million
2012	€80.0 million	€205.1 million	€189.3 million	€15.6 million	€24.8 million	€514.8 million
Total	€348.8 million	€929.3 million	€953.5 million	€251 million	€121.6 million	€2,604.2 million

#### CIFS fees paid to date by Participating Institutions:

Year	IL&P	BoI	AIB	Anglo	EBS	INBS	Postbank	Total
2008	-----	€32.3 million	-----	€37.9 million	-----	-----	€4,000	€70.2 million
2009	€35.4 million	€138.1 million	€174.7 million	€94.8 million	€9.7 million	€23.8 million	€20,000	€476.52 million
2010	€14.8 million	€68.3 million	€58.3 million	€54.9 million	€5.9 million	€8.8 million	€15,000	€211.01 million



Questions - Written Answers

Year	IL&P	BoI	AIB	Anglo	EBS	INBS	Postbank	Total
2011	-----	-----	-----	€700,000	-----	-----	-----	€700,000
Total	€50.2 million	€238.7 million	€233 million	€188.3 million	€15.6 million	€32.6 million	€39,000	€758.43 million

I note that in this question, the Deputy mentions money given to the State and not just the Exchequer as was stated in the question referred to above. Covered institutions have signed up to agreements under both schemes involving an undertaking to pay my Department on demand all legal and administrative costs from time to time incurred in any way in connection with the making of the schemes and the giving of the guarantees. The money recouped is paid into my Department's Appropriations-in-Aid Account, unlike the ELG and CIFS fees which are paid into the Exchequer. A total of €5.35 million has been received to date for recoupment of administrative and legal costs in support of both the CIFS and ELG Schemes. The bank recapitalisation commitments made by the State to date are set out in the following table:

.	AIB/EBS	BoI	IL&P	IBRC (Anglo/INBS)	Total
Government preference Shares (2009) - NPRF	€3.5 billion	€3.5 billion*	-----	-----	€7 billion
Capital contributions (with Promissory Notes as consideration) /Special Investment Shares (2010) – Exchequer **	€900 million	-----	-----	€30.7 billion	€31.6 billion
Ordinary Share Capital (2009) – Exchequer	-----	-----	-----	€4 billion	€4 billion
Ordinary Share Capital (2010) - NPRF	€3.7 billion	-----	-----	-----	€3.7 billion
Total pre-PCAR 2011 (A)	€8.1 billion	€3.5 billion	-----	€34.7	€46.3 billion
PCAR 2011:	AIB/EBS	BoI	IL&P	Anglo/INBS	Total
Capital from Exchequer***	€3.9 billion	-	€4 billion	-----	€7.8 billion
NPRF Capital	€8.8 billion	€1.2 billion	-----	-----	€10 billion

.	AIB/EBS	BoI	IL&P	IBRC (Anglo/INBS)	Total
Total PCAR (B)	€12.7 billion	€1.2 billion	€4 billion	-----	€17.8 billion
Total Cost of Recap for State (A) + (B)	€20.7 billion	€4.7 billion	€4 billion	€34.7	€64.1 billion

\* €1.7bn of BoI's government preference shares were converted to equity in May/June 2010 (€1.8bn still left in existence). The government also received €0.5bn from the warrants relating to BoI's preference shares (excluded from table above). In addition the State received €1.1bn stock coupons from BoI and AIB relating to the Government Preference shares.

\*\* The IBRC amount is made up of a total capital contribution for Anglo / INBS of €30.6 billion and a special investment share of €0.1bn (INBS). The Anglo / INBS capital contribution impacted in full on the GGB in 2010. The consideration for the Anglo / INBS capital contribution was €30.6 billion of promissory notes. These Promissory Notes are an amount due from the State to IBRC. Each year, on 31 March, €3.06 billion is paid by the Exchequer to Anglo / INBS as part of the scheduled repayments of the promissory notes. The first such repayment was made on 31 March 2010.

\*\*\* The Exchequer cost of the 2011 BoI recap is shown net of share sale to private investors (Completed in October, 2011)

As the Deputy will be aware, the banks were required to raise a total of €24 billion as a result of the Central Bank's 2011 Prudential Capital Assessment Review. However, primarily as a result of successful private equity contributions, asset sales and burden sharing with bondholders the Government only had to inject €16.5 billion into the relevant institutions. In addition, the State acquired Irish Life for €1.3 billion to complete the recapitalisation of Irish Life & Permanent. It is expected that the proceeds of an onward sale of Irish Life in due course will reduce the amount the State has committed to the bank recapitalisation. The State has also received cash dividend payments from the Bank of Ireland Government preference shares in the amount of €400 million to date. The State also received its first cash coupon of €300 million in relation to the Contingent (CoCo) Capital instruments in July 2012, split between AIB - €1.6 billion, BoI - €1 billion and PTSB - €400 million.

### Banking Sector Staff Issues

80. **Deputy Robert Troy** asked the Minister for Finance if he will examine the current number of board members who are still in situ on the boards of banks here even though they are responsible for some of the disastrous policies that contributed to the economic collapse; if he intends to make these people answerable for their actions; and if he will make a statement on the matter. [42476/12]

**Minister for Finance (Deputy Michael Noonan):** As the Deputy is aware, in response to the Nyberg report and with regard to the restructuring of the banking sector, I stated:

“A programme of rotation of board members, commencing with board members appointed before September 2008, will be expected to be part of the plan. This should apply to

both

Executive and Non Executive Board members and provides a process to ensure a smooth succession of incumbent board members who were in place before September 2008.

I expect this succession to be substantially completed by early 2012, and will use my powers as shareholder to affect such changes if necessary.”

Across the financial institutions covered by the Credit Institutions (Financial Support) Act 2008, only 1 of the 43 board members currently in place was in place in September 2008. That single director, Mr. Richie Boucher of Bank of Ireland, has passed a full fitness and probity review by the Central Bank. The Central Bank Reform Act 2010 became operational on 1 December 2011 when the Central Bank prescribed regulations into law setting out those functions (“controlled functions”) which would be covered by the Act, and a smaller subset of controlled functions (“pre-approval controlled functions” or “PCFs”) which will require the prior approval of the Central Bank before an appointment can be made to a Bank. The Central Bank fulfils its functions under the Act by processing applications for approvals to all PCFs in all regulated financial service providers since 1 December 2011. The Central Bank may refuse to approve a proposed appointment to a PCF role where it is of the opinion that the proposed appointee is not of such fitness and probity as is appropriate to perform the relevant function. Where the Central Bank refuses to approve a proposed appointment, then a regulated financial service provider may not appoint the person to the role.

Further, the Central Bank as part of its role in the ongoing supervision of the financial services sector, including the banking industry, may from time to time consider that there is reason to suspect the fitness and probity of any person performing a controlled function and may commence an investigation into that person. The existence and progress of such investigations are confidential and details of such investigations may not be disclosed by the Central Bank. As previously announced, the Central Bank is reviewing the position of executive and non-executive directors of covered institutions that received state support and who are remaining in director posts after 1 January 2012 to decide whether or not an investigation into any of those persons might be appropriate. This process provides opportunities for persons to make representations to independent decision makers appointed by the Central Bank. The Central Bank does not comment on individual cases. All assessments of fitness and probity of persons being proposed to PCF roles, and of persons performing controlled functions are made with respect to the criteria set out in Section 25(3) of the Act and a Code issued by the Central Bank under Section 50 of the Act entitled “Fitness and Probity Standards (Code issued under Section 50 of the Central Bank Reform Act 2010)”.

### NAMA Staff Remuneration

81. **Deputy Jerry Buttimer** asked the Minister for Finance if he will provide a breakdown of salaries paid by the National Assets Management Agency to its employees, in bands of €25,000; the number of employees in each band; the qualifications and experience of the employees in each band; and if he will make a statement on the matter. [42484/12]

82. **Deputy Jerry Buttimer** asked the Minister for Finance the benchmarks and criteria used by the National Assets Management Agency in determining the salaries paid to its employees; and if he will make a statement on the matter. [42485/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 81 and 82 together.

I refer the Deputy to my responses to Parliamentary Questions from Deputy Patrick O'Donovan on 18 September last on the same topic which I have set out below. All NAMA staff are employees of the NTMA. Under Section 42 of the NAMA Act 2009, the NTMA assigns staff to NAMA. Other than a small number of staff reassigned from other functions within the NTMA, NAMA staff are employed by the NTMA on the basis of specified purpose contracts. Their employment lasts for as long as their particular skills and experience are required by NAMA. NAMA reimburses the NTMA the costs incurred by the NTMA in assigning staff and providing business and support services to NAMA. As of 24 August 2012, some 217 staff had been assigned by NTMA to NAMA. The highest paid executive in NAMA is the Chief Executive Officer whose salary is €430,000. However, the CEO agreed to a request from me that he waive 15% of salary in 2012, thereby reducing it to €365,500. Under the NTMA business model, there are no general pay scales. Staff are employed on the basis of confidential individually negotiated contracts. The average annual salary of staff assigned to NAMA is €100,000. This reflects the fact that, given the nature of its activities, the staffing complement assigned to NAMA is primarily composed of experienced professional staff with substantial private-sector experience. Remuneration scales by band for all NTMA and NAMA staff are set out in NTMA's 2011 Annual Report. Vacant positions within NAMA are openly advertised on the NTMA website and positions are filled through a process involving competitive interview and aptitude tests.

### NAMA Portfolio Value

83. **Deputy Michael McGrath** asked the Minister for Finance if he will provide details of all items of art that have come under the control of National Asset Management Agency since the agency's establishment including details of the number of such items; the estimated aggregate value and the number of NAMA debtors involved; the full details including proceeds of any sales of art that have been executed so far showing separately sales by NAMA and sales arranged by NAMA debtors with the agency's consent; if he will provide details of the sales arrangements that have applied including tendering procedures and the name of any selling agents appointed by NAMA and by NAMA debtors with the consent of NAMA; and if he will provide details of any further plans the agency has for the disposal of any items of art under its control. [42509/12]

**Minister for Finance (Deputy Michael Noonan):** The Deputy will note that NAMA has acquired loans that are secured, in the vast majority of cases, by property assets, a detailed breakdown of which is available in NAMA's Annual Report and Financial Statements 2011. NAMA advises that, in the case of debtors that it manages directly, the value of art that it currently holds as security for its loans is of the order of €7.5 million. This relates to four debtor connections. NAMA further advises that art belonging to a fifth debtor connection has been sold for an amount of €1.9 million and that art belonging to a sixth debtor connection is currently on the market for sale. The Deputy will appreciate that it is not appropriate for commercial reasons to discuss the expected realised value of assets that are currently on the market. The Deputy will be aware that NAMA does not own nor does it sell assets, including art, securing its loans. The sale of these assets is undertaken and managed by their owners or, in enforcement cases, on behalf of these owners by duly appointed Insolvency Officer Holders.

NAMA advises that the sale of art by debtors and Receivers/Administrators is conducted in accordance with the prevailing market practice for that asset and the jurisdiction to which the sale relates. The strategies adopted, including the engagement of selling agents, are designed in all cases to maximise the realised proceeds from the sale of the art. I would also note that while it is the clear policy of NAMA itself to maximise the realised proceeds from all sales of assets

securing its loans, it is also clearly in the absolute interest of NAMA debtors to maximise the realised proceeds from the sale of their assets in repayment of their debt. The Deputy will also note the legal, fiduciary and professional obligation on Insolvency Office Holders to maximise the realised proceeds from the sale of debtor assets. NAMA advises that sale arrangements applied for the disposal of art are a matter for debtors and appointed Receivers/Administrators in accordance with Agency guidelines and that it would not be appropriate for it to detail the future disposal strategies, including timelines, for the sale of art by debtors and Insolvency Office Holders.

### NAMA Court Cases

84. **Deputy Michael McGrath** asked the Minister for Finance the number of court cases that the National Assets Management Agency has taken or plans to take to secure reversal of asset transfers by NAMA debtors which the agency believes were designed to put assets beyond the reach of the agency; if he will provide a statement of value and a breakdown of the type of assets which been returned to the agency thus far including cash, property and so on; and if he will make a statement on the matter. [42511/12]

**Minister for Finance (Deputy Michael Noonan):** As advised to the Deputy in July (36075/12, 19th July 2012) NAMA is currently pursuing a number of cases in the Courts to effect the reversal of asset transfers by NAMA debtors that appear to have been designed to put the assets beyond the reach of the Agency, including the following cases:

- High Court proceedings for the reversal of an asset transfer of shares
- High Court proceedings for reversal of a family home transfer
- High Court orders sought in aid of execution to reverse the transfer of a family home and holiday home
- English High Court proceedings for the reversal of a property disposal
- US proceedings to set aside various property transactions and full accounting of all assets wrongfully transferred

NAMA advises that proceedings are being considered in a number of other cases. NAMA has to date agreed with certain debtors that the transfer of assets to connected parties be reversed. This has involved 31 debtors with assets worth €160 million.

I am also advised by NAMA that it has been granted charges over previously unencumbered assets with an aggregate value of €354 million, bringing the total value of previously unpledged assets secured through its engagement with debtors to €514 million. Additional details on this are available on page 29 of the NAMA Annual Report and Financial Statements 2011.

### NAMA Portfolio Value

85. **Deputy Michael McGrath** asked the Minister for Finance the number of properties that have been sold that is legally binding contracts in place by the National Assets Management Agency or by agents acting on behalf of NAMA or by agents appointed by NAMA controlled debtors and, of this number, if he will confirm for each category the number and total value of such properties which were up for sale on the open market and publicly advertised; and if he will make a statement on the matter. [42512/12]



**Minister for Finance (Deputy Michael Noonan):** As with a bank, NAMA does not own nor does it sell property assets securing its loans. The sale of these assets is conducted by their owners, that is, NAMA debtors, or, in enforcement cases, on behalf of these debtors by duly appointed Receivers/Administrators. I am advised by NAMA that its debtors and receivers have recorded over 2,500 cash receipts in respect of asset sales totalling €4.6 billion as of end August 2012. NAMA advises that cash receipts may relate to sales of individual properties or sales of multiple units as well as disposal of non-real estate assets such as shares and also deposits paid on such transactions. Included in these cash receipts are sales of some 3,500 individual property units, which can range from undeveloped sites and parking spaces to completed office blocks.

However, these sales have been achieved in accordance with NAMA Board guidelines, a key principle of which is that the conduct of disposals should be on a competitive basis wherever practicable and in accordance with prevailing market practices for the asset class and jurisdiction to which the sale relates.

The Deputy will further note that the NAMA Board guidelines require, where feasible, the sale of assets on the open market and their public advertisement and I am advised by NAMA that in the vast majority of cases the sale of assets securing its loans have been so conducted. In any event, NAMA requires that an independent valuation process be undertaken in respect of all asset disposals over €250,000 in value.

I would also note that while it is the clear policy of NAMA itself to maximise the realised proceeds from all sales of assets securing its loans, it is also clearly in the absolute interest of NAMA debtors to maximise the realised proceeds from the sale of their assets in repayment of their debt. The Deputy will also note the legal, fiduciary and professional obligation on Insolvency Office Holders to maximise the realised proceeds from the sale of debtor assets.

### European Council Meetings

86. **Deputy Bernard J. Durkan** asked the Minister for Finance if he is satisfied regarding the adequacy of individual structures applicable throughout the EU are sufficient to ensure each member states' Minister for Finance or equivalent is sufficiently aware of the need for a cohesive and coordinated approach to debt and economic problems affecting all member states throughout the European Union; and if he will make a statement on the matter. [42524/12]

**Minister for Finance (Deputy Michael Noonan):** Every economics and finance minister in the European Union is a member of the Economic and Financial Affairs Council (Ecofin). Each month the Ecofin Council meets to discuss economic policy coordination, economic surveillance, monitoring of Member States' budgetary policy and public finances, financial markets and capital movements, as well as other matters. In addition, the Eurogroup - which comprises ministers of the Member States whose currency is the euro - usually meets the day before the Ecofin meeting to deal with issues relating to the Economic and Monetary Union. Furthermore, senior officials from every Member State meet very regularly to address a variety of economic, budgetary and financial matters that are essential towards the running of a cohesive and coordinated Europe.

Because of my involvement – both formal and informal - in the two Ministerial formations over the past eighteen months I can assure the Deputy that my European Ministerial colleagues are fully seized of the seriousness of the issues confronting Europe. As a priority, we are working towards developing a cohesive approach to the problems affecting all Member States throughout the European Union.

## EU-IMF Programme of Support Issues

87. **Deputy Bernard J. Durkan** asked the Minister for Finance if, at EU Council Finance Ministers' meetings, the need for recognition for the vulnerability of those member states in a programme or bailout situation has been recognised with a view to ensuring that individual Ministers do not jeopardise such countries and their economies for domestic political reasons; and if he will make a statement on the matter. [42525/12]

**Minister for Finance (Deputy Michael Noonan):** As the Deputy will be aware, Ireland's implementation of the EU/IMF Programme has been recognised and indeed lauded both at the ECOFIN and Eurogroup meetings. There has been an all-round acknowledgement of our commitment to the Programme which has ensured that all the conditions have been met at each quarterly review. We too, repeatedly acknowledge the support we get from other member states. Of course it is in the best interests of Europe generally that those member states in Programmes do all in their power to implement the conditions of that Programme in order to emerge successfully from it. At the ECOFIN and Eurogroup meetings, regular updates are sought and given as to Programme implementation and Member States' contributions are helpful and supportive. There is a very keen awareness, by Member States, of the difficulties faced by programme countries, and the efforts being made are well recognised and acknowledged.

*Question No. 88 answered with Question No. 47.*

## EU-IMF Programme of Support Issues

89. **Deputy Bernard J. Durkan** asked the Minister for Finance the extent to which he has had meaningful discussions with his colleagues in other EU member states which, like Ireland, have similar debt problems with a view to achieving a consensus approach which ultimately will be of benefit to the entire European Union as well as the indebted countries; and if he will make a statement on the matter. [42527/12]

**Minister for Finance (Deputy Michael Noonan):** Ireland continues to be fully engaged in the process by the Eurogroup and Heads of State or Government on how the commitments of 29 June will be implemented. We are pursuing a diplomatic offensive which has included officials from my Department travelling recently to several capitals; my own visits to Paris, Berlin, Rome and onto the Informal Ecofin in Cyprus; and the Taoiseach's meeting with several colleagues at the level of Heads of Government, including Prime Minister Monti, Prime Minister Rajoy and Prime Minister Samaras. The Heads of State or Government made two important decisions on 29 June. The first was to "affirm that it is imperative to break the vicious circle between banks and sovereigns." The second was that "The Eurogroup will examine the situation of the Irish financial sector with the view of further improving the sustainability of the well-performing adjustment programme. Similar cases will be treated equally." The commitment to equal treatment is very important.

All our interlocutors agreed that the imperative is to move ahead urgently to implement all of the important decisions taken on 29 June. We continue to work within that framework to deliver the best possible outcome for the Irish taxpayer.

I would also add that on the margins of both the Eurogroup and Ecofin monthly meetings I actively engage with my colleagues on an informal basis. Such engagements with our European colleagues also take place at and around the various meetings at official level.

## Economic Competitiveness

90. **Deputy Bernard J. Durkan** asked the Minister for Finance the degree to which this economy has become more competitive in the past five years on an annual basis; and if he will make a statement on the matter. [42528/12]

**Minister for Finance (Deputy Michael Noonan):** Substantial progress has been made in terms of improving our competitiveness over the past five years. Relatively lower price inflation over this period means that Irish price levels have fallen relative to our major trading partners. At the same time there has been a significant improvement in our cost competitiveness. Indeed, the European Commission earlier this year forecast that our nominal unit labour costs will improve by 22 per cent relative to the euro area over the period 2009 – 2013. Furthermore, from a macroeconomic perspective an important measure of competitiveness across the euro area is the real Harmonised Competitiveness Indicator (HCI). This reflects relative consumer prices trends together with exchange rate developments and is produced by the Central Bank of Ireland. Since mid-2008, the real HCI has fallen by almost 20 per cent, indicating an improvement in our international competitiveness.

On foot of these positive developments, we have seen a recovery in our exports as well as an improvement in inward foreign direct investment, and I am encouraged by this. Having said that, further improvements in competitiveness are clearly needed in order to make significant inroads into the unacceptably high rate of unemployment that we are currently faced with.

## Sovereign Debt

91. **Deputy Bernard J. Durkan** asked the Minister for Finance if he is satisfied that the steps taken to date in terms of interaction between Ireland's Central Bank, other member states' Central Banks and the ECB are sufficient to address the need for a coordinated approach in terms of fiscal strategy, debt repayment and economic recovery; and if he will make a statement on the matter. [42529/12]

94. **Deputy Bernard J. Durkan** asked the Minister for Finance if he can foresee the benefits of debt repayment arrangements for larger European countries being of direct and positive impact on this country; and if he will make a statement on the matter. [42532/12]

95. **Deputy Bernard J. Durkan** asked the Minister for Finance the extent to which his colleagues at EU level are prepared to accept the need for a Europe-wide approach to sovereign debt repayment that will enable and facilitate a reasonable level of economic growth; and if he will make a statement on the matter. [42533/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 91, 94 and 95 together.

Actions taken at the European level since the onset of the sovereign debt crisis clearly show that policy makers across Europe accept the necessity of a European response to the prevailing crisis. This is evident from the establishment of various institutions, such as EFSF and ESM, as well as from ECB involvement from the outset, notably as provider of liquidity. With the June 29 Heads of State or Government statement, these responses have been placed within an overall framework with a declared intention to break the link between banks and sovereign. Indeed, markets' reaction to this announcement as well as ensuing measures has been broadly positive and has already helped to reinforce Ireland's efforts to regain market confidence, as also substantiated by our recent return to longer-term capital markets. Further, economic growth

is an important cornerstone of this framework, as the adoption on June 29 of the *Compact for Growth and Jobs* reflects. Finally, the June 29 statement clearly states that “[s]imilar cases will be treated equally.”

The June 29 statement and ensuing measures at Member State and European level have resulted in a general fall in sovereign funding costs across Europe, especially in programme and vulnerable countries, including large ones. As we further implement the agreed upon measures, one would expect sovereign funding costs to continue their move to more reasonable levels. This includes larger countries, which have benefitted from the greater flexibility and efficiency with which European support can be delivered without having drawn on these innovations. An instance of these is the August announcement by ECB President Draghi that the ECB will do whatever it takes, within its mandate, to ensure the integrity of the euro area. Of course, this had a significant and immediate impact. The concrete announcement on Outright Monetary Transactions resulted in further reassurance. Similarly, ratification in Germany and other Member States of greater flexibility and efficiency of use of EFSF and ESM instruments in the following weeks has a very positive effect, in particular on Spain and Italy. While the positive effect on Ireland will likely not be limited to this, it is clear that Ireland has already benefitted from the wider improvement in confidence, especially regarding the stability of larger Member States. Looking ahead, one would expect that Ireland will continue to benefit from implementation of the agreements and, of course, we would expect equal treatment.

In recognition of the fact that countering high public and private sector debt can have limiting effects on growth, Europe has acted to stimulate growth by adopting the *Compact for Growth and Jobs*. Necessary conditions within this framework are the tackling of public sector deficits with measures as friendly as possible to growth and differentiated across members as well as the normalisation of financial sector conditions. Indeed, for markets to be reassured, it is necessary that measures ensuring fiscal sustainability are being taken. To the degree that this is achieved, sovereign funding costs would fall, as also witnessed in Ireland. These lower funding costs should eventually trickle down to the wider economy. Facilitating this process would be a sound and stable banking system. In regard to achieving this, Europe has already agreed wide-ranging measures to ensure sustainable fiscal positions and financial stability are ensured.

Further growth boosting measures have been taken at the European level, also in light of the fact that private sector debt is elevated in a number of countries. I believe the cumulative impact of all of these measures will have a positive impact in terms of supporting economic activity in the EU at this difficult juncture. This, in turn, can be expected to benefit Ireland, given the importance of the EU as a trading partner.

At EU level, the growth-boosting measures announced include a deepening of the Single Market and reducing the regulatory burden. Another important measure is the mobilisation of €120 billion - about 1 per cent of EU gross national income - to boost European growth. These funds will be made available via EU structural funds, the Project Bonds initiative, and EIB lending. We continue to make progress in terms of maximising the amount of funding that can be made available to Ireland in these regards.

Finally, as regards the interaction between Central Banks, I am not privy to the discussions that take place between member states' Central Banks and the ECB. The Deputy should be aware that the Governor of the Central Bank has sole responsibility for the performance of the functions imposed, and the exercise of powers conferred, on the Bank by or under the Rome Treaty or the European System of Central Banks (ESCB) Statute. Section 6A(3) of the Central Bank Act 1942 provides that the Minister for Finance may not request information relating to those (ESCB) functions from the Governor or the Bank.

That said, I do believe that there is widespread recognition generally of the need for the implementation of a coordinated approach at European level to tackle the very serious financial and fiscal problems that are evident at present and as I have alluded to earlier in my answer, action is being taken to address these problems.

### **Price Inflation**

92. **Deputy Bernard J. Durkan** asked the Minister for Finance the extent, if any, to which he has recognised any possible inflationary tendencies in the Irish economy; if any corrective steps are required to address any issues arising; and if he will make a statement on the matter. [42530/12]

**Minister for Finance (Deputy Michael Noonan):** Recent years have seen inflationary pressure remain quite muted given the weakness in the domestic economy. Nevertheless, there are specific areas where inflationary pressures are emerging. Over the past year wholesale energy prices have remained elevated on account of tensions in the Middle East. Coupled with the depreciation of the euro, these higher prices have fed through to consumer price inflation. Indeed, energy price inflation was running at 10 per cent in annual terms in August. Additionally, some specific sectors have seen considerable upward price pressures, most notably insurance. I would point out however, that excluding energy prices, inflation remain subdued. In August, for instance, CPI excluding energy rose at an annual rate of just 1.1 per cent, in contrast to a headline CPI rate of 2.0 per cent.

In terms of corrective steps to reduce costs for consumers, the Deputy will be aware the prices of utilities are now set by independent regulators. I would stress that the Government is introducing a series of structural reforms, to bring down the cost of doing business, which should help reduce consumer price inflation more generally.

### **Exchequer Returns Publication**

93. **Deputy Bernard J. Durkan** asked the Minister for Finance the extent to which Exchequer returns are on target and thereby affecting his approach to Budget 2013; and if he will make a statement on the matter. [42531/12]

**Minister for Finance (Deputy Michael Noonan):** The end-September Exchequer Returns published on Tuesday 2 October show that tax revenues are €385 million (1.5%) ahead of target. Three of the 'big four' tax-heads – income tax, corporation tax and VAT – are ahead of profile at end-September. This is a positive development. As regards expenditure, while the majority of Departments continue to manage within their agreed limits, there are pressures, in the health and social protections areas in particular. I know that my colleague the Minister for Public Expenditure and Reform and his Department are working closely with Departments to ensure spending is managed effectively.

As we stated in our joint press release issued on Tuesday 2 October, the Exchequer Returns for the period to end-September highlight the progress the Government is making in restoring the public finances to a more sustainable position. The tax base is growing; the majority of Departments are managing expenditure within allocations and where there are overruns action is being taken to bring these under control.

Overall, I am confident that on the basis of these Returns, we are on track to meet our budgetary targets for the second consecutive year this year.



However, despite the significant progress made, the Exchequer deficit, at €11 billion for the first nine months of the year, remains too high and the Government is committed to reducing it further in the coming years. It will still be necessary to introduce measures in *Budget 2013* which further align our revenues and our spending more closely.

*Questions Nos. 94 and 95 answered with Question No. 91.*

### **Public Services Provision**

96. **Deputy Brian Stanley** asked the Minister for Finance if his Department works with local authorities in the delivery of services; and if so, the details of same. [42562/12]

97. **Deputy Brian Stanley** asked the Minister for Finance if his Department engage with local authorities in the provision of services and if so the details of same. [42583/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 96 and 97 together.

In response to the Deputy's question my Department does not work with or engage with local authorities in the delivery or provision of services.

### **Access to Higher Education**

98. **Deputy Brendan Smith** asked the Minister for Education and Skills if he will outline the funds invested in the DARE third level scheme; if there are Departmental funds involved; if so, the amount of same; if he has an analysis of the number of DARE student places allocated by each third level college/university to each of the faculties; if he will outline the breakdown in relation to agricultural science degree or its equivalent since the commencement of the scheme; the qualifying criteria for same; if he will list the third level colleges/universities that are operating the scheme; and if he will make a statement on the matter. [42432/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The collaborative schemes HEAR (Higher Education Access Route) and DARE (Disability Access Route to Education) have been developed by the Irish Universities Association (IUA) with the overall aim of widening access and participation in higher education for school-leavers from socio-economically disadvantaged backgrounds or with a disability.

Over the years 2006-2011 the Higher Education Authority (HEA) has allocated €1.1m through the Strategic Innovation Fund (SIF) to support the development of these schemes by the IUA and participating institutions. Both schemes have now been mainstreamed and are being sustained through the overall core grant allocation of each participating institution.

In 2012 thirteen institutions participated in the DARE scheme for school-leavers with disabilities. These are NUI Maynooth, Trinity College Dublin, NUI Galway, University College Cork, University College Dublin, University of Limerick, Dublin City University, Dublin Institute of Technology, Mater Dei Institute, National College of Ireland, Pontifical University Maynooth, Athlone Institute of Technology and Cork Institute of Technology.

Each college or university taking part in the DARE scheme has allocated a limited number of places on a reduced points basis for students entering through DARE. This number or quota is different for each college and university. Details of the quotas on the website of each college and university that takes part in the scheme (see [www.accesscollege.ie](http://www.accesscollege.ie)) and are summarised in

the following tables.

Information on the number of places being offered through the DARE scheme by each institution and faculty is not immediately available, but is being sought from participating institutions and will be forwarded to the Deputy. The overall number of applications, offers and acceptances through the DARE scheme for the academic year 2011 are detailed in the following tables. The number of applications has risen in 2012-13 and data on the final numbers of offers and acceptances for the academic year just starting will be available shortly.

Application data	DARE	DARE
Years	2011	2012
Applications	2551	2,941
Eligible Applications	1279	1,482
Offers	473	-
Acceptances	419	-

### Quotas 1st Year of Undergraduates places DARE 2012

AIT	CIT	DCU	DIT	Mater Dei Institute	NCI	NUIG
Places are available on all Pro-grammes for suc-cessful candidates. There is no set quota.	2%	5% of places on all courses	5% of places on all courses	Up to 10% on each under-graduate programme	No restric-tion on the number of students who can come through DARE.No set quotas	20% quota in all courses; divided across 3 access target groups (i.e. HEAR, DARE & Mature Students)
NUIM	TCD	UCC	UCD	UL	Pontifical University Maynooth	
4%	22% (with a baseline of 18%) quota in all courses; di-vided across 3 access target groups (i.e. HEAR, DARE & Mature Stu-dents)	Minimum 5% of 1st year intake 3 % on reduced points quota in all un-dergraduate programmes	Minimum of 15% in all courses; di-vided across 3 access target groups (i.e. HEAR, DARE & Mature Stu-dents)	5% of places on all courses	4%	

**School Services Staff**

99. **Deputy Tom Fleming** asked the Minister for Education and Skills if he will immediately address the detrimental effect the cutting of guidance counselling in schools across County Kerry will have on our young people as they struggle to cope with the myriad of personal and family problems that permeate all sectors of modern communities; his views on whether it will take a tragedy before he sees the damage that has been done to the education system by reducing or eradicating the access that students have had to the support of a professionally trained guidance counsellor when they need it in secondary school; and if he will make a statement on the matter. [42463/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I acknowledge that the reduction in resources to second level schools will be challenging for schools. However, the budget measure that requires schools to manage the provision of guidance from within their standard staffing allocation must be seen in the context of the major challenges we have as a Government in trying to shelter public services to the greatest extent that we can in these exceptional times. The net impact on overall teacher numbers in our schools has been minimised to the greatest extent possible. Teacher allocations to post primary schools for the 2012/13 school year have effectively been settled at this stage and schools have autonomy on how best to prioritise their available resources to meet the requirements in relation to guidance and the provision of an appropriate range of subjects to students. Decisions on how this is done are taken at school level and I am confident that schools will act in the best interest of students when determining precisely how to use the teaching resources available to them.

A key priority for me is to continue to prioritise and target available funding at schools with the most concentrated levels of educational disadvantage. All 195 second-level school in DEIS have been given targeted support by a more favourable staffing schedule of 18.25:1. This is a 0.75 point reduction compared to the existing PTR of 19:1 that applies in non fee-paying second-level schools. My Department also provided some limited short-term support to schools through curricular concessions in order to help them manage within their approved teaching allocation.

It is established policy that guidance is a whole school activity and under existing arrangements each school develops a school guidance plan as a means of supporting the needs of its students. While the school's guidance planning should involve the guidance counsellor(s) in the first instance, other members of school staff and management also have key roles to play. Parents and students must be seen as an essential part of the process.

Through this process schools can, for example, consider the following options for maximising the use of their available resources for the provision of guidance: Optimise the delivery of personal educational, career and vocational guidance in class group settings; Enable students to use directly the extensive range of guidance tools available through the internet from relevant websites (e.g. Qualifax, Careers Portal); Enable some of the curriculum elements of the planned guidance programme to be delivered through other teachers such as SPHE staff; Maximise the role of the pastoral care team in schools, and; Ensure that the guidance counsellor has 1:1 time towards meeting the counselling needs of students experiencing difficulties or crisis.

The support of the whole school community, parents and the relevant external agencies such as NEWB and NEPS are key to the provision of guidance and support to schools.

Psychologists from my Department's National Educational Psychological Service (NEPS) also provide a range of supports to schools. These include the promotion of positive mental health among the general student body and assistance in supporting pupils with particular so-

cial, emotional or behavioural difficulties.

My Department is also aiming to launch the Guidelines on Mental Health for Post-Primary Schools later this year. These guidelines aim to support schools in developing a whole-school approach to mental health promotion and suicide prevention and are of relevance to all members of the school community. In particular, they have been developed to support principals, guidance counsellors, student support teams, and teachers.

### **Student Grant Scheme Applications**

100. **Deputy Robert Troy** asked the Minister for Education and Skills the date on which third level grants will be paid; and if he will make a statement on the matter. [42479/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The process of assessing and paying third level or further education grants is a matter for the relevant grant awarding authority, i.e. local authority, VEC or SUSI (Student Universal Support Ireland) as appropriate.

The timing of processing and payment of grants varies between the awarding authorities depending on a number of variables, including the volume of applications received, staffing resources and whether or not properly completed application forms have been submitted. Work prioritisation across different functions and the way in which available staff are deployed to execute those functions are matters for the management of each awarding authority concerned.

Students and parents should ensure that all necessary supporting documentation is provided at the earliest date to assist the awarding bodies to make prompt decisions on entitlement.

### **Schools Designation**

101. **Deputy Denis Naughten** asked the Minister for Education and Skills further to Parliamentary Question No. 11 of 24 May 2012, the progress made to date in establishing a new designation for small isolated rural schools; and if he will make a statement on the matter. [42503/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** In my reply to Parliamentary Question No. 11 of 24 May 2012 I indicated that the State will continue to support educational provision for communities in isolated areas. The changes to the staffing schedule of small primary schools are being phased in over a three year period to allow schools to plan for their future, including possible amalgamation options. Ireland has a high proportion of primary schools relative to our population and a relatively high proportion of small primary schools. A value for money review of small primary school provision is at an advanced stage of preparation. Among the issues the review examines is the location of small schools relative to each other and to other schools of a similar type; account is taken of isolation. I expect to publish the review shortly and I look forward to debating its findings with the House.

### **School Staffing**

102. **Deputy Denis Naughten** asked the Minister for Education and Skills if he will confirm the retention of current staffing numbers at a school (details supplied) in County Roscommon; when it is expected to publish plans for rural schools; if he will maintain current staffing numbers pending such an announcement; and if he will make a statement on the matter. [42504/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** 73 small primary schools were originally due to lose a classroom teacher in September 2012 as a result of the budget measure to increase the relevant pupil thresholds. The Primary Staffing Appeals Board considered appeals from any of the 73 schools that could show that their projected enrolments for September 2012 were sufficient to allow them retain their classroom teacher over the longer term. 38 small schools, including the school referred to by the Deputy had their appeals provisionally upheld by the Appeals Board subject to confirmation that their actual enrolments in September 2012 reach the required level. The required level of enrolment projected by the school in question failed to materialise at 30 September 2012, resulting in the loss of a classroom post.

A Value for Money review of small primary schools is almost complete and my Department expects to publish the report in the near future. I hope that this report will foster constructive engagement both in the Oireachtas and among all interested parties in looking at the challenges ahead and how best to make provision for primary education in rural and dispersed communities.

In these extremely challenging times, all public servants are being asked to deliver our public services on a reduced level of resources and teachers in small schools cannot be immune from this requirement.

### Teachers' Remuneration

103. **Deputy Charlie McConalogue** asked the Minister for Education and Skills if he will set out in tabular form the starting salary grade for a newly employed teacher at both primary and post primary level for each year from 2005 to 2012; the available allowances to a newly employed teacher; and if he will make a statement on the matter. [42521/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The starting points on the Common Basic Scale and the allowances available to newly employed teachers prior to the recent Government decision on allowances are set out in the following table. Not all of the allowances listed were available to every teacher as entitlement was based on the qualifications held by the individual and/or the nature of the post for which they were employed. Prior to 1 January 2011, teachers who completed a three year teacher-training course commenced on the second point of the salary scale. Teachers who completed a four year training course commenced on the third point, as did post primary teachers with a Higher Diploma in Education (or equivalent). New entrant teachers with effect from 1 January 2011 started on the first point of the scale.

Following the recent Government decision, certain allowances are no longer payable to new beneficiaries. New entrant teachers with effect from 1 February 2012 will not receive qualification allowances, but will start on a salary which is equivalent to the fourth point of the existing scale.

	1/6/05	1/12/05	1/6/06	1/12/06	1/6/07	1/3/08	1/9/08	1/1/10	New Entrants post 1/1/11	New Entrants post 1/2/12
1	€ 28,388	€ 28,814	€ 29,534	€ 30,420	€ 31,028	€ 31,804	€ 32,599	€ 30,904	€ 27,814	
2	€ 29,393	€ 29,834	€ 30,580	€ 31,497	€ 32,127	€ 32,930	€ 33,753	€ 31,972	€ 28,775	
3	€ 30,399	€ 30,855	€ 31,626	€ 32,575	€ 33,227	€ 34,058	€ 34,909	€ 33,041	€ 29,737	
4	€ 31,409	€ 31,880	€ 32,677	€ 33,657	€ 34,330	€ 35,188	€ 36,068	€ 34,113	€ 30,702	€ 30,702



		2005/2006	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011	2010/2011 rate for new en- trants post 1/1/11
1	Supervi- sion & Substitu- tion Allow- ance	€ 1,640	€ 1,722	€ 1,789	€ 1,862	€ 1,811	€ 1,769	€ 1,592

ACA- DEMIC QUALI- FICA- TIONS		1/6/05	1/12/05	1/6/06	1/12/06	1/6/07	1/3/08	1/9/08	1/1/10	New Entrants Post 1/1/11
2	(a) (i) H. Dip. in Ed. (Pass)	€ 541	€ 549	€ 563	€ 580	€ 592	€ 607	€ 622	€ 591	€ 532
-	(b) (i) H. Dip. in Ed. (1st or 2nd Hons)	€ 1,133	€ 1,150	€ 1,179	€ 1,214	€ 1,238	€ 1,269	€ 1,301	€ 1,236	€ 1,112
-	(ii) Ard Teastas Gaeilge	€ 1,133	€ 1,150	€ 1,179	€ 1,214	€ 1,238	€ 1,269	€ 1,301	€ 1,236	€ 1,112
-	(c) Primary Degree (Pass)	€ 1,689	€ 1,714	€ 1,757	€ 1,810	€ 1,846	€ 1,892	€ 1,939	€ 1,842	€ 1,658
-	(d) Masters Degree by thesis or exam (Pass)	€ 4,508	€ 4,576	€ 4,690	€ 4,831	€ 4,928	€ 5,051	€ 5,177	€ 4,918	€ 4,426
-	(e) Primary Degree (1st or 2nd Hons)	€ 4,508	€ 4,576	€ 4,690	€ 4,831	€ 4,928	€ 5,051	€ 5,177	€ 4,918	€ 4,426
-	(f) Masters Degree (1st or 2nd Hons)	€ 5,037	€ 5,113	€ 5,241	€ 5,398	€ 5,506	€ 5,644	€ 5,785	€ 5,496	€ 4,946
-	(g) Doctors- Degree	€5,627	€5,711	€5,854	€6,030	€6,151	€ 6,305	€ 6,463	€ 6,140	€ 5,526

\*Only one of these allowances at (a) or (b) may be held together with one of the allowances at (c) to (g).

\*\*Teachers first employed in the public sector on or after the 5th December 2011 and 31st January 2012 (inclusive) will be assessed for allowances on the basis of their qualifications at entry to the profession to a maximum combined allowance equivalent to that payable for an honours primary degree.

Questions - Written Answers

	ACADEMIC QUALIFICATIONS	-	-	-	-	-	-	-	-	-
3	Diploma for Teachers of Deaf/ Blind/ Mentally and Physically Handicapped Children	€ 2,233	€ 2,266	€ 2,323	€ 2,393	€ 2,441	€ 2,502	€ 2,565	€ 2,437	€ 2,193
-	OTHER ALLOWANCES	-	-	-	-	-	-	-	-	-
4	Teaching through Irish	€ 1,450	€ 1,472	€ 1,509	€ 1,554	€ 1,585	€ 1,625	€ 1,666	€ 1,583	€ 1,424
5	Gaeltacht Grant	€ 2,807	€ 2,849	€ 2,920	€ 3,008	€ 3,068	€ 3,145	€ 3,224	€ 3,063	€ 2,757
6	Island Allowance	€ 1,689	€ 1,714	€ 1,757	€ 1,810	€ 1,846	€ 1,892	€ 1,939	€ 1,842	€ 1,658
7	Honorary - payable to teachers in the Prison Service	€ 4,373	€ 4,439	€ 4,550	€ 4,687	€ 4,781	€ 4,901	€ 5,024	€ 4,773	€ 4,296
8	Allowance payable to teachers of apprentices in Dun Laoghaire and Co. Cork VECs	€ 8,928	€ 9,062	€ 9,289	€ 9,568	€ 9,759	€ 10,003	€ 10,253	€ 9,740	€ 8,766
9	Secure Unit Allowance/ Disturbed Adolescent Allowance	€ 2,013	€ 2,043	€ 2,094	€ 2,157	€ 2,200	€ 2,255	€ 2,311	€ 2,195	€ 1,976

## Public Services Provision

104. **Deputy Brian Stanley** asked the Minister for Education and Skills if his Department works with local authorities in the delivery of services; and if so, the details of same. [42560/12]

105. **Deputy Brian Stanley** asked the Minister for Education and Skills if his Department engage with local authorities in the provision of services and if so the details of same. [42581/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 104 and 105 together.

I can confirm to the Deputy that as a matter of course there is ongoing liaison between my Department and local authorities to establish the location, scale and pace of any proposed major housing developments and their possible implications for school provision. This level of close co-operation is underpinned by a Code of Practice for planning authorities on the provision of schools and the planning system.

In addition, I recently signed a Memorandum of Understanding with the County and City Managers' Association on cooperation between local authorities and my Department on the identification and acquisition of sites for school buildings.

Furthermore, in order to expedite the process of delivering projects and to maximise the output from within existing resources, my Department has been exploring alternative methods of delivering major school building projects. Louth County Council delivered a 16 classroom primary school on a greenfield site in Drogheda earlier this year and are currently engaged in the delivery of a post primary school on the same site. Discussions are ongoing with another local authority on the possible delivery of a school.

## Public Procurement Regulations

106. **Deputy Michael McGrath** asked the Minister for Public Expenditure and Reform if there are any safeguards in place to ensure that principal building contractors working under a contract with a public body pay their sub contractors for work carried out under the relevant State contract; and if he will make a statement on the matter. [42502/12]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** Under a public works contract the contractual relationship is between the public body and the main contractor. The public body has no contractual relationship with a subcontractor. Therefore any contractual issue that arises during a contract is exclusively a matter between the main contractor and its sub-contractor.

I am conscious of the difficulties being experienced by sub-contractors. In this regard, the Deputy may be aware that the Programme for Government contains a commitment to introduce new legislation to protect small building subcontractors that have been denied payments from bigger companies. My colleague Minister Brian Hayes has been working with Senator Quinn to develop the Construction Contracts Bill, which is now before the Dáil, into a robust piece of legislation.

The main purpose of the Bill is to help address the issue of non-payment to construction sector subcontractors who have satisfactorily completed work on construction projects. Minister Hayes is now examining the Bill and will decide how best to proceed. It is important that a solution to the problem of non-payment must not place an unnecessary regulatory or cost burden

on the parties to the dispute, other parties involved in the project, or the State.

### **Capital Programme Expenditure**

107. **Deputy Brian Stanley** asked the Minister for Public Expenditure and Reform the amount of funds allocated by the Office of Public Works in respect of capital works for 2011 to cover capital works; and the amount spent. [42573/12]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes):** The capital allocation on the Office of Public Works Vote in 2011 was €119m. In addition, €5m was allocated in unspent capital from the 2010 allocation. This gave an overall total of €124m for the year 2011.

Total capital expenditure in 2011 on the Office of Public Works Vote amounted to €112.952m.

Of the unspent allocation, €2.3m was used to fund current expenditure on the Vote within 2011, €8m capital funding was carried forward to the 2012 allocation under the Deferred Surrender Capital scheme and €0.588m was carried forward to 2012 under the terms of the Administrative Budget Agreement. These amount to €123.84m of the €124m available.

### **Public Sector Pensions Levy**

108. **Deputy Joanna Tuffy** asked the Minister for Public Expenditure and Reform if he will provide an update on the amount of income that has been generated from the 20% levy placed on public service pensions in excess of €100,000; if he will provide details of the number of former Ministers and former Office Holders affected by this levy; and the if he will make a statement on the matter. [42450/12]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** I assume the Deputy is referring to the Public Service Pension Reduction (PSPR). The PSPR is an income-graduated reduction applied to each gross annual public service pension in excess of €12,000. It came into effect on 1 January 2011 as part of the then Government's programme of measures to urgently address the serious position of the public finances.

In January of this year I introduced a new 20% PSPR rate on pension amounts above €100,000 (before then a 12% rate had applied on all pension amounts above €60,000). The change was made by section 9 of the Financial Emergency Measures in the Public Interest (Amendment) Act 2011, which amended section 2 of the Financial Emergency Measures in the Public Interest Act 2010.

The new rate is estimated to realize an additional €400,000 savings in a full year. Pensioner groups affected include former Office-holders (Presidents, Taoiseach, Ministers), former Chief Justices, Supreme Court and High Court Judges, former Civil Service Secretaries General, former Chief Executives of non-commercial state bodies, etc.

The details of former Ministers and former Office Holders affected by this levy will take some time to collate and will be provided to the Deputy as soon as possible.

## Teachers' Remuneration

109. **Deputy Robert Troy** asked the Minister for Public Expenditure and Reform if he will reconsider the lower rate of pay which he is enforcing on public sector workers, that is teachers; and if he will make a statement on the matter. [42478/12]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** The adjustment to the pay scale for new entrant teachers along with other public service entrant grades was approved by the previous Government on 2 December 2010 and arose from the need to reduce exchequer pay costs having regard to the national financial position. The requirement to constrain such pay costs is ongoing and accordingly there are no plans to revisit this decision regarding the pay rates of public service entrant grades including teachers. Equally, it is not planned to change the position in respect of the recent Government decision to withdraw the payment of qualification allowances to new entrant teachers.

In the context of the removal of the qualifications allowances for new entrant teachers, the Government has decided that new entrant teachers who will no longer be in receipt of qualification allowances will commence on a salary of €30,702, which is equivalent to the fourth point of the existing teachers salary scale from 1 January 2011. In gross salary terms this amounts to an incremental salary gain of €2,888 on the base incremental point of the scale for new entrant teachers. New entrant teachers will also have the option of being paid a pensionable allowance of €1,592 for supervision and substitution, thereby bringing their starting salary to €32,294.

## Departmental Staff Remuneration

110. **Deputy Sean Fleming** asked the Minister for Public Expenditure and Reform if he will set out in tabular form the starting salary grade for a newly employed Administrative Officer in the Civil Service for each year from 2005 to 2012; the available allowances to a newly employed Administrative Officer in each year; and if he will make a statement on the matter. [42523/12]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** The starting salary for an Administrative Officer from 1 January 2005 to date is as follows.

Year	Salary
2005	€29,456
2006	€31,052
2007	€32,783
2008	€33,439
2009	€35,132
2010	€33,247
2011	€29,922
2012	€29,922

There are no allowances available to Administrative Officers on appointment. In this regard an allowance would occasionally be approved for serving Administrative Officers on an exceptional basis for particular duties such as Private Secretary to a Minister or Secretary General of a Department, being on-call and acting up for higher duties.



### Public Services Provision

111. **Deputy Brian Stanley** asked the Minister for Public Expenditure and Reform if his Department works with local authorities in the delivery of services; and if so, the details of same. [42567/12]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** My Department does not work with local authorities in the delivery of services. This would be a matter for the Department of Environment, Community and Local Government.

### Public Services Provision

112. **Deputy Brian Stanley** asked the Minister for Public Expenditure and Reform if his Department engage with local authorities in the provision of services and if so the details of same. [42588/12]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** My Department does not engage with local authorities in the provision of services. This would be a matter for the Department of Environment, Community and Local Government.

### IDA Expenditure

113. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if financial support from the Industrial Development Agency to client companies includes conditional targets for employment; and if he will provide an overview of the conditions of offer of support to client companies. [42366/12]

114. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the amount of financial support held back from Industrial Development Agency client companies who have failed to meet employment targets. [42367/12]

115. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the amount of financial support claimed back from Industrial Development Agency client companies who have failed to meet employment targets. [42368/12]

116. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if he will provide a list of all Industrial Development Agency client companies; the amount of public financial support offered to the company; the amount of public support drawn down by the company; and the total company employment figures for each of the years since 2007. [42369/12]

121. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if he will list all the jobs announcements made by the Industrial Development Agency since 2007; the number of respective additional jobs announced; the amount of public funds paid to the respective enterprise; and the total number of additional jobs realised as of August 2012. [42374/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I propose to take Questions Nos. 113 to 116, inclusive, and No. 121 together.

When approving financial assistance for a company, IDA Ireland enters into a legal and binding contract with the company. The contract, which is confidential between IDA Ireland and the company, includes conditions and milestones that the company is required to comply with before any financial assistance is paid. In order to draw down grants, a company must

meet the performance targets as set out in the contract. IDA Ireland pays grants pro rata with achieved performance. Companies sign a grant agreement in full knowledge that the penalty for non-performance is pro rata repayment of the grant. In cases where companies have not achieved the agreed performance target or, in the event of a company closure, IDA Ireland will seek to recover the grants paid. The total amount of grants refunded for each of the years 2007 to 2011 are included in the financial statements in IDA Ireland's Annual Report which are available on the Agency's website [www.idaireland.com](http://www.idaireland.com).

IDA Ireland has approximately 1,000 client companies, not all of which have received financial assistance. I am arranging to forward to the Deputy a list of all IDA client companies who have received grant payments in the period 2007 to 2011. Information in relation to grant approvals is confidential to the client and IDA. Details of IDA Ireland's investment announcements, including potential job numbers since 2007, are available on the IDA website. The number of actual jobs created for the year 2012 will not be available until after the Forfás employment survey is conducted in November of this year.

### **Jobs Data**

117. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if he will provide a list of all the job announcements welcomed by his Department since 2007; the number of respective additional jobs announced; and the total number of additional jobs realised as of August 2012. [42370/12]

122. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if he will list all of the jobs announcements made by Enterprise Ireland since 2007; the number of respective additional jobs announced; the amount of public funds paid to the respective enterprise; and the total number of additional jobs realised as of August 2012. [42375/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I propose to take Questions Nos. 117 and 122 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. The data is compiled on an annualised basis. In addition, Enterprise Ireland publishes each year a detailed schedule of financial support payments to its client companies for the previous year. This information is listed by client company at county level. These reports are available directly from Enterprise Ireland and EI have been requested to send a copy of the 2011 schedule to the Deputy, for information.

In relation to public funds paid to enterprises, details of individual offers of support from Enterprise Ireland to each client company are confidential and will vary, depending on the type of support being sought.

Details of Enterprise Ireland full-time job gains for the period 2007 to 2011 in the following tabular statement.

Enterprise Ireland Employment Data	2007	2008	2009	2010	2011
Full-Time Jobs	171,532	165,685	145,767	141,222	141,228
Full-Time Job Gains	18,133	13,886	8,464	11,001	9,076

Source: Forfás Annual Employment Survey 2011

### Enterprise Ireland Expenditure

118. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if financial support from Enterprise Ireland to client companies includes conditional targets for employment; and if he will detail the conditions of offer of support to client companies. [42371/12]

119. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the amount of financial support held back from Enterprise Ireland client companies who have failed to meet employment targets. [42372/12]

120. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the amount of financial support claimed back from Enterprise Ireland client companies who have failed to meet employment targets. [42373/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I propose to take Questions Nos. 118 to 120, inclusive, together.

The awarding of funding to companies by Enterprise Ireland is a day to day matter for the Agency and one in which I have no function. There are processes in place to ensure value for money from the State's perspective including the contribution of the project to the Irish economy and to export growth. Conditions of offer to client companies contain specific targets and milestones, and grant drawdown will only occur when these conditions are met. Additionally, offers of support from Enterprise Ireland to each client company is a confidential matter and will vary depending on the type of support being sought.

*Question No. 121 answered with Question No. 113.*

*Question No. 122 answered with Question No. 117.*

### Science Foundation Ireland Remit

123. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the number of jobs supported by the Science Foundation Ireland; and the cost per jobs supported by the Science Foundation. [42376/12]

**Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Sean Sherlock):** Science Foundation Ireland (SFI) is not a direct job-supporting agency in the same way as its sister enterprise agencies, IDA Ireland and Enterprise Ireland.

SFI is specifically mandated to focus excellence in research investments through the higher educational sector in the areas of Information and Communications Technologies (ICT), Bio-

technology and Sustainable Energy and Energy Efficient Technologies through which SFI is aiding the development and competitiveness of Irish based industry.

The SFI funding of top-class research through Ireland's higher education institutions is playing a crucial role in underpinning the efforts of the enterprise agency partners as part of the Government's overall economic recovery strategy.

SFI invests in assembling world-class research teams, thereby increasing the number of high quality researchers in Ireland. Resulting gains encompass new scientific knowledge, increased commercial opportunities, and a larger pool of available talent to the Irish workforce – all of which can contribute to efficiency, competitiveness and employment gains across the economy.

At present SFI is directly supporting 2,995 researchers in Ireland who are interacting with over 600 companies here. These companies employ in the region of 85,000 people in Ireland. Through these collaborations with SFI funded researchers, the Irish based companies can often avail of new ideas, implement new processes to develop new products and increase employment opportunities as they look to enhance their respective operations. The numerous examples of the businesses connected to SFI researchers/teams and how SFI funded research is delivering for Irish enterprise are highlighted on [www.sfi.ie](http://www.sfi.ie)

A major impact attributable to SFI has been, and continues to be, its underpinning role for the enterprise and job creation activities of IDA Ireland and Enterprise Ireland. Over the past decade SFI has led a transformational change in Ireland's research landscape. It has helped develop a truly credible and internationally recognised scientific research base in Ireland. SFI researchers are now collaborating across 60 countries globally which is helping to maintain Ireland's position amongst the top-twenty research performing countries globally.

SFI's activities are helping to create magnets of attraction for foreign direct investment (FDI) in Ireland as well as maintaining FDI jobs here. In 2011 IDA had one of its best ever years for FDI wins with value of new client wins with a research, development and innovation component amounting to €700m. This is nearly a six-fold increase on 2003/04 levels of €120m. 2011 levels were also up by €200m on the 2010 and 2009 levels.

So far in 2012, SFI has links to 61%\* (3,975 of the 5,701) new jobs announced by IDA Ireland.

*(\*data accurate as at 17th August 2012).*

### **Alternative Energy Projects**

124. **Deputy Eoghan Murphy** asked the Minister for Jobs, Enterprise and Innovation if he is considering adding geothermal energy as a priority area in the National Research Prioritisation Exercise. [42384/12]

**Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Sean Sherlock):** The recommendations of the Report of the Research Prioritisation Steering Group, as adopted by Government Decision on February 21st 2012, were made within the context of a 5 year time-frame. I personally chair the Research Prioritisation Action Group tasked with driving implementation of the recommendations in the report and a primary focus of our agenda is to target support towards the 14 priority areas identified as offering the greatest opportunity in terms of economic and societal impact. Implementation is still in the early stages and we still have some way to go to bed down prioritisation fully. In this context and for the moment at least, consideration is not being given to adding to the list of 14 priority areas.

However, as the Deputy may be aware, Marine Renewable Energy is one of the 14 priority areas with a focus on positioning Ireland as a research, development and innovation hub for the deployment of marine renewable energy technologies and services. Along with a number of other priority areas (e.g. Food for Health, Sustainable Food Production and Processing, Smart Grids and Smart Cities) the focus on Marine Renewable Energy will serve simultaneously to generate enterprise, improve quality of life and help meet legally binding obligations. This will help sustain and promote our reputation as a 'green economy' ensuring the economy is competitive, inclusive and provides a high standard of living with lower environmental impacts.

The Deputy may also be aware of the International Energy Research Centre (IERC) which is an industry led, world-leading, collaborative programme of research and innovation in integrated sustainable energy system technologies. The IERC was established in April 2010 with a commitment to provide €20m funding from the Department of Jobs, Enterprise & Innovation and the Department of Communications, Energy and Natural Resources, and is located at the Tyndall National Institute, based in Cork. The IERC brings together international companies and researchers in the energy space, leveraging research capabilities and technologies to find commercial solutions to the global energy demand challenge.

### Legislative Programme

125. **Deputy Robert Troy** asked the Minister for Jobs, Enterprise and Innovation if he will outline all legislative changes he has initiated since coming into office. [42389/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The legislative changes effected since assuming office in March 2011 are set out below.

#### Secondary legislation - 2011

European Communities (Restrictive Measures) (Democratic People's Republic of Korea) (Amendment) Regulations 2011 (S.I. No. 727 of 2011)
European Union (Restrictive Measures) (Syria) (Amendment) Regulations 2011 (S.I. No. 726 of 2011)
European Union (Restrictive Measures) (Afghanistan) Regulations 2011 (S.I. No. 725 of 2011)
Dangerous Substances (Retail and Private Petroleum Stores) (Amendment) Regulations 2011 (S.I. No. 712 of 2011)
European Communities (Artist's Resale Right) (Amendment) Regulations 2011 (S.I. No. 709 of 2011)
European Communities (Statutory Audits) (Directive 2006/43/EC) (Amendment) Regulations 2011 (S.I. No. 685 of 2011)
European Communities (Intra-Community Transfers of Defence Related Products) (Amendment) Regulations 2011 (S.I. No. 535 of 2011)
Competition Act 2002 (Section 10) (Commencement) Order 2011 (S.I. No. 491 of 2011)
Companies (Forms) (No. 2) Order 2011 (S.I. No. 450 of 2011)
European Communities (Restrictive Measures Against Certain Persons and Entities Associated with Osama Bin Laden, the Al-Qaida Network and the Taliban) (Amendment) (No. 2) Regulations 2011 (S.I. No. 415 of 2011)
European Communities (Restrictive Measures) (Democratic Republic of Congo) (Amendment) Regulations 2011 (S.I. No. 413 of 2011)



European Union (Restrictive Measures) (Libya) (Amendment) Regulations 2011 (S.I. No. 412 of 2011)
European Communities (Transnational Information and Consultation of Employees Act 1996) (Amendment) Regulations 2011 (S.I. No. 380 of 2011)
European Communities (Carriage of Dangerous Goods by Road and use of Transportable Pressure Equipment) Regulations 2011 (S.I. No. 349 of 2011)
European Communities (Intra-Community Transfers of Defence-Related Products) Regulations 2011 (S.I. No. 346 of 2011)
National Minimum Wage Act 2000 (Section 11) (No. 2) Order 2011 (S.I. No. 331 of 2011)
European Communities (Calibration of Tanks of Vessels) Regulations 1976 (Revocation) Regulations 2011 (S.I. No. 316 of 2011)
European Union (Restrictive Measures) (Syria) Regulations 2011 (S.I. No. 314 of 2011)
European Communities (Machinery) (Amendment) Regulations 2011 (S.I. No. 310 of 2011)
European Communities (Mergers and Divisions of Companies) (Amendment) Regulations 2011 (S.I. No. 306 of 2011)
Chemicals (Asbestos Articles) Regulations 2011 (S.I. No. 248 of 2011)
Enterprise, Trade and Innovation (Delegation of Ministerial Functions) (No. 5) Order 2011 (S.I. No. 242 of 2011)
Enterprise, Trade and Innovation (Delegation of Ministerial Functions) (No. 4) Order 2011 (S.I. No. 241 of 2011)
European Union (Restrictive Measures) (Eritrea) Regulations 2011 (S.I. No. 237 of 2011)
European Union (Ecodesign Requirements for Certain Energy-related Products) Regulations 2011 (S.I. No. 203 of 2011)
European Union (Restrictive Measures) (Libya) Regulations 2011 (S.I. No. 117 of 2011)
S.I. No. 117 of 2011 European Union (Restrictive Measures) (Libya) Regulations 2011
Companies (Auditing and Accounting) Act 2003 (Prescribed Persons) Regulations 2011 (S.I. No. 113 of 2011)

### **Primary legislation – 2012:**

Patents (Amendment) Act 2012 (No. 1 of 2012)
Protection of Employees (Temporary Agency Work) Act 2012 (No. 13 of 2012)
Competition (Amendment) Act 2012 (No. 18 of 2012)
Companies (Amendment) Act 2012 (No. 22 of 2012)
Credit Guarantee Act 2012 (No. 26 of 2012)
Microenterprise Loan Fund Act 2012 (No. 31 of 2012)
Industrial Relations (Amendment) Act, 2012 (No. 32 of 2012)

### **Secondary legislation – 2012:**

Microenterprise Loan Fund Act 2012 (Commencement) Order 2012 (S.I. No. 383 of 2012)
Credit Guarantee Act 2012 (Commencement) Order 2012 (S.I. No. 382 of 2012)
Industrial and Provident Societies and the European Cooperative Society (Fees) Regulations 2012 (S.I. No. 363 of 2012)
Credit Guarantee Scheme 2012 (S.I. No. 360 of 2012)

Microenterprise Loan Fund Scheme 2012 (S.I. No. 343 of 2012)
European Communities (Control of Trade in Goods That May be Used for Torture) (Amendment) Regulations 2012 (S.I. No. 339 of 2012)
European Union (Restrictive Measures Against Iran) Regulations 2012 (S.I. No. 338 of 2012)
Patents, Trade Marks and Designs (Fees) (Amendment) (No. 2) Rules 2012 (S.I. No. 335 of 2012)
Patents (Amendment) Rules 2012 (S.I. No. 334 of 2012)
Patents (Amendment) Act 2012 (Commencement) Order 2012 (S.I. No. 329 of 2012)
Prospectus (Directive 2003/71/EC) (Amendment) (No. 2) Regulations 2012 (S.I. No. 317 of 2012)
Transparency (Directive 2004/109/EC) (Amendment) (No. 2) Regulations 2012 (S.I. No. 316 of 2012)
Market Abuse (Directive 2003/6/EC) (Amendment) Regulations 2012 (S.I. No. 315 of 2012)
European Union (Third Country Auditors and Audit Entities Equivalence, Transitional Period and Fees) Regulations 2012 (S.I. No. 312 of 2012)
European Communities (Intra-Community Transfers of Defence Related Products) (Amendment) Regulations 2012 (S.I. No. 309 of 2012)
Companies (Amendment) (No. 2) Act 1999 (Section 32) Order 2012 (S.I. No. 308 of 2012 )
European Union (Accounts) Regulations 2012 (S.I. No. 304 of 2012)
Industrial Relations (Amendment) Act (Commencement) Order 2012 (S.I. No. 302 of 2012)
Prospectus (Directive 2003/71/EC) (Amendment) Regulations 2012 (S.I. No. 239 of 2012)
Transparency (Directive 2004/109/EC) (Amendment) Regulations 2012 (S.I. No. 238 of 2012)
Competition (Amendment) Act 2012 (Commencement) Order 2012 (S.I. No. 236 of 2012)
Customs-Free Airport (Extension of Laws) Regulations 2012 (S.I. No. 217 of 2012)
Control of Exports (Goods and Technology) Order 2012 (S.I. No. 216 of 2012)
European Union (Restrictive Measures) (Belarus) Regulations 2012 (S.I. No. 165 of 2012)
European Union (Restrictive Measures) (Syria) Regulations 2012 (S.I. No. 153 of 2012)
Consumer Protection (Consumer Information) (Articles of Precious Metals) Regulations 2012 (S.I. No. 143 of 2012)
European Union (Textile Fibre Names and Related Labelling and Marking of the Fibre Composition of Textile Products) Regulations 2012 (S.I. No. 142 of 2012)
European Union (Copyright and Related Rights) Regulations 2012 (S.I. No. 59 of 2012)
Industrial Designs (Amendment) Regulations 2012 (S.I. No. 31 of 2012)
Patents, Trade Marks and Design (Fees)(Amendment) Rules 2012 (S.I. No. 30 of 2012)

### Public Services Provision

126. **Deputy Brian Stanley** asked the Minister for Jobs, Enterprise and Innovation if his Department works with local authorities in the delivery of services; and if so, the details of same. [42565/12]

127. **Deputy Brian Stanley** asked the Minister for Jobs, Enterprise and Innovation if his Department engage with local authorities in the provision of services and if so the details of same. [42586/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I propose to take Questions Nos. 126 and 127 together.

The Government's Action Plan for Jobs sets out a range of actions across Government Departments and Agencies which aim to create a vibrant environment where enterprises can start up and flourish. My Department is working with the Department of the Environment, Community and Local Government, and the Local Authorities, in specifically seeking to improve the operating environment for businesses at local level.

Clearly the Local Authorities have an important role to play in delivering a range of services, critical infrastructure and assistance to businesses at local level. Currently my Department is engaged in the development of a more joined-up approach to the direct delivery of supports to the micro and small business sectors which are a crucial part of our economy. This will focus primarily on the establishment of a network of Local Enterprise Offices (LEOs) within Local Authorities. The LEOs will provide a high quality, innovative, "one-stop-shop" support service for small businesses, and integrate key local authority business services into the Local Enterprise Office.

The Minister for Environment, Community and Local Government recently announced the Local Government enterprise and jobs strategy – Supporting Economic Recovery and Jobs. This sets out the framework for Local Authorities to develop targeted local strategies for economic development and enterprise support to drive the Action Plan for Jobs.

### **Defined Benefit Pension Schemes Issues**

128. **Deputy Peter Mathews** asked the Minister for Social Protection her plans to reverse the reintroduction of more stringent rules with which most defined benefit pension schemes must comply by the end of the year; and if she will make a statement on the matter. [42513/12]

**Minister for Social Protection (Deputy Joan Burton):** The majority of pension schemes are in deficit and face serious challenges in restoring their funding levels to enable the scheme deliver on the pension promise. It is acknowledged that the fundamental problem facing pension schemes is that pensions are significantly more expensive due to the increasing life expectancy and lower than expected investment returns which are reflect in increased annuity rates.

The Funding Standard provides a benchmark against which the "health" of a scheme can be tested. When a scheme fails the Funding Standard that means that unless some action is taken, the scheme will not be able to pay all the benefits promised. The existence of the Funding Standard itself is not the central issue in relation to whether a scheme is properly funded. Rather the responsibility rests with the employer and the trustees for ensuring that the scheme is properly funded and managed. However, the Funding Standard does provide the regulatory mechanism for ensuring that a scheme can live up to the "promised" level of pension benefits.

The Pensions Regulator suspended the Funding Standard four years ago, following the downturn in financial market, to give trustees/employers an opportunity to assess the impact on pension funds and to enable them time to develop responses to the challenge. Both national and EU law requires the maintenance of a Funding Standard. The reintroduction of the Funding Standard was delayed on a number of occasions pending changes to legislation which were designed to help trustees respond to the funding challenges facing pension schemes. It was

considered desirable that, when the Funding Standard was re-introduced, schemes should be given an indication as to how the defined benefit model might develop in the future. Following consultation with stakeholders in 2010 and 2011, revisions to the defined benefit model formed part of the re-introduction of the Funding Standard.

The requirement for a risk reserve is being introduced from 2016, to provide a level of protection for scheme members against future volatility in financial markets. It is accepted that the requirement for a risk reserve presents an added challenge for schemes, however, guidance issued by the regulator identifies options which trustees and scheme members can consider in meeting this requirement by 2023.

It should be noted that the changes to the Funding Standard are being implemented over the next 11 years, not immediately. This is the longest recovery period generally allowed in any European country.

The guidance issued by the Regulator is being kept under review and the Regulator made an announcement last week extending the timeframe for the submission of funding proposals to address scheme deficit, until 30 June 2013.

There are currently no plans to reverse the recently reintroduced funding standard.

### **Mortgage Arrears Proposals**

129. **Deputy Eoghan Murphy** asked the Minister for Social Protection if she will consider allowing other professions such as financial brokers to participate in the new advisory service for mortgage holders in advance on the June 2013 review. [42387/12]

**Minister for Social Protection (Deputy Joan Burton):** 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 recognised 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 practising 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.

The advisory framework will be monitored on an on-going basis. It is intended to review the operation of the 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 notified their members about the new service and a panel is available on a county by county basis on the website [www.keepingyourhome.ie](http://www.keepingyourhome.ie).

### Unemployment Data

130. **Deputy Patrick O'Donovan** asked the Minister for Social Protection the current unemployment figures for an area (details supplied) in County Limerick; the number of persons that are long-term unemployed and over 25; the break down between male and female.; and if she will make a statement on the matter. [42390/12]

**Minister for Social Protection (Deputy Joan Burton):** It is not possible to segregate information pertaining to the unemployment status of people in the specific areas referred to by the Deputy. However, the total number of people on the Live Register in Local and Branch Offices in County Limerick City and County at the end of August 2012 was 21,265. A total of 8,457 of these were aged 25 years or more and were long term unemployed. A detailed breakdown of this number by Office, Scheme and gender is contained in the following tabular statement.

#### Total Live Register for end of August 2012

Area	Gender	Jobseekers Assistance	Jobseekers Benefit	Jobseekers Benefit Credits Only	TOTAL
	Male	1,275	396	69	1,740
KILMALL-OCK	Female	526	301	158	985
	Male	7,962	1,374	372	9,708
LIMERICK	Female	3,389	1,505	560	5,454
	Male	1,558	523	65	2,146
NEWCASTLE WEST	Female	726	375	131	1,232
Live Register Total		15,436	4,474	1,355	21,265

#### Long Term unemployed (more than 1 Year) and over 25 end August 2012

Area	Gender	Jobseekers Assistance	Jobseekers Benefit	Jobseekers Benefit Credits Only	TOTAL
	Male	588	9	41	638
KILMALLOCK	Female	168	9	100	277
	Male	4,439	45	232	4,716
LIMERICK	Female	1,269	39	361	1,669
	Male	766	6	47	819
NEWCASTLE WEST	Female	242	3	93	338
Live Register Total		7,472	111	874	8,457



### **Domiciliary Care Allowance Appeals**

131. **Deputy Brendan Griffin** asked the Minister for Social Protection if a decision on domiciliary care allowance appeal has been made in respect of a person (details supplied) in County Kerry; and if she will make a statement on the matter. [42391/12]

**Minister for Social Protection (Deputy Joan Burton):** An application for domiciliary care allowance was received from the person concerned on the 18th January 2012. This application was referred to one of the Department's Medical Assessors who found that the child was not medically eligible for the allowance. A letter issued on the 22nd February 2012 advising of the decision. The person concerned subsequently lodged an appeal against this decision. As part of the appeal process, the case was reviewed by a second Medical Assessor on the 27th September 2012 who confirmed that the child was not medically eligible for the allowance. The file will now be sent to the Social Welfare Appeals Office for consideration of the appeal.

### **Supplementary Welfare Allowance Appeals**

132. **Deputy Marcella Corcoran Kennedy** asked the Minister for Social Protection when an appeal was registered from a person (details supplied) in County Offaly following notification of refusal of supplementary welfare allowance; the date on which this appeal will be processed; and if she will make a statement on the matter. [42401/12]

**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 13th July 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 27th August 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.

### **Statutory Sick Pay Scheme**

133. **Deputy Finian McGrath** asked the Minister for Social Protection if her attention has been drawn to the fact that proposals to move costs for statutory sick pay to employers will impact negatively on businesses and lead to the possibility of jobs being lost. [42424/12]

**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 compelling reasons – as a measure to help in addressing the deficit in the social insurance fund; as a measure to limit progression from short-term illness to long-term illness or disability; and to bring Ireland into line with practice in other countries in this area. In considering the matter, I am acutely conscious of the pressures facing employers in the current economic climate, and in particular, the pressures facing smaller and medium-sized enterprises.

There is a range of complex issues that need to be addressed before any decision could be taken by Government on the possible introduction of such a scheme – the extent of coverage; the rate of payment; possible compensatory mechanisms for employers where appropriate and

how a scheme would be enforced and policed – and these will be discussed in the course of the wider process associated with the preparation of Budget 2013. The views of stakeholder groups, including small and medium-sized business owners, will be taken into account in that process.

### **Back to School Clothing and Footwear Allowance Scheme Eligibility**

134. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if she will review the decision to refuse back to school allowance in the case of a person (details supplied) in County Kildare; if she will take account of the circumstances of this family including the facts that the applicant is on job seekers allowance [42425/12]

**Minister for Social Protection (Deputy Joan Burton):** An application for the Back to School Clothing and Footwear Allowance was received from the customer concerned on 27 June 2012. The application was processed on 18 July 2012 and the person concerned was notified that she did not qualify for the allowance as her means exceeded the income limit applicable to her family composition. She subsequently requested a review of this decision. The review was completed on 14 August and the original decision was upheld. The person concerned contacted the Department by phone last week and was provided with a full explanation of the decision and review process. As no further evidence has been provided in this case the decision stands and this case is now closed.

### **Social Welfare Benefits Applications**

135. **Deputy Thomas Pringle** asked the Minister for Social Protection the number of people on a core social welfare payment who are also recipients of a child dependent payment; and if she will provide a breakdown of same [42442/12]

**Minister for Social Protection (Deputy Joan Burton):** There were 263,515 families in receipt of qualified child increases across the various social welfare schemes administered by the Department of Social Protection on the 31st of December 2011. A breakdown by scheme is provided in the following tabular statement.

Scheme\*

Families with Children

Social Welfare Payments	Full Rate Qualified Child Increase	Half Rate Qualified Child Increase
State Pension (Non-Contributory)	312	72
State Pension (Contributory)	1,055	1,046
State Pension (Transition)	121	134
Widow/er's or Surviving Civil Partner's Contributory Pension	6,884	0
Death Benefit Pension	78	0
Jobseeker's Allowance	52,129	19,336
One-Parent Family Payment	90,177	0

Social Welfare Payments	Full Rate Qualified Child Increase	Half Rate Qualified Child Increase
Supplementary Welfare Allowance	10,420	0
Farm Assist	3,389	970
Pre-Retirement Allowance	177	46
Jobseeker's Benefit	7,803	8,308
Deserted Wife's Benefit	815	0
Health and Safety Benefit	2	5
Back to Work Allowance	40	16
Back to Work Enterprise Allowance	3,341	1,080
Back to Education Allowance	3,855	1,481
Disability Allowance	9,036	3,745
Blind Pension	135	74
Carer's Allowance	1,172	12,781
Illness Benefit	5,166	8,222
Interim Illness Benefit	24	17
Invalidity Pension	2,668	5,850
Injury Benefit	70	64
Disablement Pension	140	286
Carer's Benefit	40	933
Totals	199,049	64,466
Grand Total		263,515

\* Community Employment, Tús and Rural Social Scheme are not included in this analysis.

### Invalidity Pension Appeals

136. **Deputy Seán Kenny** asked the Minister for Social Protection when a decision on an appeal in relation to the disallowance of invalidity benefit application will be decided in respect of a person (details supplied) in Dublin 13. [42474/12]

**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 25 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.

## Employment Support Services

137. **Deputy Joe Higgins** asked the Minister for Social Protection the total number of placements on jobbridge which do not run for their full term. [42489/12]

**Minister for Social Protection (Deputy Joan Burton):** The JobBridge Scheme has made significant progress since it came into operation on the 1st July 2011. 10,535 internships have commenced to date with 4,892 participants currently on an internship as at 27th September 2012 and over 2,300 opportunities presently advertised on [www.jobbridge.ie](http://www.jobbridge.ie). Internships are offered across a broad range of occupational sectors and geographic areas. Our records indicate that 37% or 2,091 of the 5,722 interns who have finished (including both early and full completions) their JobBridge internship placement have immediately progressed into employment, 1,117 of whom with their Host Organisation and 974 with another organisation. These progression rates compare very favourably with European averages in this area. Of the 5,722 finishers to date 3,388 or 59% are Early Completers and 2,334 or 41% are Full Completers. It is critical to highlight that 1,534 interns or 45% of those interns who leave their placements early do so to take up immediate employment either with their Host Organisation or another organisation. It is clear that a significant number of jobseekers are obtaining employment as a direct result of the experience and skills gained on their internship.

## Social Welfare Appeals Status

138. **Deputy Peter Mathews** asked the Minister for Social Protection further to Parliamentary Question No 193 of 25 September 2012, the average waiting period for such an appeal; and if she will make a statement on the matter. [42508/12]

**Minister for Social Protection (Deputy Joan Burton):** The current average time taken to process State Pension (Transition) appeals is 20.2 weeks for appeals decided by summary decision and 49.5 weeks for those requiring an oral hearing. The average for oral hearing excludes two protracted cases registered before 2011, and withdrawn and closed in 2012. Processing times are calculated from the registration date of the appeal to the date of its finalisation. They include all activities during this period including time spent in the Department for comments by the Deciding Officer on the grounds of appeal put forward by the appellant, and any further investigation, examination or assessment by the Department's Inspectors that is deemed necessary. A considerable period of time is added to the process when an oral hearing is required because of the logistics involved in this process. By its nature and because it is a quasi-judicial nature, the processing of appeals takes time even at the best of times and reflects the fact that, by definition, the appeal process cannot be a quick one.

## Domiciliary Care Allowance Appeals

139. **Deputy Michael Creed** asked the Minister for Social Protection if a decision has yet been made on a domiciliary care allowance appeal in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [42510/12]

**Minister for Social Protection (Deputy Joan Burton):** An application for domiciliary care allowance (DCA) was received on the 30th March 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 16th May 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 Applications

140. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if, further to Parliamentary Question No. 795 of 18 of September 2012, further arrears are due in the case of a person (details supplied) in Dublin 15; and if she will make a statement on the matter. [42545/12]

**Minister for Social Protection (Deputy Joan Burton):** The spouse of the person in question is in receipt of carer's allowance at a rate of €204 basic rate and €14.90 per child for five children. This amounts to a rate of €278.50 weekly rate. She was in receipt of a supplementary welfare allowance whilst awaiting a decision on the carer's allowance application. She received supplementary welfare allowance at a rate of €186 basic rate and €14.90 per child for five children, which totalled to a weekly rate of €260.50. This was her portion of the supplementary welfare allowance. Supplementary welfare allowance payments were deducted from the carer's allowance arrears payment due. The spouse of the person concerned was due carer's allowance arrears at a rate of €18.00 per week for 42 weeks from the period 20/10/12 - 8/8/12. This amount was the difference between the personal rate on carer's allowance and supplementary welfare allowance as outlined above. This totalled €756.00. Arrears issued on the 9/8/12 for €1034.50, which was arrears due plus one week's payment for the week of 9/8/12.

#### Carer's Allowance for period 20/10/11 to 16/8/12

Type	-	-	-	-	Total in	-
Code	Start	End	Weeks	Euro	Euro	
	20/10/2011	08/08/2012	42	204.00	8568.00	
	20/10/2011	08/08/2012	42	74.50	3129.00	
	09/08/2012	15/08/2012	1	204.00	204.00	
	09/08/2012	15/08/2012	1	74.50	74.50	14.90 x 5 CHILDREN
					GROSS AR- REARS DUE	€11,975.50

#### Less Supplementary Welfare (Carer's Portion) Allowance received for 20/10/11 to 8/8/12

Type	-	-	-	-	Total in	-
Code	Start	End	Weeks	Euro	Euro	
	20/10/2011	08/08/2012	42	186.00	7812.00	
	20/10/2011	08/08/2012	42	74.50	3129.00	
					Total Over- laps Amounts	€10,941.00
					NETT AR- REARS & CHEQUE AMOUNT	€1,034.50



### **Jobseeker's Benefit Applications**

141. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the full scale of entitlements outstanding arising from a social welfare claim made on 09 July 2010 in the case of a person (details supplied) in County Carlow; and if she will make a statement on the matter. [42546/12]

**Minister for Social Protection (Deputy Joan Burton):** The person concerned applied for Jobseeker Benefit on the 28th of June 2010 and was requested to submit documentation in support of her claim. The person concerned failed to submit the documentation requested and to date has made no further claims with the Department.

### **Rent Supplement Scheme Applications**

142. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the correct level of rent supplement payable in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [42547/12]

**Minister for Social Protection (Deputy Joan Burton):** The rent limit applicable to the person concerned is €790.00 per month which applies to one parent families with three or more children in Co. Kildare.

### **State Pension (Contributory) Eligibility**

143. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if she will review further entitlements in respect of old age pension increases due in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [42548/12]

**Minister for Social Protection (Deputy Joan Burton):** The qualifying conditions for a State pension (contributory) which applied on the date that the person concerned reached pension age (66) required an applicant to:

- have entered into insurable employment before the age of 56 years
- have at least 260 weeks full-rate contributions paid, from employment or self-employment, since entry into insurance
- satisfy the yearly average condition.

The person concerned satisfies the above conditions. He has a yearly average of 19 PRSI contributions from his date of entry into insurance in July 1962 to the end of 2010, the last complete tax year before his 66th birthday. He has been awarded a State pension (contributory) at the weekly rate of €172.70 (75% of maximum rate) plus €14.90 increase for a qualified child (in order to qualify for the maximum rate a yearly average of 48 contributions would be required). The Department wrote to the person concerned on 24th May 2011, and 12th September 2011 requesting him to supply further details of his employment history. A response has not been received to date. A further communication has issued to him requesting these details. When the Department receives this information, his claim will be reviewed and he will be notified of the outcome without delay.

### **Disability Allowance Appeals**

144. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the reason for delay in awarding disability allowance or invalidity pension in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [42549/12]

**Minister for Social Protection (Deputy Joan Burton):** The person concerned applied for disability allowance on 4 April 2011. The medical evidence supplied with his 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 19 September 2011.

The person submitted further medical evidence which was referred to a second medical assessor who was also of the opinion that the person was not medically suitable for disability allowance. The deciding officer accepted this opinion and there was no change to the decision to refuse disability allowance and the person was notified of this on 20 February 2012.

The Social Welfare Appeals Office has advised me that the person appealed this decision on 12 March 2012 and submitted further medical evidence in support of the appeal. The Department was notified of this appeal on 10 April 2012.

As part of the appeals process, the Department referred all the medical evidence received including the evidence received by the Appeals office to a third medical assessor for review. The medical assessor was of the opinion, based on all the information supplied, that the person was medically suitable for disability allowance.

A decision on the person's application has been made on 3rd October, awarding him from the 6th April 2011, a notification has issued to the person concerned.

### **Pension Provisions**

145. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the maximum income, gross or net, allowable to a spouse before such income affects all or part of old age pension payable to the other spouse in respect of noncontributory OAP; and if she will make a statement on the matter. [42550/12]

**Minister for Social Protection (Deputy Joan Burton):** The maximum net income allowable to a spouse before such income affects all or part of the State Pension (non-contributory) is €200 per week from insurable employment. Net earnings are gross earnings less PRSI, superannuation/PRSA contributions, and union dues.

My Department endeavours to ensure that customers are fully aware of their maximum possible entitlements in relation to earnings disregards. All information in relation to the State Pension (non-contributory) scheme can be found in the operational guidelines on the Department's website [www.welfare.ie](http://www.welfare.ie).

### **Rent Supplement Scheme Payments**

146. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if her attention has been drawn to the fact that the maximum rent of €725 per month by her Department in

Leixlip, Maynooth and Celbridge, County Kildare is not realistic given the location which is affected by student rented accommodation and rental accommodation for local major employers notwithstanding her previous indication to the effect that it is possible to source accommodation at that level in County Kildare in general where rents vary greatly in accordance with the economic situation; if she will review this position; and if she will make a statement on the matter. [42551/12]

**Minister for Social Protection (Deputy Joan Burton):** The purpose of the rent supplement scheme is to provide short-term support to eligible people living in private rented accommodation whose means are insufficient to meet their accommodation costs and who do not have accommodation available to them from any other 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 rent supplement recipients for which the Government has provided €436 million for 2012.

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.

Analysis shows that for County Kildare, there are properties available within the maximum rent limits for rent supplement recipients. The maximum rent limit for a couple or one parent family with two children in County Kildare is €725.

The number of rental properties available in North Kildare, including Leixlip, Maynooth and Celbridge, is somewhat lower than the numbers available in the rest of the county and therefore impacts on the number of accommodation units available for rent supplement. Latest figures show that there are over 900 rent supplement recipients in the Leixlip, Maynooth and Celbridge areas, indicating that it is possible to secure accommodation in these locations within the rent limits.

The Department will continue to monitor rent levels throughout the country but at this point I have no plans to revise the existing rent limits.

### **Rent Supplement Scheme Applications**

147. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if she will review the maximum rent of €725 applicable in the case of a person (details supplied) in County Kildare in view of the shortage of accommodation locally; and if she will make a statement on the matter. [42552/12]

**Minister for Social Protection (Deputy Joan Burton):** The maximum rent limit for a one parent family with two children in Co Kildare is €725.00 per calendar month. Analysis shows that there are properties available within the maximum rent limits for rent supplement recipients in Kildare. There are no plans for a review of these limits at this time.

### **Departmental Contracts**

148. **Deputy Brian Stanley** asked the Minister for Social Protection if her Department works with local authorities in the delivery of services; and if so, the details of same. [42568/12]

149. **Deputy Brian Stanley** asked the Minister for Social Protection if her Department engage with local authorities in the provision of services and if so the details of same. [42589/12]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 148 and 149 together.

My Department engages with local authorities and the Department of the Environment, Community and Local Government in ensuring that customer's accommodation needs are met. Examples where the Department and local authorities work together in this context include:

- Officers administering exceptional needs payments under the supplementary welfare allowance may engage with the local authorities in providing assistance to applicants towards the cost of furnishing accommodation provided by local authorities.

- Departmental officers, in determining eligibility for rent supplement, refer applicants to the local authority for an assessment of eligibility for social housing where appropriate. My Department also engages with local authorities in relation to housing standards in supporting the Department of Environment, Community and Local Government in their aim to promote further improvement in private rented accommodation standards.

- The Department has an important role to play in assisting households in the immediate aftermath of emergency events such as the floods experienced in Cork in July last. While the Department of the Environment, Community and Local Government is the lead Department for severe weather emergencies and the Office of Public Works has responsibility for capital flood relief activities, the Department's response to flooding situations, involves departmental officers liaising with the local authority with responsibility for the areas affected and other parties who may offer assistance to those affected. Through this cross-disciplinary approach, appropriate supports are made available to those in need as swiftly as possible.

- The Department, through its work in the Homeless Persons Unit and the Asylum Seekers & New Communities Unit, provides assistance to people and assists in sourcing the most appropriate accommodation available. In addition, prison and hospital in-reach services are provided in exploring accommodation options and, where necessary, liaising with the local authority to identify and source the most appropriate accommodation available for those who are homeless or at risk of homelessness. This ensures that, where possible, people are diverted away from homeless services and towards community-based supports.

- In order to streamline their processes and consequently provide better service to the public while reducing administration costs, staff in external agencies, including local authorities, have been given access to the Department's customer information systems.

In addition, the Department has had previous engagement with some local authorities regarding the operation of the Household Budgeting Scheme which is operated by An Post on behalf of the Department.

The Government has effectively two initiatives to ensure that persons do not rely on rent supplement for their long term housing needs. The Rental Accommodation Scheme (RAS) is in operation since 2004 and the new Housing Policy Initiative, as announced by the Minister for the Environment, Community and Local Government and the Minister for Housing & Planning on 16th June 2011. Both initiatives provide the local authorities with the specific responsibility for meeting the long term housing needs of people receiving rent supplement.

A multi-agency steering group has been established to develop proposals to give effect to this transfer. The group is chaired by the Department of the Environment, Community and Local Government and consists of representatives from the Departments of Social Protection; Public Expenditure and Reform; Office of the Revenue Commissioners; the County and City Managers Association; and the Housing Agency.

Latest figures from the Department of the Environment, Community and Local Government indicate that, to date, local authorities had transferred a total of over 41,200 households from rent supplement. The Department continues to work closely with the Department of the Environment, Community and Local Government in ensuring that RAS meets its objective of catering for those on long term rent supplement whilst ensuring that rent supplement returns to its original role of a short-term income support.

### Public Services Provision

150. **Deputy Brian Stanley** asked the Minister for Arts, Heritage and the Gaeltacht if his Department works with local authorities in the delivery of services; and if so, the details of same. [42556/12]

151. **Deputy Brian Stanley** asked the Minister for Arts, Heritage and the Gaeltacht if his Department engage with local authorities in the provision of services and if so the details of same. [42577/12]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** I propose to take Questions Nos. 150 and 151 together.

As the Deputy will be aware, my Department was established on 2 June 2011. It oversees and has policy responsibility for the conservation, preservation, protection, development and presentation of Ireland's heritage and culture. My Department also seeks to promote the Irish language, to support the Gaeltacht and to assist the sustainable development of island communities. Information in relation to the wide-ranging functions of my Department, as well as the programmes and schemes operated by it, can be found on my Department's website [www.ahg.gov.ie](http://www.ahg.gov.ie).

I should say that in delivering on this broad mandate, my Department seeks to promote a coherent and coordinated approach in the delivery of services and engages with local authorities, as appropriate, to achieve this end. This includes engagement with local authorities in relation to Ireland's built and natural heritage, arts and culture matters, the Gaeltacht and the offshore islands.

Given the complexity of these interactions, the Deputy will appreciate the difficulty with setting out the details of my Department's engagement with local authorities within the time-frame of a Parliamentary Question. If, however, the Deputy wishes to indicate the particular areas in which he has an interest, I will seek to provide the relevant information to him.

### Proposed Legislation

152. **Deputy Eoghan Murphy** asked the Minister for Communications, Energy and Natural Resources when he intends to publish legislation to regulate geothermal energy here, the Geothermal Energy Development Bill; and if any other legislation in the area of geothermal power generation is planned. [42385/12]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** Legislative proposals in respect of geothermal energy, and the associated Regulatory Impact Assessment, have been published and are available on the Department's website at [www.dcenr.gov.ie](http://www.dcenr.gov.ie). Geothermal energy is a new area of legislative endeavour, which will create a legislative framework to facilitate the exploration for and development of geothermal energy resources. It



will provide significant support to the geothermal energy sector, particularly in terms of security of tenure for potential investors. The Bill sets out an approach to the licensing of exploration for, and exploitation of, geothermal energy. It is modelled on the approach taken in respect of minerals exploration and development but also deals with a range of ancillary issues such as entry onto land.

Drafting of the Bill with the Office of the Parliamentary Counsel is ongoing. Many of the provisions of the Bill are based on aspects of the Minerals Development Bill, particularly in relation to exploration licensing, which I aim to bring to the House before the end of this parliamentary session. I would expect therefore that the Geothermal Energy Development Bill will follow to be published next year.

### Public Services Provision

153. **Deputy Brian Stanley** asked the Minister for Communications, Energy and Natural Resources if his Department works with local authorities in the delivery of services; and if so, the details of same. [42558/12]

154. **Deputy Brian Stanley** asked the Minister for Communications, Energy and Natural Resources if his Department engage with local authorities in the provision of services and if so the details of same. [42579/12]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** I propose to take Questions Nos. 153 and 154 together.

I wish to advise the Deputy that my Department works with local authorities in a number of different areas. This would include both project level involvement as referred to below and interactions with local authorities as part of different statutory provisions. In addition the Semi State Bodies under the aegis of my Department, e.g. ESB, Bord na Móna, BGÉ and EirGrid would have ongoing contacts with local authorities.

My Department liaised with the local authorities during the construction of Metropolitan Area Networks (MANs) and their subsequent handover to e|net, a company appointed to manage and maintain the networks on behalf of the State. My Department continues to work with local authorities on the liaison committee that oversee the operation of the MANs.

Local authorities are sometimes partners in delivering digital inclusion basic skills training under the Benefit schemes operated by my Department. The Benefit scheme operates nationally. The current scheme is in operation until the end of 2012 and involves 19 grantees representing 200 organisations (including the 2 local authorities) providing training in 700 locations to about 40,000 people. In two cases under the current (Benefit 3) scheme local authorities are working with training delivery organisations partners. These are Dublin City Council, which is one of the partners of FIT FastTrack to Information Technology, and Waterford County Council, which partners Waterford VEC. More information on the Benefit scheme can be found on the web page [www.eInclusion.ie](http://www.eInclusion.ie).

The Geological Survey of Ireland (GSI) provides expert advice and mapping data to local authorities in relation to Groundwater Protection and our geological Heritage. This information and data are used by local authorities in the compilation of their Development Plans. The GSI also provides expert advice as required in relation to planning applications. In addition, bodies such as Inland Fisheries Ireland would have ongoing interaction with local authorities.

### Seaweed Harvesting Licences

155. **Deputy John O'Mahony** asked the Minister for the Environment, Community and Local Government the reason a licence is required for the mechanical harvesting of seaweed in this country; and if he will make a statement on the matter. [42377/12]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan):** Section 3 of the Foreshore Act 1933 provides that the removal of any beach material from the foreshore is an activity which requires a licence. The definition of beach material in the Act includes seaweed, whether the seaweed is rooted on the foreshore or washed up by tidal action.

### Property Taxation Application

156. **Deputy Brendan Griffin** asked the Minister for the Environment, Community and Local Government his views on a matter (details supplied) regarding property tax; and if he will make a statement on the matter. [42471/12]

157. **Deputy Pearse Doherty** asked the Minister for the Environment, Community and Local Government if he will publish the report of the expert group on property tax in advance of the publication of the Finance (Property tax) Bill 2012. [42258/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I propose to take Questions Nos. 156 and 157 together.

An independently-chaired Inter-Departmental Expert Group was established to consider the structures and modalities for an equitable local property tax to replace the household charge. The Group recently submitted its report to me and proposals will be brought to Government as soon as possible. It will then be a matter for the Government to decide on the exact details of implementation taking into account the modalities involved. The Government has decided that the local property tax will be collected and administered by the Revenue Commissioners.

### National Housing Development Surveys

158. **Deputy Charles Flanagan** asked the Minister for the Environment, Community and Local Government when he expects the national housing development survey to be completed; and if he will make a statement on the matter. [42378/12]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan):** The National Housing Development Surveys 2010 and 2011 are available on my Department's website, [www.environ.ie](http://www.environ.ie). My Department is currently carrying out the National Housing Development Survey 2012, in conjunction with the local authority sector. It is intended that the findings of this Survey will be made available later in the year.

### Postal Voting

159. **Deputy Ciarán Lynch** asked the Minister for the Environment, Community and Local Government the current regulations regarding postal voting; if there are any plans in place to bring more flexibility to obtaining a postal vote to facilitate those abroad on holiday, on tempo-

rary work assignments or on study placement; is it intended to permit citizens to vote in Irish embassies and consulates abroad; and if he will make a statement on the matter. [42393/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** In order to be able to vote at elections and referendums, a person's name must be entered in the register of electors for a constituency in the State in which the person ordinarily resides.

Postal voting is provided for in electoral law in respect of certain categories of person who are entered in the register of electors. The Electoral Act 1992 provides for postal voting by whole-time members of the Defence Forces, members of the Garda Síochána, and Irish diplomats serving abroad and their spouses or civil partners. Subsequent legislation enacted by the Oireachtas has extended postal voting to other categories: electors living at home who are unable to vote because of a physical illness or a physical disability (the Electoral (Amendment) Act 1996); electors whose occupation, service or employment makes it likely that they will be unable to vote in person at their local polling station on polling day and full-time students registered at their home who are living elsewhere while attending an educational institution in the State (the Electoral Act 1997); certain election staff employed at the poll outside the constituency where they reside (the Electoral (Amendment) Act 2001); and electors who because of the circumstances of their detention in prison pursuant to an order of a court are likely to be unable to go in person on polling day to vote (the Electoral (Amendment) Act 2006).

While electoral law is subject to ongoing review, I have no proposals at present to extend existing arrangements for postal voting. The Programme for Government sets out a comprehensive range of constitutional reform measures including the review by a Constitutional Convention of the Dáil electoral system and giving citizens the right to vote at Irish embassies in presidential elections. I will bring forward proposals for change to electoral law in light of the decisions for change which may arise from these processes.

### House Purchase Schemes

160. **Deputy Ciarán Lynch** asked the Minister for the Environment, Community and Local Government the progress that has been made regarding the incremental purchase scheme; the number of purchases to date that have taken place under the scheme; the number of local authorities that have the scheme in place; if he has given consideration to extending the traditional tenant purchase model which is due to cease this year; and if he will make a statement on the matter. [42398/12]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan):** Provisions are in place under Part 3 of the Housing (Miscellaneous Provisions) Act, 2009 enabling for Incremental Purchase in respect of newly-built houses reserved by housing authorities for the purpose. Regulations to implement the Incremental Purchase Scheme for new houses were made in June 2010. This incremental purchase scheme is available to all housing authorities.

Information regarding the number of homes made available and applications received under the scheme in housing authorities is not currently available in my Department. However, it is intended that the Department will collate the data and make the information available in due course in the context of the suite of statistical returns provided by housing authorities. Arrangements for the winding down of the 1995 Tenant Purchase Scheme were communicated to local authorities in June 2012. Under these arrangements local authorities may accept applications to purchase under this scheme until 31 December 2012. There are no plans to extend this scheme.

However, it is intended to introduce legislation to underpin a new scheme for the sale of existing local authority houses to tenants on incremental purchase principles. The new scheme will be a discount scheme based on household income that enables the State to share in the profits from resale during the 20 to 30 year period for which the house is subject to an incremental purchase charge. The proposed scheme will mean that tenants will have the option of buying the house they currently occupy under the incremental purchase model. It is envisaged that this scheme will be in place in 2013, subject to the necessary legislation being enacted.

### **Derelict Sites**

161. **Deputy Robert Dowds** asked the Minister for the Environment, Community and Local Government his plans, if any, to tackle the problem of derelict buildings in our towns and cities; and if he will make a statement on the matter. [42459/12]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan):** Under the Derelict Sites Act 1990, local authorities are required to take all reasonable steps, including the exercise of appropriate statutory powers, to ensure that any land within their functional area does not become or continue to be a derelict site. To this end, they have been given substantial powers under the Act in relation to any such sites, including powers to require specified measures to be taken in relation to a derelict site, to impose a levy on derelict sites, or to compulsorily acquire any derelict site. I expect local authorities to use their statutory powers as they consider appropriate. The National Co-ordination Committee on Unfinished Housing Developments identified the Derelict Sites Act as a potential legal instrument that could be used by local authorities as part of a range of measures to deal with the problems generated by, for example, unfinished housing developments.

While I have no plans to amend the Derelict Sites Act at this time, I will keep the need for further legislative reforms to assist local authorities in addressing the issues of dereliction, including unfinished or unoccupied estates, under review. In addition, local authorities also have powers under other legislation to deal with derelict sites or structures, for example, under the Sanitary Services Act 1963.

### **Air Pollution**

162. **Deputy Robert Dowds** asked the Minister for the Environment, Community and Local Government if he has considered amending the law to make it illegal to burn smoky coal in towns and cities; and if he will make a statement on the matter. [42460/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The ban on the marketing, sale and distribution of bituminous fuel (or 'smoky coal ban' as it is commonly known) was first introduced in Dublin in 1990 in response to severe episodes of winter smog that resulted from the widespread use of smoky coal for residential heating. Air quality monitoring carried out by the Environmental Protection Agency (EPA) shows that the ban has proved very effective in reducing particulate matter and sulphur dioxide levels in Dublin and the ban was subsequently extended to other urban areas.

On 9 July, following consideration of submissions received from local authorities, the health sector, the solid fuel industry, NGOs as well as members of the public under a public consultation process to review the smoky coal ban regulations, I announced that the ban would be extended to include the use of smoky coal within ban areas to complement the existing ban on the marketing, sale and distribution of such fuels. This has now been given effect through new

Regulations signed by me on 31 August 2012.

The Regulations also provide for the revision of most existing smoky coal ban areas to take account of recent urban development. The Dublin ban area has been extended to include all of Dublin city, Fingal, South Dublin and Dun Laoghaire Rathdown, including many satellite towns such as Balbriggan, Saggart and Rathcoole, with effect from 31 August 2012.

In addition, seven new towns will be subject to the ban from May 2013: these towns are Greystones, Letterkenny, Mullingar, Navan, Newbridge, Portlaoise and Wicklow Town. The lead-in period for these new towns will allow local authorities and fuel retailers time to familiarise themselves with the new regulatory requirements in preparation for the switch-over to smokeless fuels.

The Regulations also require that all bituminous coal sold outside smoky coal ban areas for residential use outside those areas must have a sulphur content of no more than 0.7%. This consolidates the environmental and related human health benefits achieved by an earlier voluntary agreement with the Solid Fuel Trade Group (SFTG), representing the majority of major coal importers.

The Regulations, along with maps of the revised smoky coal ban areas and new towns being included in the ban from May 2013, are available on my Department's website at the following link: <http://www.environ.ie/en/Environment/Atmosphere/AirQuality/>.

### Air Pollution

163. **Deputy Robert Dowds** asked the Minister for the Environment, Community and Local Government if he will outline the law regarding the burning of household waste, plastic, and waste oil in cities and built-up areas. [42461/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** In general terms, any burning of waste that gives rise to pollution is in breach of both Waste Management and Air Pollution legislation. Section 32 of the Waste Management Act 1996 sets out the general duty of a holder of waste not to hold, transport, recover or dispose of waste "in a manner that causes or is likely to cause environmental pollution."

With regard to such activities in built-up areas, the Waste Management (Prohibition of Waste Disposal by Burning) Regulations 2009 make it an offence to dispose of waste by uncontrolled burning and various actions are prohibited by the regulations, including burning within the curtilage of a dwelling. Local authorities are empowered to take legal action against offenders and fines of up to €3,000 are applicable for summary offences brought to court.

The regulations provide exemptions for certain agricultural practices but only as a last resort and after specified steps are taken to, *inter alia*, reduce, and recycle waste arisings. This exemption applies until 1 January 2014 when such activities will require registration with local authorities and be subject to the controls set out in the facility permit legislation. Local authorities may also exempt certain local cultural events if they so wish.

### Register of Electors Issues

164. **Deputy Robert Troy** asked the Minister for the Environment, Community and Local Government if he will analyse the current electoral system that is in place in view of the fact that at present persons who are only residing in the country for two - three weeks may vote in an



election, opening up the system to unsecured voting and denying the persons who usually vote democratically; and if he will make a statement on the matter. [42477/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** In order to be able to vote at elections and referendums, a person's name must be entered in the register of electors for a constituency in the State in which the person ordinarily resides. The preparation of the register is a matter for each local registration authority – the city and county councils. It is their duty to ensure as far as is possible, and with the cooperation of the public, the accuracy and comprehensiveness of the register.

Sections 7, 8, 9 and 10 of the Electoral Act 1992 provide that a person is entitled to be registered where he/she is ordinarily resident on the qualifying date – 1st September in the year preceding the year in which the register comes into force. A new register comes into force on 15th February each year. Rule 5(3)(a) of the Second Schedule to the 1992 Act provides that the registration authority may for the purposes of their duties in relation to the preparation of a register require a person to give any information in their possession which the registration authority may require.

The publication of the draft register in November each year in preparation for the coming into effect of the register on the 15th of February following allows for corrections to be made. The public is invited to check the draft during this period and they may bring errors or omissions in the draft to the attention of the registration authority. Claims for the addition or deletion of names are ruled on by the county registrar who is a legally qualified court officer. The ruling is made in public and any person may attend and give evidence.

If a person is not included in the register of electors currently in force but considers that he or she qualifies for registration - for example if they have taken up ordinary residency in a constituency after the qualifying date, come of age to register or if they have changed address - the person may apply for entry in the supplement to the register which is open year round subject to certain practical limits in the weeks before a polling day. Where such an application is received on the basis of a person having taken up ordinary residency in a constituency, the registration authority may require a statutory declaration from the applicant to establish that he/she has taken up that ordinary residency.

An application for inclusion in the supplement must be signed by the applicant in the presence of a member of the Garda Síochána from the applicant's local Garda station who must first be satisfied as to the person's identity before signing, dating and stamping the form. The Garda may request photographic or other identification. Where the applicant establishes in writing that he is unable to progress the application in this way, the form can be signed by the applicant in the presence of an official of the registration authority who is satisfied as to his or her identity. Again, photographic or other identification may be required. If neither option is viable due to physical illness or physical disability, the application form must be accompanied by a medical certificate.

Electoral law is kept under review. However, I consider that the current arrangements strike a reasonable balance between facilitating voter registration and ensuring that there are adequate measures in place to counteract any possible abuse. Electoral law also provides for significant measures in relation to voter identification and the prevention of personation.

### **Household Charge Collection**

165. **Deputy Robert Troy** asked the Minister for the Environment, Community and Local

Government the way he is calculating cuts to local authorities; the percentage of the household charges that have been collected that will be given to the relevant local authorities; and the way the low level of collection of the charge is going to affect the funding for each county respectively. [42481/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I assume that the Question refers to general purpose grants from the Local Government Fund. The two principal sources of revenue for the Local Government Fund are the proceeds of motor tax and the income from the Household Charge. The Local Government (Household Charge) Act 2011 provides that income from the household charge is to be paid into the Local Government Fund. The proceeds from the household charge are being re-distributed on an equalised basis to local authorities within the context of the annual allocations of general purpose grants.

General purpose grants contribute towards meeting the reasonable cost to local authorities of providing services to their customers. Some €651m in general purpose grants had been allocated to local authorities for 2012. It has been necessary for me to reduce general purpose grant funding to local authorities in the third quarter of this year in light of the level of compliance with the household charge.

It is estimated that there are some 1.6 million residential properties potentially liable for the household charge. As such, if collected in full, the household charge has the potential to raise €160 million annually. As of 28 of September 2012 some €105.4m or over 65% had been collected nationally. A total of €15,695,292 was withheld from the Quarter 3 general purpose grant payment. For county and city councils, this represented a reduction of between 1% and 3% of the total general purpose grant allocation for 2012.

Local authorities can maintain the remainder of their general purpose grant allocation for 2012 through improved household charge compliance in the coming weeks. Those authorities achieving the average collection rate of 65% nationally will not have a further reduction in their final quarter general purpose grant payment. Local authorities achieving a collection rate of 60-65% will incur a further reduction of 0.5%, while those authorities achieving a compliance rate below 60% will incur a further 1% reduction in their annual allocation. The final amount of general purpose grants available for 2012 will be revisited and reviewed in mid-November to take account of the financial position at that stage, including progress on securing an increased household charge yield.

I am confident that the level of general purpose grants together with other Government grants and subsidies, and income raised from local sources, is appropriate to meet the costs of providing a reasonable level of local authority services to communities.

### **Rural Development Policy**

166. **Deputy Tom Fleming** asked the Minister for the Environment, Community and Local Government the position regarding an appeal in relation to a rural development Leader funding application for a feasibility study to develop a recreational facility for County Kerry (details supplied); and if he will make a statement on the matter. [42487/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** For the purposes of implementing Axes 3 & 4 of the Rural Development Programme (RDP), the following areas are excluded:

The City Council boundaries of Dublin, Cork, Galway, Waterford and Limerick

The Borough Council boundaries of Kilkenny, Sligo and Wexford

The Town Council boundaries of Athlone, Ballina, Castlebar, Cavan, Dundalk, Ennis, Killarney, Letterkenny, Mallow, Monaghan, Mullingar, Tralee, Tuam and Tullamore.

During negotiations in respect of the Rural Development Programme, the European Commission indicated that the OECD definition of rural areas should be used to define the rural areas that would be covered by the Programme. The OECD defines rural areas as those with a population density of less than 150 persons per square kilometre. It was considered, in the Irish context, that a more appropriate course of action would be to remove the urban areas defined as hubs and gateways in the National Spatial Strategy from coverage under the Programme.

The use of this definition, rather than a population density calculation, ensures that Axes 3 & 4 Rural Development Programme funding is available to a more significant number of rural areas, which would otherwise not receive funding under the Programme. This approach was adopted following detailed negotiations with the European Commission and is the best possible outcome in relation to Programme coverage. The positive impact on rural areas will far outweigh any potential loss in hubs and gateways and, in overall terms, the level of investment resulting from the Rural Development Programme is a significant boost to the country as a whole.

This specific element of the eligibility of this project was referred to the Eligibility Review Group (ERG) for consideration. The ERG process offers support to Local Development Companies (LDCs) when considering eligibility under the RDP but does not make a definitive ruling on overall project eligibility as that function rests entirely with the LDC. The ERG looks only at the query submitted to it and initially in this case the ERG considered the project ineligible. The project was subsequently submitted for review with additional clarifications and documentation; in this context, I understand that the ERG has informed the LDC, in this case South Kerry Development, that, on the basis of the additional information submitted through the ERG review process, it would consider the proposed project eligible in principle subject to the project meeting all other relevant criteria.

### **Public Services Provision**

167. **Deputy Brian Stanley** asked the Minister for the Environment, Community and Local Government if his Department works with local authorities in the delivery of services; and if so, the details of same. [42561/12]

170. **Deputy Brian Stanley** asked the Minister for the Environment, Community and Local Government if his Department engage with local authorities in the provision of services and if so the details of same. [42582/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I propose to take Questions Nos. 167 and 170 together.

As the second tier of democratic government, local authorities have a special role in the furtherance of national objectives at local level and in sponsoring, developing and implementing approaches based on local needs. As such, local authorities are multi-functional agencies that deliver services on behalf and in support of a number of Government Departments. In particular, local authorities deliver services and/or enforce legislation in connection with a range of issues on behalf of my Department including planning and housing, fire and rescue, environmental protection, maintenance and cleaning of streets and street lighting etc. Local government is the primary vehicle of governance and public service at local level, delivering efficient and good value services to people, performing a wide range of appropriate functions, and represent-

ing citizens and communities, as effectively and accountably as possible.

With regard to engagement with local authorities, my Department's Senior Management Team meets a number of times each year with the executive of the County and City Managers' Association (CCMA) to discuss topics of interest including the efficient and effective delivery of services. I have also met with the Managers on a number of occasions and earlier this year I met with the chairs of the CCMA sub-committees to discuss a range of topics. Furthermore, as a matter of course I attend the annual conferences and seminars of the Councillors' representative associations – the Local Authority Members Association, the Association of County and City Councils and the Association of Municipal Authorities in Ireland. At these meetings, I generally meet with the officers of the associations and discuss matters of interest, including the delivery of services. Regular visits to individual local authorities also afford me the opportunity to discuss such matters with both Councillors and County/City Managers.

### Waste Disposal

168. **Deputy Brian Stanley** asked the Minister for the Environment, Community and Local Government if he will provide an update on the national waiver scheme for domestic waste collection services. [42570/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The Government's new waste policy, *A Resource Opportunity - Waste Management Policy in Ireland*, was published in July 2012. Among the measures included in the policy is the establishment of an interdepartmental working group to report to Government with options to minimise the impact of waste charges on low income households. The working group, which comprises representatives of my Department and the Departments of Social Protection; Public Expenditure and Reform; Finance; and the Tánaiste's Office, is currently engaged in preparing its report for submission to Government by end October 2012.

### Property Taxation Administration

169. **Deputy Brian Stanley** asked the Minister for the Environment, Community and Local Government the date on which the household charge will cease; and the date on which the proposed property tax will commence. [42571/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I refer to the reply to Question No. 147 of 3 October, 2012. Decisions in relation to the household charge will be taken in the context of Government decision-making on the implementation of the local property tax.

*Question No. 170 answered with Question No. 167.*

### Departmental Staff Redeployment

171. **Deputy Eoghan Murphy** asked the Minister for Justice and Equality the way his plans for deploying civil servants from his Department as immigration officials in Dublin Airport are progressing; the number of staff been deployed; the hourly rate anticipated for their redeployment; the actual hourly rate; and if Gardaí are still allocated to these positions to work outside the hours of 9am-5pm; and the way in which this impacts on the cost savings that were originally anticipated in redeploying civil servants to this role. [42386/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** In February of this year, I introduced on a pilot basis, a project of civilianisation of certain port of entry functions at Dublin Airport. The purpose of the pilot is to test the feasibility of a new model for delivery of immigration services at ports of entry to the State by using a combination of civilian staff and member of An Garda Síochána.

I am pleased to say that the pilot has been a success in demonstrating the feasibility of the new model. The experience and learning from the pilot will form the basis for proposals to extend the model on a full scale basis to Dublin Airport, and possibly to other ports of entry to the State also. These proposals are being finalised and will, of course, be the subject of any necessary Government approval and consultation with all the parties concerned.

The pilot originally operated for 6 months and has been extended for a further period. It was never the principal intention that the pilot itself would result in savings: although, as it transpires, I understand that a result of its introduction, An Garda Síochána have been able to reassign four Garda members to other duties around the State.

The pilot, which was initiated in the context of the terms of the “Croke Park” Agreement with reference to the greater flexibility provisions in it required for the discharge of public services, involved assigning a total of three Executive Officers six (currently seven) Clerical Officers as immigration control personnel operating the passport control booths. They were appointed as immigration officers in accordance with section 3 of the Immigration Act, 2004 and assigned to the Irish Naturalisation and Immigration services (INIS).

The civilian staff undertake administrative tasks including decisions on the grant of permission to enter or refuse entry to the State to non-nationals in accordance with the Immigration Acts and Orders. They do not carry out any arrest or coercive functions (such as detention or removal) which remain the responsibility of An Garda Síochána. All officers selected for the pilot undergo extensive training. The staff concerned are deployed at Pier B in Terminal One between the hours of 9am and 5pm Monday to Friday. No additional core pay or allowances are paid to staff during the operation of the pilot. Requirements for immigration services outside of these hours or at other locations are currently provided by An Garda Síochána who continue to perform their duties on a professional and effective manner.

While An Garda Síochána will continue to have a crucial role to play in the implementation and enforcement of immigration laws, there is the potential for greater use of civilians in the delivery of immigration services, including at ports of entry as demonstrated by the pilot. The pilot project has clearly demonstrated that and I intend to move forward on that basis.

My proposals in this area are driven with a number of goals in mind, including:

- the release of Garda members to undertake core policing functions;
- to provide a more cost effective way of providing immigration services including at ports of entry to the State;
- to deliver on the aims of the Public Service Agreement 2010 – 2014 (“Croke Park” Agreement) and the commitments therein by changing the way in which the Public Services are delivered to continue to meet the need for services and improve the experience of service users.

### **Asylum Support Services**

172. **Deputy Éamon Ó Cuív** asked the Minister for Justice and Equality the current pro-



posals regarding the future of Lisbrook Direct Provision Centre for Refugees, Galway; if all residents of Lisbrook who wish to remain in Galway will be facilitated in this way; and if he will make a statement on the matter. [42458/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Reception and Integration Agency (RIA) is responsible for the accommodation of asylum seekers in accordance with the Government policy of direct provision and dispersal.

In relation to the RIA's decision not to renew the contract for direct provision services at Lisbrook accommodation centre, Galway, I decided to review the background circumstances relating to that decision. This was done in the light of representations received on a number of issues, including the impact on school children of such a closure whilst bearing in mind the need for RIA to manage its diminishing budget efficiently in the context of the current critical budgetary situation. During that review, arrangements for the transfer of residents from Lisbrook accommodation centre were suspended.

Pending the conclusion of this review, this remains the position.

### **Garda Transport Provision**

173. **Deputy Robert Troy** asked the Minister for Justice and Equality in view of the fact that Granard Garda station, County Longford, is receiving new patrol cars, if he will replace the patrol car that was taken from Drumlish Garda station, County Longford in view of the fact that the station currently has no car; and if he will make a statement on the matter. [42480/12]

**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 turn, at Garda Divisional level, the allocation of Garda vehicles is a matter for the Chief Superintendent who may make and revise arrangements for the deployment of vehicles throughout the Division in response to policing demands. This flexibility in allocating and re-allocating vehicles among stations, so as to best match the allocation of resources with policing priorities, is crucial to the efficient management of the Garda fleet.

I am advised by the Garda authorities that, as a result of a recent reallocation of vehicles within the Roscommon/Longford Division, the patrol car attached to Drumlish station has been replaced by another official vehicle.

### **Child Protection Issues**

174. **Deputy Jerry Buttimer** asked the Minister for Justice and Equality regarding the recommendations pertaining to the criminal justice system contained in the Fifth Report of the Special Rapporteur on Child Protection, if he has consulted with the Department of Children and Youth Affairs; if there is a time frame for the implementation of same; and if he will make a statement on the matter. [42482/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I wish to inform the Deputy that both my Department and the Department of Children and Youth Affairs engaged in detailed consultations in relation to the recommendations pertaining to the criminal justice system that are contained in the Fifth Report of the Special Rapporteur on Child Protection. A wide range of criminal justice areas and measures were discussed in the Report. Some of these require action at the national level and some at the EU level. Many of the recommendations are the

subject of current or draft legislative proposals and others are being considered in the context of ongoing developments which are the subject of negotiation at EU level. In other cases the recommendations contained in the Report are being, or are capable of being, implemented at an operational level through changes in procedures and practices. Given the diversity of the areas under consideration no single timeframe applies. However, I can inform the Deputy that my Department is attaching an urgent priority to the implementation of a broad range of recommendations contained in the Report through a variety of different mechanisms including legislation.

### Garda Remuneration

175. **Deputy Niall Collins** asked the Minister for Justice and Equality if he will set out in tabular form the starting salary grade for a newly employed member of An Garda Síochána for each year from 2005 to 2012; the available allowances to a newly employed Garda in each year; and if he will make a statement on the matter. [42522/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The starting salary for a new member of An Garda Síochána on 01 January each year from 2005 to 2012 is set out in the table.

Starting salary for newly sworn members:

Year	Salary
2005	€22,973.00
2006	€23,952.00
2007	€25,288.00
2008	€25,794.00
2009	€27,100.00
2010	€27,100.00
2011	€25,745.00
2012	€23,170.50

All members of the Garda Síochána are paid some allowances including for example rent, boot and uniform maintenance allowances. Depending on the specific nature of the duties to which each Garda (including newly qualified Gardaí) is assigned, they may receive other allowances such as Juvenile Liaison Officer, Community Policing, unsocial hours etc.

A list of the main allowances is shown in the table. Following a recent Government decision some of these allowances will be abolished for new beneficiaries.

Description	Revised yearly rate effective from 1 January 2010	Revised weekly rate effective from 1 January 2010
RENT ALLOWANCE	€4,017.55	
BOOT ALLOWANCE		€2.93
UNIFORM ALLOWANCE G/S		€4.39
UNIFORM OFFICERS	€888.82	
UNIFORM INITIAL GRANT	285.7 (OnceOff)	

Description	Revised yearly rate effective from 1 January 2010	Revised weekly rate effective from 1 January 2010
UNIFORM VARIED ALLOWANCE	€704.70	
DETECTIVE ALLOWANCE		€30.90
Juvenile Liaison Officer		€30.90
CLERICAL Allowance	€4,781.35	
CLERICAL TEMP/EX-GRATIA	€4,781.35	
PLAIN CLOTHES - GARDA/SGT		€12.21
PLAIN CLOTHES - INSPECTOR		€13.92
PLAIN CLOTHES SUPER & C/SUPER		€15.45
MINISTERS POOL	40% of Salary	40% of Salary
PSV ALLOWANCE	€4,869.70	
DOG HANDLER		€53.40
TRANSPORT ALLOWANCE	€507.30	
TRANSPORT TEMPORARY	€0.21	
BICYCLE ALLOWANCE		€2.77
PRIVATE SECRETARY	€10,405.35	
ARAN ISLAND	€1,463.00	
PROMOTION EXAM GRANT	€202.47	
GAELTACHT ALLOWANCE	7.5% of Salary	
SUBSTITUTION ALLOWANCE	Variable	
LOCOMOTION UNDER 1200CC		€3,378.57
LOCOMOTION 1201-1500 CC		€3,975.35
LOCOMOTION 1501 CC AND OVER		€5,067.22
SUPPLEMENTARY DETECTIVE	Variable	
WELFARE OFFICER ALLOWANCE	€7,403.35	
INSTRUCTOR ALLOWANCE (G)	€7,794.75	
INSTRUCTOR ALLOWANCE (S)	€7,794.75	

Description	Revised yearly rate effective from 1 January 2010	Revised weekly rate effective from 1 January 2010
INSTRUCTOR ALLOWANCE (I)	€8,506.30	
INSTRUCTOR ALLOWANCE SUPT.	€10,627.65	
INSTRUCTOR TEMPORARY (G)	€7,794.75	
INSTRUCTOR TEMPORARY (S)	€7,794.75	
LOCOMOTION UNDER 1200 CC	€3,812.73	
LOCOMOTION 1201-1500 CC	€4,476.37	
LOCOMOTION 1501 CC AND OVER	€5,680.24	
COMMUNITY RELATIONS/CRIME PREV		€30.90
WATER UNIT ALLOWANCE	€4,873.50	
IMMIGRATION ALLOWANCE		€25.18
PART TIME IMMIGRATION ALLOWANCE	€1,313.19	
ANALYST ALLOWANCE - GARDA	€7,794.75	
ANALYST ALLOWANCE - SERGEANT	€7,794.75	
ANALYST ALLOWANCE - INSPECTOR	€8,506.30	
CHANGE MANAGEMENT	€6,239.60	
RADIO ALLOWANCE	€5,070.15	
AIR SUPPORT UNIT ALLOWANCE	€4,873.50	
INSTRUCTOR ALLOWANCE CH. SUPT.	€10,627.65	
LIVING ALLOWANCE (RECRUITS)		€67.85
COURT PRESENTER	€5,070.15	
EXPERT ALLOWANCE	€5,207.90	
AVAILABILITY ALLOWANCE - C/SUP	€10,121.30	
COLLATOR ALLOWANCE		€25.18
AVAILABILITY ALLOWANCE Supt	€8,049.35	
EXCHANGE ALLOWANCE Taxable	Variable	

Description	Revised yearly rate effective from 1 January 2010	Revised weekly rate effective from 1 January 2010
EXAM BONUS - INSPECTOR	€665.00	
SCENES OF CRIME ALLOWANCE	€2,946.90	
INSPEC. ACTING UP ALLOWANCE	Variable	
SAFETY ADVISER ALLOWANCE	€7,403.35	
INTERPOL ALLOWANCE	€2,785.40	
MOTOR TECHNICIAN ALLOWANCE	€4,885.85	
ROSTERED SATURDAY		€14.27
NON ROSTERED SATURDAY ALLOWANCE		€14.27
SUNDAY ALLOWANCE	Variable	
NIGHT DUTY ROSTERED	Variable	
NIGHT DUTY NON ROSTERED	Variable	
OVERTIME	Variable	
NON PUBLIC DUTY OVERTIME	Variable	
PUBLIC HOLIDAY ALLOWANCE	Variable	
NIGHT DUTY 6-8 ROSTERED	Variable	
NIGHT DUTY 6-8 NON ROSTERED	Variable	

### Residency Permits

176. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the position regarding residency and or naturalisation in the case of persons (details supplied) in Dublin 15; and if he will make a statement on the matter. [42534/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The first named person concerned has been in the State without the permission of the Minister since July 2009. Consequently, in accordance with Section 3 of the Immigration Act 1999, the first named person concerned was notified, by letter dated 23 April, 2010, that the then Minister proposed to make a Deportation Order in respect of her. She was 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 why she should not have a Deportation Order made against her.

The position in the State of the first named person concerned will now be decided by refer-



ence 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, including those relating to the possible relevance of the Zambrano Judgement to the case, will be considered before a final decision is made. Once a decision has been made, this decision and the consequences of the decision will be conveyed in writing to the person concerned.

The second named person concerned has been granted Leave to Remain in the State for the period to 16 December 2014.

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.

### **Residency Permits**

177. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality to outline the progress to date in determination of residency eligibility for naturalisation in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [42535/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am informed by the Irish Naturalisation and Immigration Service (INIS) that the person referred to by the Deputy has no application pending for residency. The person concerned is the subject of a Deportation Order signed on 30 October 2008, following a comprehensive and thorough examination of his asylum claim and of his application to remain temporarily in the State. He has been evading his deportation since 11 December 2008 and should he come to the notice of the Garda authorities, he would be liable to arrest and detention. He should, therefore, present himself to the Garda National Immigration Bureau without any further delay.

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.

### **Residency Permits**

178. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current progress made to date in the determination of eligibility for residency and or naturalisation in the case of a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [42536/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The person concerned entered the State on a C-Visit Visa on 18 September 2008 and was granted leave to remain in the State until 19 October 2008.

The daughter of the person concerned wrote to the Immigration Division of this Department on 7 October, 2008 seeking, on behalf of her father, an extension of his permission to remain in the State. Following consideration of this request, this Department decided that her father's circumstances did not warrant an extension of his C-Visit Visa period and this position was conveyed in writing to the daughter of the person concerned by letter dated 12 January, 2009.

Subsequently, in accordance with Section 3 of the Immigration Act 1999 (as amended), the person concerned was notified, by letter dated 18 February, 2009, that the then Minister proposed to make a Deportation Order in respect of him. He was 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 why he should not have a Deportation Order made against him.

The position in the State of the person concerned will now 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 a final decision is made. Once a decision has been made, this decision and the consequences of the decision will be conveyed in writing to the person 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.

### **Residency Permits**

**179. Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current position in regard to determination of entitlement to residency and or naturalisation in the case of a person (details supplied) in Dublin 24; and if he will make a statement on the matter. [42537/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am advised by the Citizenship Division of the Irish Naturalisation and Immigration Service (INIS) that a valid application for a certificate of naturalisation was received from the person referred to by the Deputy in October, 2011.

The application is currently being processed with a view to establishing whether the applicant meets the statutory conditions for the granting of naturalisation, such as good character and lawful residence, and will be submitted to me for decision as expeditiously as possible.

As well as being a significant event in the life of its recipient, the granting of Irish citizenship through naturalisation as provided for in law is also a major step for the State which confers certain rights and entitlements not only within the State but also at European Union level and it is important that appropriate procedures are in place to preserve the integrity of the process.

The person referred to by the Deputy currently has permission to remain in the State until June 2017.

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 with-

out 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.

### Residency Permits

180. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if he will clarify what is actually required of a person (details supplied) in Dublin 12 in respect of his application for residency; and if he will make a statement on the matter. [42538/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am informed by the Irish Naturalisation and Immigration Service (INIS) that it has attempted to contact the person referred to by the Deputy on a number of occasions over the course of the summer period and most recently on the 19th September, 2012 when a further letter issued to the person in relation to his application and to which a reply is still outstanding.

A full list of all the documentation required by non-EEA students in the State is available on the INIS website, [www.inis.gov.ie](http://www.inis.gov.ie). In addition to the standard requirements to have medical insurance and to provide evidence of finances available sufficient to support themselves in the State, a student must pursue a course which is listed on the Internationalisation Register administered by the National Qualifications Authority of Ireland. The course which the person concerned intends to pursue does not appear on the register and therefore does not qualify him to be registered in the State as a student. It should be noted that Further Education courses encompass full-time, day-time academic courses leading to non-school major awards at Level 5 or Level 6 of the National Framework of Qualifications.

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.

### Residency Permits

181. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current position in regard to residency in the case of a person (details supplied) in Dublin 7; and if he will make a statement on the matter. [42539/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The person concerned has made an application for the renewal of his temporary permission to remain in the State. This application is under consideration at present and when a decision has been made, the person concerned will be notified in writing of the decision.

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.

## Residency Permits

182. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the progress to date and likely determination in respect of residency and or naturalisation in the case of a person (details supplied) in Dublin 7; and if he will make a statement on the matter. [42540/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The person concerned has made an application for the renewal of his temporary permission to remain in the State. This application is under consideration at present and when a decision has been made, the person concerned will be notified in writing of the decision.

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.

## Naturalisation Applications

183. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the progress to date in the determination of eligibility for naturalisation in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [42541/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am advised by the Citizenship Division of the Irish Naturalisation and Immigration Service (INIS) that a valid application for a certificate of naturalisation was received from the person referred to by the Deputy in May, 2011.

The application is currently being processed with a view to establishing whether the applicant meets the statutory conditions for the granting of naturalisation, such as good character and lawful residence, and will be submitted to me for decision as expeditiously as possible.

As well as being a significant event in the life of its recipient, the granting of Irish citizenship through naturalisation as provided for in law is also a major step for the State which confers certain rights and entitlements not only within the State but also at European Union level and it is important that appropriate procedures are in place to preserve the integrity of the process.

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.

## Naturalisation Applications

184. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current position in regard to residency status in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [42542/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The person concerned was granted temporary permission to remain in the State in 2002, under the arrangements then applicable to the non-EEA parents of Irish born children. This permission was renewed on a regular basis by the Garda National Immigration Bureau (GNIB) and is valid currently valid until 28 January, 2014.

I am advised by the Citizenship Division of INIS that there is no record of an application for a certification of naturalisation having been received from the person referred to in the Deputy's question.

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.

### **Residency Permits**

185. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current position in regard to residency and or naturalisation in the case of a person (details supplied) in Dublin 3; and if he will make a statement on the matter. [42543/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** Arising from the refusal of his asylum application, and in accordance with the provisions of Section 3 of the Immigration Act 1999 (as amended), the person concerned was notified, by letter dated 7 April, 2004, that the then Minister proposed to make a Deportation Order in respect of him. He was 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 why a Deportation Order should not be made against him.

The position in the State of the person concerned will now 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 a final decision is made. Once a decision has been made, this decision and the consequences of the decision will be conveyed in writing to the person 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.

### **Illegal Immigrants**

186. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current or expected position in regard to residency and or naturalisation in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [42544/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am informed by the Irish



Naturalisation and Immigration Service (INIS) that the person referred to by the Deputy has no application pending for residency. The person concerned is the subject of a Deportation Order signed on 4 November 2011, following a comprehensive and thorough examination of her asylum claim and of her application to remain temporarily in the State. She has been evading her deportation since 29 November 2011 and should she come to the notice of the Garda authorities, she would be liable to arrest and detention. She should, therefore, present herself to the Garda National Immigration Bureau without any further delay.

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 Stations Expenditure**

187. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality if he will provide a breakdown of the average cost for a 12 month period for keeping a Garda station open in a rural village, that is, only the additional costs involved such as electricity, general maintenance and so on; if he will provide a projected estimated average cost of what it will take to keep that same Garda station closed, that is, there are still the same fixed maintenance costs in view of the fact that these buildings cannot be sold as there would be no purchasers for them and they cannot be left to fall into disrepair; and if he will make a statement on the matter. [42554/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Garda Commissioner is the Accounting Officer for the Garda Vote and I have been informed by the Garda authorities that the average maintenance and utility cost of a rural Garda station would be in the range Euro 2,500 to Euro 3,000. The Deputy will appreciate that the costs involved will vary from station to station and they will be significantly increased if refurbishment is required.

With regard to the closure of a station, I would stress that the key objective involved is to promote the more efficient and effective deployment of resources rather than to secure cash savings. In this context the Commissioner has concluded in relation to certain stations that Garda resources could be better deployed and more effectively used on the front line if the stations no longer had to be staffed and maintained.

The Deputy will appreciate that once a Garda station has been vacated responsibility for the maintenance of the premises is assumed by the Office of Public Works. That Office has indicated that it will contact the Deputy directly in relation to the maintenance costs involved.

### **Public Services Provision**

188. **Deputy Brian Stanley** asked the Minister for Justice and Equality if his Department works with local authorities in the delivery of services; and if so, the details of same. [42566/12]

191. **Deputy Brian Stanley** asked the Minister for Justice and Equality if his Department engage with local authorities in the provision of services and if so the details of same. [42587/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I propose to take Questions Nos. 188 and 191 together.

I can advise the Deputy that my Department co-operates with local authorities in the delivery of various services, the details of which are set out below:

### **Coroner's Service**

The Minister has overall policy responsibility for the Coroner Service, which is delivered by individual coroners in conjunction with local authorities who are responsible for the funding of the service. However, it should be noted that the coroner is not an officer of, or in the service of, the local authority and is an independent, quasi-judicial office holder responsible for the investigation of sudden or unexplained deaths.

### **Immigration Service**

My Department has grant-aided a number of local authorities to assist them in promoting the integration of immigrants in their communities. Over €3.3 million has been allocated since this funding line commenced in 2008. My Department also works with local authorities, including through the provision of grants where appropriate, to assist them in meeting the needs of programme refugees resettled in their area.

### **Probation Service**

Community Service is a sentence imposed by the Court as a direct alternative to custody and is served by an offender in the community under the direction of the Probation Service. The Community Service Graffiti Removal and Site Rehabilitation Project operates in partnership with South Dublin County Council, Dún Laoghaire- Rathdown County Council, Dublin City Council, Cork City Council, Fingal County Council and Galway City Council. Community service projects, where there are linkages with local authorities, also extend to beach cleaning, pathway clearing, work in a dog pound and house maintenance.

The Probation Service is represented on the Multi Agency Group on Homeless Sex Offenders (MAG) which operates under the Dublin Regional Homeless Consultative Fora chaired by Dublin City Council. MAG aims to address the challenges of sex offender resettlement and works with the full support of the four Dublin local authorities.

To aid the transition from custody into homeless/housing services, the Probation Service is a cosignatory to a recently agreed protocol involving the four Dublin local authorities, the Irish Prison Service, the HSE and the Department of Social Protection. This co-operation between the agencies is what secures the Homeless Persons Unit Inreach Service (HPU) (provided by the Department of Social Protection) into Prisons. The interface with the HPU is part of ongoing client work in both prisons and the community. In a similar vein, protocols are currently being developed for piloting between Louth County Council, Department of Social Protection, the Irish Prison Service and Probation Service in support of prisoner throughcare in County Louth.

### **Traveller Support**

Since 2006 Traveller Interagency Groups (TIGs) have been established under each County Development Board (CDB) to coordinate the efforts of state agencies and other stakeholders. The aim of these groups is to develop effective coordination of actions and delivery of services among agencies. The Traveller Policy Unit in my Department is monitoring progress and supporting the dissemination of good practices in implementing the interagency approach.

### **Garda Stations Closures**

189. **Deputy Brian Stanley** asked the Minister for Justice and Equality his plans to close any rural Garda stations in County Laois. [42574/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Garda Commissioner is currently engaged in an assessment of the potential for improved efficiencies in the structure and organisation of the Garda Síochána as part of the preparation of the draft policing plan for 2013, which under the Garda Síochána Act 2005 is due to be submitted to me by the end of October this year.

While I expect that the policing plan for 2013 will contain proposals for the further rationalisation of Garda stations and Districts, it would be premature, in advance of its submission, to speculate on specific measures which it might contain.

### **Garda Transport Provision**

190. **Deputy Brian Stanley** asked the Minister for Justice and Equality in view of the fact that, currently, Garda cars with 300,000 kilometres on them are taken off the road, if he will consider retaining them and deploying them to rural Garda stations that currently have no Garda car. [42575/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** Decisions in relation to the provision and deployment of Garda transport are matters for the Garda Commissioner.

I am informed by the Garda authorities that it is a priority that all Garda operational vehicles fully meet the safety requirements of both Garda personnel and members of the public. This is a function which is undertaken in accordance with strict standards set by the vehicle manufacturers.

I understand from the Garda authorities that the relevant manufacturers have indicated that, for safety reasons, patrol cars should be withdrawn from service when the odometer reading reaches 300,000 kilometres. Accordingly, this is the operational policy that is applied by the Garda authorities.

*Question No. 191 answered with Question No. 188.*

### **Public Services Provision**

192. **Deputy Brian Stanley** asked the Minister for Defence if his Department works with local authorities in the delivery of services; and if so, the details of same. [42559/12]

193. **Deputy Brian Stanley** asked the Minister for Defence if his Department engage with local authorities in the provision of services and if so the details of same. [42580/12]

**Minister for Defence (Deputy Alan Shatter):** I propose to take Questions Nos. 192 and 193 together.

My Department and the Defence Forces engage and work with local authorities in a number of areas, primarily in the area of emergency response.

Whilst the Defence Forces are not a Principal Response Agency, as defined in the Frame-

work for Major Emergency Management, they provide assistance in an Aid to the Civil Authority (ATCA) role under the multi-agency Framework. Representation on the Government Task Force on Emergency Planning, by both my Department and the Defence Forces, ensures the fullest coordination and cooperation with the local authorities in the event of an emergency.

All assets, resources and capabilities of the Defence Forces throughout the country are made available to assist the local authorities when called upon. This has been evident in past flooding and severe weather emergencies when services from the Defence Forces have been requested by various local authorities.

The Defence Forces also supply fire fighting support to the local authorities in the event of forest and gorse fires when resources at local level prove insufficient.

My Department provides an annual Grant-in-Aid to the Civil Defence Board to enable the Board to support the delivery of Civil Defence services at local level through the local authorities. In 2012, this grant amounted to €5.585m. and a large proportion of this is distributed to local authorities in the form of grants, vehicles, personal protective equipment, and equipment for use in rescue and flood relief situations.

### **Single Payment Scheme Payments**

194. **Deputy Pat Breen** asked the Minister for Agriculture, Food and the Marine the reason for a decision regarding single farm payments in respect of a person (details supplied) in County Galway; and if he will make a statement on the matter. [42358/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The position relating to the re-calculation of Single Payment entitlements following this Department's Land Parcel Identification System (LPIS) Review of Commonage Parcels is as follows: the re-calculation of entitlements was undertaken under the provisions of Article 81 (3) of Commission Regulation (EC) No 1122/2009. It only applied to eligible commonage claimants, who satisfied the following criteria.

(i) Was declaring a commonage parcel, which was subject to the 2009 to 2010 LPIS Commonage Review.

(ii) The total reference area of commonage parcel was reduced as a result of the Review.

(iii) The applicant's claimed area for the commonage was greater than his or her share of the reduced reference area.

(iv) The applicant was entitled to a re-calculation of his or her payment entitlements as the requirements of Article 81 (3) were met.

Article 81 (3) of Commission Regulation (EC) No 1122/2009 is as follows:

3. Where, for the purposes of paragraphs 1 and 2, it is established that the number of the entitlements allocated to a farmer in accordance with Regulation (EC) No 795/2004 or Regulation (EC) No 1120/2009 is incorrect, and where the unduly allocation has no impact on the total value of the entitlements the farmer received, the Member State shall recalculate the payment entitlements and where appropriate correct the type of the entitlements allocated to the farmer.

However, the first subparagraph shall not apply if the errors could reasonably have been detected by the farmers.

It is clear from the above that the re-calculation of entitlements can be undertaken if the area reduction would have had no impact on the total value of entitlements allocated i.e. if the reduced area was sufficient to carry the level of Premia payments made to an applicant during one or more of the years during the 2000 to 2002 SPS reference period. However, in the case of the person named, as the reduced area was not sufficient to enable the person named to have benefited from the full Premia payments made, the person named does not qualify for a re-calculation under the provisions of the EU Regulation.

It should be appreciated that the re-calculation of entitlements only applied to claimants, who declared commonage land, which formed part of the 2009/2010 LPIS Commonage Review. It did not apply to non-commonage land. In addition, it can no longer be applied to commonage land, as applicants are fully aware of the need to exclude ineligible land from their area declarations.

### Animal Slaughtering Data

195. **Deputy Ciarán Lynch** asked the Minister for Agriculture, Food and the Marine the number of horses and ponies slaughtered in each of the last two years; the number slaughtered privately; the number exported live; and if he will make a statement on the matter. [42381/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The total equine slaughter numbers for plants approved by my Department over the past two years are as follows:

Year	Number
2010	7,296
2011	12,386

Slaughter figures for Local Authority supervised establishments and numbers slaughtered privately are not included in my Department's figures.

Central Statistic Office figures indicate that 1,222 live equines were exported in 2010 and 2,061 in 2011. This total includes breeding horses as well as horses for slaughter, with the latter numbering 495 in 2011 (number not recorded in 2010).

### Disadvantaged Areas Scheme Payments

196. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine when a 2012 disadvantaged area scheme payment will issue to a person (details supplied) in County Kerry; and if he will make a statement on the matter. [42409/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person concerned is an applicant under the 2012 Disadvantaged Areas Scheme. Currently, this applicant is one of a number, 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. This application had not been determined in sufficient time to enable payment with the first tranche on 26 September. However, immediately a decision is reached, the person concerned will be notified in writing. Should the decision be negative, a fully independent appeals procedure is available.



## Forestry Sector

197. **Deputy Michael Moynihan** asked the Minister for Agriculture, Food and the Marine his future interests in the forestry sector; his plans to maintain forestry premiums; his plans to encourage forestry; his future outlook on forestry; and if he will make a statement on the matter. [42410/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Funding for forestry in 2013, like every other item in my Department's budget, will be determined in the context of ongoing discussions on the framing of the 2013 Budget. In 2012 the Government provided almost €112 million in funding for the forestry programme, reflecting its continued commitment to a sector which is important both in creating and maintaining employment in rural areas, while also playing a significant climate change role. I am committed to achieving the highest possible level of funding for forestry into the future, to ensure a sustainable and viable industry, and to provide attractive incentives to farmers and other landowners to plant their land. The level of interest in forestry remains high among farmers with approval of applications running ahead of levels achieved in the corresponding period in 2011. I am confident that this level of interest will be sustained.

## Disadvantaged Areas Scheme Applications

198. **Deputy Michael Moynihan** asked the Minister for Agriculture, Food and the Marine the position regarding a disadvantage area scheme payment in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [42411/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person concerned is an applicant under the Single Payment and Disadvantaged Area Schemes.

In order to meet EU requirements, the application concerned was one of a number which was selected for inspection. As this process had not been completed in sufficient time, it was not possible to include the person concerned with the initial tranche of DAS payments on 26 September. As soon as the inspection and related processes are completed, the application concerned will be progressed.

## Departmental Offices

199. **Deputy Michael Moynihan** asked the Minister for Agriculture, Food and the Marine his plans to close any of his Department's offices in County Cork; and if he will make a statement on the matter. [42412/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** My Department has two Regional Offices, in Clonakilty and in Cork city and a separate office from which the Marine functions are delivered in Clonakilty. As part of the reform process within my Department which has been ongoing for some time and has led to significant savings, I have decided to merge my Department's Clonakilty activities in the Clogheen complex. This will leverage further cost savings while maintaining the highest level of services to shareholders. Administrative staff located at Darrara will, on their transfer to Clogheen, take up duties in the Marine Divisions of the Department and their former duties will be absorbed by the existing staff in the Cork Regional Office.

These arrangements will enable the Department to maintain service levels across the county

with the result of leaner staffing levels into the future. It is important to point out that these changes will not negatively impact upon local access and services for local customers and front-line services will be fully maintained and public access for all of the Department's stakeholders will be available at Park Road. The Department vets, inspectors and technical officers will remain in place at Clonakilty to service our clients across all of the schemes that are provided from our Regional Offices. In Cork city, current services will continue as before.

### **Disadvantaged Areas Scheme Payments**

200. **Deputy Heather Humphreys** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Monaghan will receive their disadvantaged area payment; and if he will make a statement on the matter. [42427/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** While an application under the 2012 Disadvantaged Areas Scheme was received from the person named on 2 May 2012, payment has not issued as the conditions of the Scheme have not been satisfied, at this stage.

The Terms and Conditions governing the Scheme require, *inter alia*, that all equine premises must be registered with the Department in accordance with S.I No 8 of 2012 (Disease of Animals Act 1996 (Registration of Horse Premises) Order 2012). As the premises concerned are not registered, payment could not be made. Once this requirement of the Scheme has been met, the application of the person named will be further processed with a view to payment.

### **Disadvantaged Areas Scheme Payments**

201. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine when a 2012 disadvantaged area scheme payment will issue in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [42429/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** An application under the 2012 Disadvantaged Areas Scheme was received from the person named on 3 May 2012, processing of which has recently been completed. Payment will, therefore, issue shortly to the nominated bank account of the person named.

### **Disadvantaged Areas Scheme Payments**

202. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine when a 2012 disadvantaged area payment will issue to a person (details supplied) in County Kerry; and if he will make a statement on the matter. [42430/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person concerned is an applicant under the 2012 Disadvantaged Areas Scheme. Currently, this applicant is one of a number 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. This application had not been determined in sufficient time to enable payment with the first tranche on 26 September. However, immediately a decision is reached, the person concerned will be notified in writing. Should the decision be negative, a fully independent appeals procedure is available.

### **Disadvantaged Areas Scheme Payments**

203. **Deputy Tom Fleming** asked the Minister for Agriculture, Food and the Marine when a disadvantaged area scheme payment will issue in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [42437/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** An application under the 2012 Disadvantaged Areas Scheme was received from the person named on 1 May 2012, processing of which has recently been completed. Payment will, therefore, issue shortly to the nominated bank account of the person named.

### **Disadvantaged Areas Scheme Payments**

204. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Food and the Marine the reason payment in respect of a person (details supplied) in County Galway is held up due to a parcel being re-numbered; the reason parcels are being re-numbered and the rationale behind this; the reason this work could not have been done prior to the payment date; the number of farmers are affected; and if he will make a statement on the matter. [42441/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** An application under the 2012 Disadvantaged Areas Scheme was received from the person named on 9 May 2012. As a result of normal verification processes, which form part of the overall controls on the payment system, it had not been possible to include this case with the first tranche of payments made on 26 September. These processes have now been completed and payment will, therefore, issue shortly to the nominated bank account of the person named.

### **Disadvantaged Areas Scheme Applications**

205. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Food and the Marine the reason the disadvantaged area payment is being held up in respect of a person (details supplied) in County Galway is being held up; and if he will make a statement on the matter. [42446/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** An application under the 2012 Disadvantaged Areas Scheme was received from the person named on 2 May 2012. However, payment has not yet issued as, at this stage, it has not been possible to verify that one of the Terms and Conditions governing the 2012 Scheme, relating to maintaining an annual average of 0.15 livestock units per forage acre declared, has been satisfied. Once it has been possible to verify that this requirement has been met, the case will be further processed with a view to payment at the earliest possible date thereafter.

### **Harbours and Piers Funding**

206. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine if he will prioritise the extension of a pier in County Kerry (details supplied); and if he will make a statement on the matter. [42462/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Brandon Pier is owned by Kerry County Council and responsibility for its repair and maintenance rests with

the Local Authority in the first instance.

My Department did however receive an application from Kerry County Council for funding for a total of 7 projects as part of the 2012 Fishery Harbour and Coastal Infrastructure Development Programme. The projects were listed in order of priority by Kerry County Council and the Brandon Slip Extension was identified as their priority.

Kerry County Council's application together with the applications from the various other Local Authorities was examined and I am happy to advise that funding was provided for the top three qualifying projects identified by Kerry County Council. In the context of the available resources however, it was not possible to provide funding for the Brandon Slip Extension.

Any application for funding in respect of Brandon Pier in future years by Kerry County Council will be given consideration subject to available exchequer funding and overall national priorities.

### **Aquaculture Licences Applications**

207. **Deputy Noel Harrington** asked the Minister for Agriculture, Food and the Marine when an appeal for a aquaculture licence (details supplied) will be processed and a decision communicated to the applicants; and if he will make a statement on the matter. [42475/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The Aquaculture Licences Appeals Board (ALAB) is an independent body established under the provisions of the 1997 Fisheries (Amendment) Act for the purpose of considering appeals against Ministerial decisions in respect of aquaculture licence applications.

On 26 September my Department received a "notification letter" from ALAB dated 24 September advising that, following consideration of appeals against the decision to grant a licence in respect of the applicant referred to by the Deputy, the Board had determined to refuse to grant an aquaculture licence to the applicant.

### **Disadvantaged Areas Scheme Applications**

208. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the position regarding area based payments in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [42494/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** An application under the 2012 Disadvantaged Areas Scheme was received from the person named on 13 April 2012, processing of which has recently been completed. Payment will, therefore, issue shortly to the nominated bank account of the person.

### **Disadvantaged Areas Scheme Applications**

209. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the position regarding a disadvantaged area scheme derogation application in respect of a person (details supplied); and if he will make a statement on the matter. [42496/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person

concerned is an applicant under the 2012 Disadvantaged Areas Scheme. Currently, this applicant is one of a number 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. This application had not been determined in sufficient time to enable payment with the first tranche on 26 September. However, immediately a decision is reached, the person concerned will be notified in writing. Should the decision be negative, a fully independent appeals procedure is available.

### **Disadvantaged Areas Scheme Payments**

210. **Deputy John O'Mahony** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Mayo will receive their disadvantaged area aid; and if he will make a statement on the matter. [42514/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** An application under the 2012 Disadvantaged Areas Scheme was received from the person named on 9 May 2012, processing of which has recently been completed. Payment will, therefore, issue shortly to the nominated bank account of the person.

### **Public Services Provision**

211. **Deputy Brian Stanley** asked the Minister for Agriculture, Food and the Marine if his Department works with local authorities in the delivery of services; and if so, the details of same. [42555/12]

212. **Deputy Brian Stanley** asked the Minister for Agriculture, Food and the Marine if his Department engage with local authorities in the provision of services and if so the details of same. [42576/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** I propose to take Questions Nos. 211 and 212 together.

There are a number of areas where the Department and Local Authorities currently interact:

- The Local Authorities are charged with implementing the requirements of the Control of Horses Act, 1996, for which the Department provides substantial funding towards expenses incurred by the local authorities under this Act.
- The Department's veterinary staff liaises with Local Authority veterinary staff on a number of issues, especially in relation to animal welfare and inspections of local abattoirs.
- Under the Local Government Act, 1941, the Department also has statutory responsibility for the appointment of local authority veterinary staff.
- In the delivery of official controls required under Animal By-Product (ABP) Regulations (EC) No 1069/2009 and (EU) No 142/2011. The local authorities are also represented on the Cross Agency ABP Group which is chaired by my Department.

In 2010, in an effort to minimise duplication of farm inspections between the two Departments, my Department agreed to carry out some 1,600 farm nitrates inspections under the Good Agricultural Practice (GAP) regulations on behalf of the Department of Environment, Community and Local Government. This arrangement was retained for both 2011 and 2012.



EU regulations governing the Cross Compliance regime require relevant competent authorities, including local Authorities to cross report to my Department details of cases where non-compliances are identified as a result of an inspection undertaken by that authority to establish if a penalty should be applied under the Single Payment Scheme and other area-based schemes. Details of any relevant non-compliance identified during the course of the annual cross compliance inspections under the Single Payment Scheme undertaken by my Department are cross reported to the Local Authorities.

My Department is also working with Cork County Council in preparing an application to the Environmental Protection Agency under the Waste Management Act for a landfill licence in respect of the East Tip of Haulbowline Island.

As part of Public Service (Croke Park) Action Plan my Department is examining the scope for broader co-operation with local authority vets with a view to achieving a more integrated public service and creating efficiencies and improved customer service.

Under the Marine Works (Ireland) Act 1902, I, as Minister for Agriculture, Food and the Marine, am responsible for maintaining a range of piers, lights and beacons around the coast. The lights and beacons are important navigation and safety aides for a large number of vessels and are maintained by the Engineering Division of the Department. These Navigational Aids mainly serve harbours and piers that are under the control of coastal Local Authorities. Cape Clear in Co. Cork is also maintained by my Department under the 1902 Act. Maintenance and ownership of these structures which serve local coastal communities may be more appropriate to a Local Authority rather than a central Government Department. A number of such structures have been transferred to Local Authorities in the past.

### **Missing Persons Hotline**

213. **Deputy Finian McGrath** asked the Minister for Children and Youth Affairs the timeline for setting up the 116000 missing persons hotline; and if she will make a statement on the matter. [42402/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** Under EU telecommunications rules agreed in 2009, the 116000 number is reserved in all EU member states for a missing children hotline. My Department established and is leading a cross-sectoral Project Team, including representatives of my own Department, the Department of Justice and Equality, ComReg and An Garda Síochána, to advance this matter. Following cross departmental consultation and an examination of the issues involved by the Project Team, ComReg, which has responsibility for the allocation of this number in Ireland, has now allocated the number to the ISPCC. The ISPCC has been successful in securing EU Daphne funding to support the establishment of the line. Officials of my Department met as recently as this week with the ISPCC and a revised application for funding, in addition to the EU Daphne funding, is expected to be submitted to my Department this week.

Officials of my Department are liaising with the ISPCC in relation to the implementation of the 116 hotline. It is envisaged that a phased implementation of the 116000 line will commence in 2012. In the interim, a holding response is currently heard if an individual rings the 116000 number. The number advises callers wishing to report a missing child to contact An Garda Síochána and advises children seeking assistance to contact the ISPCC.

Once operational, the line will;

- 1) Provide emotional support to children who are missing, their family and others respon-

sible for the missing child

- 2) Offer guidance and advice to the callers regarding a missing child;
- 3) Report risk cases (where identifying information has been received) to the Garda/HSE as per Children First Guidance;
- 4) Support the Garda Investigation, where appropriate;
- 5) Redirect calls outside the scope of the line.

It is important to note that the 116000 number is not an emergency number. Emergency calls should always be directed to the 999/112 number in the first instance, where the relevant emergency responses, including the recently launched Garda Missing Children Amber Alert mechanism, may be activated. The establishment of the 116000 line will, however, be of valuable support and assistance to families of missing children and to missing children themselves.

### Public Services Provision

214. **Deputy Brian Stanley** asked the Minister for Children and Youth Affairs if her Department works with local authorities in the delivery of services; and if so, the details of same. [42557/12]

215. **Deputy Brian Stanley** asked the Minister for Children and Youth Affairs if her Department engage with local authorities in the provision of services and if so the details of same. [42578/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 214 and 215 together.

My Department engages and works with Local Authorities as follows:

The Children's Services Committees bring together a diverse group of agencies in local county areas to engage in joint planning and co-ordination of services for children. These include representatives from the Local Authorities, HSE, An Garda Síochána, VECs, National Association of Principals and Deputy Principals, Irish Primary Principals Network, NEWB, and other organisations who provide services to children and young people. There are a total of 16 such committees.

The membership of all Children Services Committees (CSCs) includes senior managers from the major statutory providers of services to children and families. The Chairperson of each CSC is either the HSE Local Health Area Manager or the Area Manager for Children and Family Services and it is their function to ensure that the Children's Services Committees secures better developmental outcomes for children through more effective integration of existing services and interventions at local level. The Deputy Chairperson is a senior Local Authority officer.

In June this year, my Department established a CSC Steering Group whose main function is to support the effective operation and practical implementation of the work of the CSCs at local level. The Group, chaired by an independent Chairperson includes among its membership five representatives of Local Authorities.

Comhairle na nÓg (youth councils) were established in 2002 by the 34 City and County Development Boards (CDBs) in each local authority area, as part of the National Children's Strat-

egy. Comhairle na nÓg provides a forum for children and young people to discuss local and national issues of relevance to them. Delegates from Comhairle na nÓg are elected to represent their local area at the annual Dáil na nÓg. Comhairle na nÓg and Dáil na nÓg are recognised as the official structures for participation by children and young people in the development of policies and services.

In response to the recommendations of the Comhairle na nÓg Implementation Group Report (2007), the former OMCYA established the Comhairle na nÓg Development Fund aimed at improving the operation of Comhairle na nÓg and providing meaningful opportunities for children and young people to be involved in local decision-making. The Comhairle na nÓg Development Fund is designed to assist local authorities to support and develop Comhairle na nÓg. The Comhairle na nÓg Development Fund is managed by the Department of Children and Youth Affairs (DCYA) and administered in collaboration with Pobal.

The objectives of the Comhairle na nÓg Development Fund are to support the development and improvement of Comhairle na nÓg as:

- a firmly embedded structure and key consultative/participative forum for children and young people in each CDB area;
- an effective mechanism for children and young people to improve their own lives in partnership with adult stakeholders.

Application and reporting requirements of the Fund requires each CDB to submit documentation on plans, progress, achievements and challenges. Report on budget expenditure is also sought.

My Department provides for the delivery of a range of youth work schemes, programmes and supports to the youth sector. Funding is made available to national youth organisations under the Youth Service Grant Scheme and to projects/organisations under the Special Projects for Youth Scheme, the Young Peoples Facilities and Services Fund (Rounds 1 and 2) Local Youth Clubs Grant Scheme, Youth Information Centres and for a number of Play and Recreation programmes.

In general funding for these schemes is channelled through the Vocational Educational Authorities (VECs) but in some instances funding is paid through the Local County Councils/Local Authorities on behalf of this Department.

My Department also provides a series of small grants to local authorities each year to assist with the cost of staging National Play Day and National Recreation Week events in July and October of each year respectively. In 2011 my Department provided approximately €60,000 to local authorities towards the cost of these events. Local authorities in many cases provided matched or additional funding for the remainder of the costs incurred.

### Medical Card Applications

216. **Deputy Jack Wall** asked the Minister for Health the position regarding a medical card application in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [42360/12]

**Minister for Health (Deputy James Reilly):** As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

### Primary Care Centres Provision

217. **Deputy Billy Kelleher** asked the Minister for Health the reason that Swords and Balbriggan, County Dublin, slipped down the list for preferred primary care centre locations after the weighting towards disadvantage criteria was tripled in view of information (details supplied) that showed that Swords and Balbriggan were at a similar position on the list both before and after the weighting towards disadvantage was increased; and if he will make a statement on the matter. [42363/12]

**Minister for Health (Deputy James Reilly):** Prior to September 2008 the then Director of Estates for the HSE brought Primary Care proposals to the Board of the HSE. Balbriggan and Swords were in the 48 listed to be developed as a matter of priority. In 2012 a number of lists were drawn up by the HSE and discussed with the Department of Health. Initially a mathematical formula placed a priority ranking on circa 200 locations where the HSE wished to develop Public Private Partnership (PPP) for Primary Care Centres (PCCs).

The three indices included a score for accommodation, service priority, and urban & rural deprivation. The matter is further complicated by the fact that 3 distinct delivery/financing methodologies were also considered, namely direct investment, lease, and PPPs.

In the list of 200, 21 separate options for PPP are interspersed throughout. It is therefore clear that the potential net for PPP possibilities is drawn from 23 to no. 181. It was important to note that Swords was ranked at 130 and Balbriggan at 47.

When the index for urban and rural deprivation was multiplied by 3 to produce a further list in July, this list produced a new ranking of 338 locations in need of PCCs. This is further complicated by the increase in the number of PPP options which then totalled 44.

The decision-making at that point was further complicated by converting planned direct options into PPPs. Swords ends up positioned at 135 and Balbriggan at 43. The effect of that change left Swords and Balbriggan excluded from the PPP list.

By any objective, structured criteria, Balbriggan and Swords should receive primary care centres. Had they been completed in accordance with the original 2008 list of the HSE they would have been developed as a matter of priority and would now be serving the population of Swords and Balbriggan.

### Hospital Consultants Remuneration

218. **Deputy Billy Kelleher** asked the Minister for Health the amount of the €200 million in savings expected from the agreement reached with the hospital consultants will contribute towards bridging the deficit in the health budget this year; when he expects to see the savings from this agreement; and if he will make a statement on the matter. [42364/12]

219. **Deputy Billy Kelleher** asked the Minister for Health if he will outline the terms of the agreement made with consultants at the Labour Relations Commission; the aspects of the deal that have yet to be fully agreed; if he remains confident that these changes will begin from 1 October 2012; and if he will make a statement on the matter. [42365/12]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 218 and 219 together.

Intensive discussions between health service employers and the two consultant represen-

tative bodies commenced at the Labour Relations Commission on 13 September 2012 and concluded on 17 September 2012. 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.

The outcome of this engagement is that detailed proposals have been agreed between the parties. Amongst the key provisions of this agreement are the following. 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 a 16/7 (8 a.m. to midnight) or 24/7 basis in services where this is required. Clinical Directors will have a much strengthened management role in respect of consultants. Consultants will cooperate with a range of measures to support improved Community and Mental Health services. Consultant will comply with the contractual requirements regarding private practice. 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.

The agreement also puts on a formal basis consultants' co-operation with a range of productivity flexibilities, which will allow for considerable efficiencies in the use of hospital beds, with the potential to deliver a saving of 220,000 bed days annually. Given that these flexibilities are centred on enhancing productivity on an ongoing basis, they are not expected to deliver immediate monetary savings. A range of other measures are in train to address the current deficit.

Separately, a 30% reduction in salary for future consultant appointees is being applied. Management proposals to reduce the "rest day" arrangements that currently apply and to eliminate 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.

I believe that the proposals which have been agreed between the parties, when implemented, will allow for very significant reforms in how health services are delivered and ultimately will lead to improved outcomes for users of the services. I expect the changes to be implemented in a timely manner having regard to the relevant provisions in the Public Sector Agreement.

### **Health Services Provision**

220. **Deputy Billy Kelleher** asked the Minister for Health his plans for St. Raphael's, Youghal, County Cork, in the context of the reconfiguration of services in the Cork region; and if he will make a statement on the matter. [42395/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** 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.

### **Health Services Staff Issues**

221. **Deputy Billy Kelleher** asked the Minister for Health if he envisages the moratorium on care assistants being lifted; if so, the date of same; and if he will make a statement on the matter. [42403/12]

**Minister for Health (Deputy James Reilly):** The Government is committed to a reduction



in public service numbers to 282,500 by 2015. The health service must make an appropriate contribution to this reduction. The employment target for the health service is approximately 102,000 for the end of this year. While the HSE has some flexibility in relation to the filling of exceptional posts, the HSE introduced a pause on recruitment in July of this year due to the serious budgetary situation being faced.

Therefore, decisions on the filling of vacancies of care assistant, or other posts in the health service, must have regard to the need to reduce employment levels and the requirement to meet budgetary targets. However, the Public Service Agreement allows the HSE to redeploy staff based on service need.

### **Special Educational Needs Staffing**

222. **Deputy Michael McGrath** asked the Minister for Health in view of the fact that the information contained on the website [www.hseland.ie](http://www.hseland.ie), progressing children's disability services, does not specify the way providing therapy intervention through community access would impact of children attending special needs primary schools, if he will state, within the context of the proposed changes and specifically in relation to special needs schools, the model of community based therapy intervention that is envisaged as one which would work successfully in promoting the children's educational and development progression in order to ensure that they achieve a solid basis for future independent living. [42404/12]

**Minister for Health (Deputy James Reilly):** The HSE National Programme on Progressing Disability Services for Children and Young People (0-18 years) has been established since 2010. It is supported by a National Coordinating Group which has representatives from the Department of Health and the Department of Education and Skills in addition to other key stakeholders.

The Programme aims to address the following issues in relation to children's disability services: inequity of access to services due to inconsistent development of services; environmental change arising from the reorientation towards mainstream education leading to increasing demand for health services to support inclusion; increasing demand for services due to population growth and increased identification of children with disability; and the need to re-align services with emerging primary care and integrated service structures.

Implementation of the Programme encompasses two elements: ongoing work in co-ordinating and re-organising early intervention services for children aged 0-5 years into integrated, geographically based teams; and supporting the re-organisation of services for school-age children aged 5-18 years according to the same model.

The Programme is rolling out at national, regional and local level and involves representatives from the health and education sectors, statutory and non-statutory service providers and parents working together to see how current services can best be re-organised.

The HSE is working very closely with the education sector, which is fully involved in the development of the Programme, to ensure that, from the children's and parents' perspective, the services provided by each sector are integrated. A detailed action plan is being implemented with the following objectives: one clear pathway to services for all children with disabilities according to need; resources used to the greatest benefit for all children and families; and health and education working together to support children to achieve their potential.

While the Programme supports the principle of providing access to mainstream education where appropriate, it also recognises a continuing role for special schools. Within this context,

the HSE envisages that children attending special needs primary schools will have access to health supports and therapy services based on their needs.

The long term goal of this Programme is to bring consistency in service delivery and a clear pathway to services for children according to need. Implementation of the Programme will have a positive impact on the provision of clinical services for all children requiring access to health related supports, regardless of which school they attend.

### **Health Services Provision**

223. **Deputy Tom Fleming** asked the Minister for Health the position regarding a medical application in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [42405/12]

**Minister for Health (Deputy James Reilly):** As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

### **Medical Card Applications**

224. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding a medical card in respect of a person (details supplied); and if he will make a statement on the matter. [42414/12]

**Minister for Health (Deputy James Reilly):** As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

### **Prescription Charges**

225. **Deputy Billy Kelleher** asked the Minister for Health if he will rule out an increase in the prescription charge from 50c in Budget 2013; and if he will make a statement on the matter. [42415/12]

**Minister for Health (Deputy James Reilly):** Medical card holders are required to pay a 50c charge for medicines and other prescription items supplied to them by community pharmacists, subject to a cap of €10 per month for each person or family. Charges are not payable in respect of items supplied under the Long Term Illness Scheme. Prescription charges do not apply to children in the care of the HSE or to methadone supplied to patients participating in the Methadone Treatment Scheme.

Prescription charges result in savings to the Health Service Executive of approximately €27 million annually. Due to budgetary constraints I am not in a position to remove the 50c prescription charge.

### **Departmental Expenditure**

226. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health further to Parliamentary Question No. 225 of 19 September 2012, if he will provide a detailed breakdown, with itemised costs, of the services obtained from Goodbody Stockbrokers for the €333,413 paid by his Department to the company in 2011 and 2012 [42417/12]

**Minister for Health (Deputy James Reilly):** Following a competitive EU tendering process, in 2011 I appointed Goodbody Stockbrokers and Matheson Ormsby Prentice Solicitors as financial and legal advisors to make recommendations on options to address the current imbalance in the private health insurance market.

The consortium has presented a report to me which I am considering in the context of the future structure of the Private Health Insurance market as we prepare for the introduction of Universal Health Insurance. The work of the consortium involved financial and legal advice relating to this issue of rebalancing and it is still under consideration.

The Goodbody/Matheson Ormsby Prentice consortium was chosen as the most economically advantageous proposal, following EU public procurement rules, arising from the competitive process. The terms of the request for tenders issued for the competitive process required each tendering party to provide a total fixed price, inclusive of VAT and all expenses, for all of the services they proposed to provide. A more detailed breakdown of the costs of the work undertaken by the consortium would consist of commercially sensitive information which I do not consider it appropriate to release.

### Health Services Provision

227. **Deputy Finian McGrath** asked the Minister for Health the position regarding a medical appointment in respect of a person (details supplied) in Dublin 5. [42426/12]

**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

228. **Deputy Michael Healy-Rae** asked the Minister for Health the reason for the delay in making a decision on a medical card in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [42428/12]

**Minister for Health (Deputy James Reilly):** As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

### Health Services Provision

229. **Deputy Paul J. Connaughton** asked the Minister for Health when eye clinic services will be restored in Ballinasloe for a person (details supplied) in County Galway; and if he will make a statement on the matter. [42433/12]

**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

230. **Deputy Tom Fleming** asked the Minister for Health the effects the €130 million package of health cuts will have for maintaining and continuing the delivery of services in both hospitals and in the community in County Kerry; and if he will make a statement on the matter.

[42436/12]

**Minister for Health (Deputy James Reilly):** As this is a service matter, it has been referred to the Health Service Executive for direct reply.

### Home Care Packages

231. **Deputy Tom Fleming** asked the Minister for Health if he will maintain, develop and enhance home care front line services in order to keep people at home longer and lessen the financial burden on our hospitals; and if he will make a statement on the matter. [42438/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** Government policy is to support older people to live in dignity and independence in their own homes and communities for as long as possible. Mainstream Home Help and enhanced Home Care Package services are core to not only supporting vulnerable older people's preferred wishes, but also to reducing pressures elsewhere in the wider care system. The demand for these services, and for additional supports such as Meals-on-Wheels and Day or Respite Care, will continue as the demographics, and complex needs, of older people change.

The capacity of the Health Service Executive to provide approved levels of home support services is continually reviewed in the context of overall resources available at particular times. However, this has been a challenging year for the health services generally, including trying to maintain services to older people in line with evolving resource pressures.

Notwithstanding the recently announced reduction in HSE home support provision over the remainder of the year, investment in such services will still be significant, with expenditure of around €335 million expected to be incurred for Home Help and Home Care Packages this year. All measures are being taken by each Local Health Office to ensure that as many people as possible continue to receive a prioritised service, in line with assessed individual needs. The objective of reducing pressures on the Acute Hospitals and the Long Term Residential Care systems is also being addressed by the HSE in the context of various on-going operational improvements to enhance the quality and focus of its home support services.

### Hospital Waiting Lists

232. **Deputy Tom Fleming** asked the Minister for Health if he will provide a detailed report in respect of the orthopaedic waiting lists in Counties Kerry and Cork; the number of patients currently on the waiting list; the timeframe for same; and if he will make a statement on the matter. [42439/12]

**Minister for Health (Deputy James Reilly):** I am determined to address outpatient waiting times. Hence, improving access to outpatient services is the next priority for the Special Delivery Unit (SDU). The SDU, together with the National Treatment Purchase Fund, will shortly take over the reporting of outpatient waiting time data from the HSE. The collation and analysis of outpatient waiting time data by the SDU and NTPF will enable them to target their resources towards those patients who are waiting longest and ensure they are seen and assessed. In parallel with reducing the numbers of those waiting longest, the SDU will also work with the HSE Clinical Care Programmes to reform the structure and organisation and delivery of outpatient services to ensure that the right patient is seen and assessed by the right health professional at the right time.

As this is a service matter, it has been referred to the HSE for direct reply.

### **Hospital Staff Issues**

233. **Deputy Michael Colreavy** asked the Minister for Health when will the person who was offered the post of midwife, prior to the recruitment moratorium, at Sligo Regional Hospital, be appointed to the post; and if he will make a statement on the matter. [42443/12]

**Minister for Health (Deputy James Reilly):** As this is a service matter it has been referred to the Health Service Executive for direct reply.

### **Primary Care Centres Provision**

234. **Deputy Terence Flanagan** asked the Minister for Health if the north fringe area, dublin 13 is being considered for a primary care centre; and if he will make a statement on the matter. [42447/12]

**Minister for Health (Deputy James Reilly):** The management and delivery of the health capital programme is a service matter. Therefore your question has been referred to the Health Service Executive for direct reply.

### **Health Services Provision**

235. **Deputy Paul J. Connaughton** asked the Minister for Health the reason the eye clinic conducted at health centres in Ballinasloe and Loughrea in County Galway has been withdrawn and when it is planned that it will be reinstated; and if he will make a statement on the matter. [42448/12]

**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 Accommodation Provision**

236. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health further to Parliamentary Question Number 760 of 17 July 2012, when a reply will issue from the Health Service Executive; and if he will make a statement on the matter. [42451/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** The Health Service Executive has advised that a reply issued to the Deputy on the 7th August 2012.

### **Hospital Staff Issues**

237. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health further to Parliamentary Question No 358 of 18 July 2012 when a reply will issue from the Health Service Executive; and if he will make a statement on the matter. [42452/12]

**Minister for Health (Deputy James Reilly):** The HSE has advised that a reply to Parliamentary Question No. 358 of 18 July 2012, issued to the Deputy on 19 July 2012.



### **Nursing Home Services**

238. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health further to Parliamentary Question No 446 of 25 September 2012 when a reply will issue from the Health Service Executive; and if he will make a statement on the matter. [42453/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** I wish to advise the Deputy that the Health Service Executive has 15 working days from the date a question is asked to reply to the Deputy. In relation to Parliamentary Question No. 446, a reply is due by 16 October 2012.

### **Health Services Expenditure**

239. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health further to Parliamentary Question No 477 of 25 September 2012 when a reply will issue from the Health Service Executive [42454/12]

**Minister for Health (Deputy James Reilly):** I understand that the HSE responded to the Deputy on the 1st October 2012, and that the 2012 figures will be forwarded as soon as they are completed.

### **Health Services Expenditure**

240. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health further to Parliamentary Question No 478 of 25 September 2012 when a reply will issue from the Health Service Executive [42455/12]

**Minister for Health (Deputy James Reilly):** The information requested by the Deputy is currently being collated by the Executive and will be forwarded as soon as it becomes available. While the Executive makes every effort to answer parliamentary questions referred to it as soon as possible it's current commitment is to provide an answer to Deputies within 15 working days from the Dáil answer date. Under this agreement the latest date for answer for the Deputy's question is October 16th.

### **HSE Staff Responsibilities**

241. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health further to Parliamentary Question No 479 of 25 September 2012 when a reply will issue from the Health Service Executive; and if he will make a statement on the matter. [42456/12]

**Minister for Health (Deputy James Reilly):** The HSE has advised that the information required by the Deputy is still being collated and will be forwarded to him in due course.

### **Health Services Expenditure**

242. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health further to Parliamentary Question No 480 of 25 September 2012 when a reply will issue from the Health Service Executive; and if he will make a statement on the matter. [42457/12]

**Minister for Health (Deputy James Reilly):** The Health Service Executive has advised that the information requested by the Deputy is being collated and will be forwarded to him as soon as it is available.

### **Disability Support Services Provision**

243. **Deputy Emmet Stagg** asked the Minister for Health the amount of money spent on legal costs since the appointing of an acting disability appeals officer under the Disability Act 2005 [42466/12]

244. **Deputy Emmet Stagg** asked the Minister for Health the reason no determinations and reasons for decisions reports have been made available for public inspection since January 2012, despite the fact that under the Disability Act 2005 they must be made available within 21 days of issue once they are not challenged on a point of law [42467/12]

245. **Deputy Emmet Stagg** asked the Minister for Health the date on which he intends to appoint an independent disability appeals officer under the Disability Act 2005 to replace the acting disability appeals officer who is an official in his Department [42468/12]

246. **Deputy Emmet Stagg** asked the Minister for Health if he intends to locate the next appointed disability appeals officer, under the Disability Act 2005, in offices other than those operated by his Department, to maintain the independence of the disability appeals office. [42469/12]

254. **Deputy Anthony Lawlor** asked the Minister for Health if he will provide an update on the interim arrangements for the Office of Disability Appeals; the date on which the position of Disability Appeals Officer will be filled; and if he will make a statement on the matter. [42515/12]

255. **Deputy Anthony Lawlor** asked the Minister for Health when will all completed Determinations and Reasons for Decisions reports from the Office of Disability Appeals Officer be made available for public inspection, including any reports from the former Disability Appeals Officer; and if he will make a statement on the matter. [42516/12]

256. **Deputy Anthony Lawlor** asked the Minister for Health the amount his Department spent on legal costs in relation to the Office of the Disability Appeals Officer since the interim arrangements were put in place; and if he will make a statement on the matter. [42517/12]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 243 to 246, inclusive, and 254 to 256, inclusive, together.

Part 2 of the Disability Act 2005 makes provision for the introduction of very specific obligations on the health services, including a statutory entitlement to:

- an independent assessment of health and education needs {Section 8};
- a statement of services {Section 11} which it is proposed to provide;
- an independent redress and complaints mechanism {Section 14} if required;
- make an appeal to the independent Disability Appeals Officer {Section 18}.

The Disability Appeals Officer (DAO) is an independent officer appointed by the Minister for Health whose purpose is to provide an appeals service to people who wish to appeal (i)

against a finding or recommendation of a complaints officer of the HSE made under the Disability Act 2005; or (ii) against the failure of the HSE or an education service provider to implement a recommendation of a complaints officer.

The Office of the Disability Appeals Officer (ODAO) was created to support the DAO in the performance of his/her functions. It should be noted that the Disability Act does not create an office which exists independently of the person who holds office and, accordingly, the ODAO is not a corporate body. Since 2007, the ODAO has successfully supported the DAO in providing the appeals service envisaged under the Disability Act. From 2007 staff from the Department of Health were assigned to the ODAO to assist the DAO in the performance of her functions.

Following the decision in October 2008 to defer further roll-out of Part 2 of the Disability Act for other cohorts, it became apparent that the ODAO did not have the volume of work originally envisaged and by 2011 there was an insufficient quantum of work to justify a full-time DAO position.

The former Disability Appeals Officer resigned her position with effect from 31/12/2011 and my Department has been in discussions with the Department of Public Expenditure and Reform regarding the filling of this post. As an interim measure, a Principal Officer on my Department's staff has been designated to discharge the duties of the DAO and is independent in the performance of this function. This is a temporary measure only and a longer term arrangement will be put in place as soon as possible.

The provisions for parents wishing to make an appeal have not changed and appeals will continue to be determined in accordance with the provisions of the Disability Act. As part of its service the ODAO operates a Lo-Call phone line which is manned during normal working hours.

The availability for public inspection of the Determination and Reasons for Decision Reports that are produced at any particular time by the DAO is a matter for the DAO and is outside of my remit. I am advised by the DAO that all completed Determinations are available on the ODAO website.

I can confirm that an amount of €12,500 plus VAT in legal costs has been incurred by the ODAO since 1 January 2012.

### Home Help Service Provision

247. **Deputy Tom Fleming** asked the Minister for Health the number of home helps in County Kerry; the number of applicants for home help in Kerry waiting a decision on their application; the number of applicants in Kerry whose hours have been reduced in the past 12 months; the total number of hours cut in County Kerry during the past year; and if he will make a statement on the matter. [42483/12]

248. **Deputy Tom Fleming** asked the Minister for Health the reason he is consistently cutting home help hours in County Kerry; his views on the implications that these cuts are having on the most vulnerable in our society, the elderly, the sick and the disabled; his views on whether these cuts are driving more people into hospitals in view of the fact that they are no longer being adequately cared for; and if he will make a statement on the matter. [42498/12]

250. **Deputy Tom Fleming** asked the Minister for Health the number of home helps in County Kerry; the number of applicants for home help in County Kerry awaiting a decision on their application; the number of applicants in County Kerry whose hours have been reduced in

the past 12 months; the total number of hours cut in the past year; and if he will make a statement on the matter. [42500/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** I propose to take Questions Nos. 247, 248 and 250 together.

As these are service matters they have been referred to the Health Service Executive for direct reply.

### **Services for People with Disabilities**

249. **Deputy Tom Fleming** asked the Minister for Health if he will address the unacceptable waiting lists and waiting times in audiology services in County Kerry in view of the fact that these long delays are impacting on the quality of life of those on the waiting list; and if he will make a statement on the matter. [42499/12]

**Minister for Health (Deputy James Reilly):** As this is a service matter, it has been referred to the Health Service Executive for direct reply.

*Question No. 250 answered with Question No. 247.*

### **Medical Card Applications**

251. **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. [42501/12]

**Minister for Health (Deputy James Reilly):** As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

### **Ambulance Service Provision**

252. **Deputy Denis Naughten** asked the Minister for Health the position regarding plans to develop a 24/7 ambulance base in West Roscommon; and if he will make a statement on the matter. [42505/12]

**Minister for Health (Deputy James Reilly):** The National Ambulance Service (NAS) is currently examining ways to improve the deployment of emergency resources in the Roscommon area, in order to enhance service levels and performance against national standards.

Emergency activity levels in the Roscommon area remain static. Therefore, the NAS is seeking to use existing resources more efficiently in order to improve response times. To this end, the NAS is examining, in consultation with staff representatives, the introduction of tactical deployment from ambulance stations and suitable emergency dispatch points in west Roscommon. Work is progressing, under the terms of the Croke Park Agreement, on the introduction of the type of new work practices that would allow this service development to proceed.

Talks were held locally in May on the use of the fire station in Ballaghaderreen as an emergency dispatch point by the NAS. Roscommon County Council has now informed the NAS that, on foot of communication from the Department of the Environment, Community and Local Government, it is not in a position to progress this matter. In light of this development,

the NAS is considering other locations. However, challenges in relation to costs and access to appropriate accommodation mean that it is not possible at this stage to indicate when an emergency dispatch point will commence operation in West Roscommon.

### Primary Care Centres Provision

253. **Deputy Denis Naughten** asked the Minister for Health the steps he has taken since July to progress the development of two new primary care centres in Ballaghaderreen and Boyle, County Roscommon; and if he will make a statement on the matter. [42506/12]

**Minister for Health (Deputy James Reilly):** Delivery of the health capital infrastructure stimulus is a service matter. Therefore your question has been referred to the Health Service Executive for direct reply.

*Questions Nos. 254 to 256, inclusive, answered with Question No. 243.*

### Health Services Staff Issues

257. **Deputy Billy Kelleher** asked the Minister for Health if he will set out in tabular form the starting salary grade for a newly employed nurse within the Health Service Executive for each year from 2005 to 2012; the available allowances to a newly employed nurse in each year; and if he will make a statement on the matter. [42520/12]

**Minister for Health (Deputy James Reilly):** The following table sets out the first point on the staff nurse salary scale for each year from 2005 to date.

Date	Salary
Dec-04	€26,841
June-05	€27,757
Dec-05	€28,174
Jun-06	€28,878
Dec-06	€29,744
Jun-07	€30,339
Mar-08	€31,098
Sep-08	€31,875
Jan-10	€30,234
Jan-11	€27,211

Details of the allowances payable to nursing staff are available on my Department's website at

[http://www.dohc.ie/publications/salary\\_scales\\_jan2010.html](http://www.dohc.ie/publications/salary_scales_jan2010.html).

### Health Services Provision

258. **Deputy Brendan Griffin** asked the Minister for Health his views on a matter (details supplied); and if he will make a statement on the matter. [42553/12]

**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.

### **Health Services Provision**

259. **Deputy Brian Stanley** asked the Minister for Health if his Department works with local authorities in the delivery of services; and if so, the details of same. [42564/12]

260. **Deputy Brian Stanley** asked the Minister for Health if his Department engage with local authorities in the provision of services and if so the details of same [42585/12]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 259 and 260 together.

The Health Service Executive has statutory responsibility for the management and delivery of health and personal social services. I have therefore referred these questions to the Executive's Parliamentary Affairs Division for attention and direct reply to the Deputy.

### **North-South Ministerial Council**

261. **Deputy Joe McHugh** asked the Minister for Transport, Tourism and Sport if he will provide an update on the commitment to progressing the co-funded A5 road project; if he will further provide an update on the engagement that he has had with the Northern Ireland Executive in respect of this co-funded project; and if he will make a statement on the matter. [41269/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** Transport is one of the areas of co-operation under the North South Ministerial Council (NSMC) process. Regular meetings of the Transport Sectoral Council are held, where transport issues, including investment, are discussed. The next Transport Sectoral is due to take place on 5th October 2012.

In relation to the A5 cross-Border roads project, as the Deputy will be aware, the previous Government gave a commitment to co-fund the construction of the A5. However, they made no provision to meet the costs of the A5 post-2012 in either the Four Year Plan or the Infrastructure Investment Priorities Plan 2010 to 2016. Given that £400 million sterling was due to fall between 2013 and 2016 and given the current state of the Exchequer, it was not feasible to provide this level of funding in the coming years.

Therefore, at the NSMC Plenary meeting, on 8th November 2011, Ministers noted that the provision of further funding by the Irish Government for the A5 road was being deferred but that the Irish Government will provide £25m per annum in 2015 and 2016 towards the project. At the subsequent June 2012 NSMC Plenary meeting, it was noted that the N.I. Executive had announced an investment package of major roads including two sections of the A5 project. In addition, it was noted that the Irish Government remains committed to the completion of the co-funded A5 project which is of strategic importance to the North West Region and the island as a whole, but that the Government is not in a position to make funding commitments for the period post-2016 in advance of its consideration of the next capital review framework. The NSMC plenary approved a funding implementation plan for the A5 project to the end of 2016 which incorporated the £50m committed by the Irish Government.

## Sports Capital Programme Applications

262. **Deputy Nicky McFadden** asked the Minister for Transport, Tourism and Sport when decisions on the sports capital grants applications 2012 will be announced; the number of applications received by his Department from organisations in counties Longford and Westmeath; and if he will make a statement on the matter. [42362/12]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring):** 30 applications were received from County Longford and 44 were received from County Westmeath under the Sports Capital Programme advertised earlier this year. I expect to be in a position to announce the list of successful applicants later this year.

## Road Network

263. **Deputy Gerry Adams** asked the Minister for Transport, Tourism and Sport if he will provide an update on the progress made on plans to build a bridge linking North County Louth and South County Down at Narrow Water; the steps he has taken to progress this matter; and if he will make a statement on the matter. [42379/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The improvement and maintenance of regional and local roads in its area, is a statutory function of each road authority in accordance with the provisions of section 13 of the Roads Act, 1993. Works on such roads are a matter for the relevant local authority to be funded from its own resources supplemented by State road grants. As you are aware, this Government has had to scale back capital spending considerably in recent times. This will impact significantly on the scope for new development projects. The Narrow Water Bridge project is estimated to cost approximately €19 million. I understand that Louth County Council submitted the project's CPO and EIS to An Bord Pleanála on 16th January 2012, that an oral hearing was held in June of this year and that Louth County Council expects a decision shortly.

I also understand that Louth County Council has applied for INTERREG IVA funding for the project. In advance of this application, I indicated to Louth County Council that funding under the INTERREG IVA programme would require a commitment from the Northern Ireland authorities to fund in excess of 75% of the up front cost of the project. I am not aware if Louth County Council has obtained this commitment. I did indicate that if the Northern Ireland authorities were willing to support the project and if an INTERREG IVA application were successful then I would be prepared to try to find a net Exchequer contribution of the order of €1.5m.

## Bus Éireann Services

264. **Deputy Luke 'Ming' Flanagan** asked the Minister for Transport, Tourism and Sport the reason Bus Éireann has dropped Expressway Route 22; if his attention has been drawn to the fact that this decision leaves the town of Elphin, County Roscommon without any bus service (details supplied) while the other towns along Expressway Route 22 have other Expressway services which will continue, Elphin is now left with no service to connect it to regional towns; if he is concerned that should such cutbacks to services continue, he will further marginalise towns such as Elphin; the decision making process which brought about this action; and if he will make a statement on the matter. [42392/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The issue raised is an operational matter for Bus Éireann in conjunction with the National Transport Authority (NTA) 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 response within 10 working days.

### **Bus Éireann Services**

265. **Deputy Anthony Lawlor** asked the Minister for Transport, Tourism and Sport the estimated cost of conducting the consultants report associated with the proposed bus corridors within the Naas town area in County Kildare; the consultants undertaking this study; if Kildare County Council National Roads Design Team were considered for this project in order to reduce the costs associated with this report; and if he will make a statement on the matter. [42394/12]

**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) in December 2009, the provision of public transport infrastructure and the effective management of traffic in the Greater Dublin Area comes under the remit of the NTA. Noting this I have referred the Deputy's question to the NTA for direct reply. He should please advise my private office if he does not receive a reply within ten working days.

### **Road Safety Issues**

266. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport if he will confirm that the medical bureau road safety have been allocated €300,000 to purchase 25 station based breath testing machines, Evidenzer IRL machines, for 22 Garda stations and three spare machines; when these machines will be installed; the stations in which they are being installed; if he has been informed by the Department for Justice and Equality that the Garda Commissioner has named the Gardaí going forward for training in MBRS; the total number of Gardaí who will be trained in this function; if he will indicate the number of these that will be taking the two day training course in MBRS in October 2012; and if he will make a statement on the matter. [42434/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** As part of my Department's 2012 Estimates, the Medical Bureau of Road Safety (MBRS) was allocated €300,000 to purchase EvidenzerIRL instruments. The Bureau is now ready to proceed with the purchase of 22 instruments for installation in Garda Stations and an additional 3 instruments are also being purchased to ensure sufficient spares are available. The instruments will be installed in 22 designated Garda stations following delivery from the manufacturers, their customised production for this jurisdiction and then subsequent testing by the MBRS prior to being commissioned into use. This installation, testing and commissioning will occur on a rolling basis throughout the country in the first quarter of 2013. The identification of the 22 Garda stations where the instruments will be installed is currently being finalised by the Gardaí and the MBRS, subject to criteria laid down by the MBRS. Once finalised, the list of selected locations will be available from the Garda Síochána. The details of the Gardaí members to be trained as instrument operators and supervisors at the MBRS commencing in October 2012, and continuing into 2013 are not yet known. Those details are Garda operational matters and the Office of the Assistant Garda Commissioner for Traffic is co-ordinating the matter.

### Pilot Training Colleges

267. **Deputy Michael Healy-Rae** asked the Minister for Transport, Tourism and Sport the position regarding the Waterford based Pilot Training College of Ireland (details supplied); and if he will make a statement on the matter. [42491/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** As I have previously stated the situation which arose is most unfortunate and came about from the failure of the Pilot Training College (PTC), a privately-owned and operated flight training school, to meet its contractual obligations to its students in relation to the completion of their training.

The Irish Aviation Authority (IAA) has responsibility for approving and overseeing flight training organisations in Ireland. The Authority's primary functions in this regard are the oversight of the safety, quality and standard of the training being delivered, the conduct of examinations and flight tests. They look at whether the company has sufficient resources to safely provide the training required to the internationally determined standards. They have no involvement in, or responsibility for, the contractual arrangements between flight schools and their students.

While I have considerable sympathy for those facing personal financial loss, there are a significant number of creditors in this case including foreign students, large airlines and others. It would not be practical to treat those creditors differently to those individuals who have contacted the Deputy. Ultimately the Irish tax-payer cannot be liable for failed private companies. Almost all companies in the State are regulated or licensed by the State or a State agency or body. This does not confer liability on the State.

### Railway Stations Car Park Charges

268. **Deputy Dominic Hannigan** asked the Minister for Transport, Tourism and Sport the occupancy rates at the car parks of the train stations in counties Meath and Louth; the individual pricing structure for each station; and if he will make a statement on the matter. [42518/12]

269. **Deputy Dominic Hannigan** asked the Minister for Transport, Tourism and Sport when he expects the Irish Rail review of car parking charges at train stations to be completed; and if he will make a statement on the matter. [42519/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I propose to take Questions Nos. 268 and 269 together.

The management of car parks at train stations is a matter for Irish Rail. I have, however, on foot of representations from a number of Deputies and based on my own experience as a Deputy in a commuter area, raised certain concerns recently regarding car-parking charges policy with both the Chairman and Chief Executive of Irish Rail. I have asked Irish Rail to review the current policy and assess the current pricing regime on the basis that a lower charge may encourage more commuters to use the car parks. A response from Irish Rail is awaited.

I have also referred the Deputy's specific questions to the company for direct reply. He should please advise my private office if he has not received a reply within ten working days.

**Public Services Provision**

270. **Deputy Brian Stanley** asked the Minister for Transport, Tourism and Sport if his Department works with local authorities in the delivery of services; and if so, the details of same. [42569/12]

271. **Deputy Brian Stanley** asked the Minister for Transport, Tourism and Sport if his Department engage with local authorities in the provision of services and if so the details of same. [42590/12]

**Minister for Transport, Tourism and Sport (Leo Varadkar):** I propose to take Questions Nos. 270 and 271 together.

My Department has responsibility for policy in relation to the transport, tourism and sport sectors and regularly engages with Local Authorities on these issues either directly or indirectly through its agencies. In particular, funding is provided by the National Transport Authority to the local authorities in the Greater Dublin area, Cork, Galway, Limerick and Waterford for the implementation of a variety of projects including Quality Bus Corridor enhancements, traffic management, cycle and pedestrian schemes and footpaths. While the improvement and maintenance of regional and local roads is the responsibility of the relevant local authority to be funded from own resources, this funding is supplemented by State road grants paid by my Department through the National Roads Authority.

Capital funding is provided to Local Authorities under the Department's Sports Capital and Local Authority Swimming Pools Programmes. The Department engages with Local Authorities under the major emergency management framework at national level and also individual units of my Department such as the Air Accident Investigation Unit and the Irish Coast Guard engage directly with the local authority emergency response agencies. The Department also advises all local authorities on their road haulage legislation enforcement obligations.